

ACTS INTERPRETATION.

No. 23 of 1930.

An Act to amend the *Acts Interpretation Act 1901-1918* and the *Acts Interpretation Act 1904-1916*.

[Assented to 14th August, 1930.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

- 1.—(1.) This Act may be cited as the *Acts Interpretation Act 1930*. Short title and citation.
 (2.) The *Acts Interpretation Act 1901-1918**, as amended by this Act, may be cited as the *Acts Interpretation Act 1901-1930*.
 (3.) The *Acts Interpretation Act 1904-1916*†, as amended by this Act, may be cited as the *Acts Interpretation Act 1904-1930*.

2. Section ten of the *Acts Interpretation Act 1904-1916* is amended by omitting from paragraph (c) the words “both Houses of the Parliament within thirty days of the making thereof, or, if the Parliament is not then sitting, within thirty days after the next meeting of the Parliament.”, and inserting in their stead the words “each House of the Parliament within fifteen sitting days of that House after the making of the regulations.” Regulations.

3.—(1.) After section fifteen of the *Acts Interpretation Act 1901-1918* the following section is inserted :—

“15A. Every Act, whether passed before or after the commencement of this section, shall be read and construed subject to the Constitution, and so as not to exceed the legislative power of the Commonwealth, to the intent that where any enactment thereof would, but for this section, have been construed as being in excess of that power, it shall nevertheless be a valid enactment to the extent to which it is not in excess of that power.” Construction of Acts to be subject to Constitution.

(2.) This section shall not commence until a date to be fixed by Proclamation.

4. Section seventeen of the *Acts Interpretation Act 1901-1918* is amended by adding at the end thereof the following definition :— Definitions.

“(p) ‘Territory of the Commonwealth’ or ‘Territory under the authority of the Commonwealth’ includes any Territory governed by the Commonwealth under a Mandate.”

* Act No. 2, 1901, as amended by No. 4, 1916 and No. 8, 1918

† Act No. 1, 1904, as amended by No. 4, 1916.

5. After section nineteen of the *Acts Interpretation Act* 1901-1918 the following section is inserted :—

Administration
of Acts.

“ 19A. Where in any Act, whether passed before or after the commencement of this section, it is provided that the Act shall be administered by a specified Minister of State of the Commonwealth, or shall be administered, controlled or carried into effect by a specified Department of State of the Commonwealth—

(a) the reference to that Minister shall be read as a reference to any Minister to whom the administration of the Act is allotted by order of the Governor-General and shall be deemed to include any Minister or Member of the Executive Council for the time being acting for and on behalf of the Minister to whom the administration of the Act is so allotted ; and

(b) the reference to that Department shall be read as a reference to any Department to which the administration of the Act is allotted by any such order.”

Expressions
in instrument
under an Act.

6. Section thirty-two of the *Acts Interpretation Act* 1901-1918 is amended by inserting at the end thereof the following sub-section :—

“(2.) Where an Act confers power to make, grant or issue any instrument (including rules, regulations or by-laws) and expressions which are defined in this Act are contained in the instrument, the provisions of this Act shall apply to the interpretation of those expressions.”
