



Interpretation Act 1979

No. 10, 1979

Compilation No. 14

Compilation date: 1 January 2022

Includes amendments up to: Norfolk Island Continued Laws Ordinance 2015 (No. 2, 2015) as amended up to Norfolk Island Continued Laws Ordinance Amendment (Applied Laws and Service Delivery (Queensland Measures) Rules 2021 (F2021L01904)

Note: The formatting of this compilation was updated in 2022 to align with current formatting practices.

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Interpretation Act 1979

An Act for the interpretation of enactments and for the shortening of their language

1 Short title

This Act may be cited as the *Interpretation Act 1979*.

2 Commencement

This Act shall come into operation on the date fixed under subsection 2(2) of the *Norfolk Island Act 1979*.

5 Application of this Act

This Act, and, if this Act is amended, this Act as in force for the time being as amended, applies to all enactments, including this Act, whether made before or after the commencement of this Act.

6 Construction of enactments to be subject to Act

An enactment shall be read and construed subject to the Act under which it was made and so as not to exceed the legislative power conferred by that Act, to the intent that where a provision of the enactment would, but for this section, have been construed as being in excess of that power, the provision shall nevertheless be a valid provision to the extent to which it is not in excess of that power.

7 Construction of Rules, regulations and Bylaws

- (1) Where an enactment confers power to make, grant or issue an instrument (including Rules, regulations or Bylaws), this Act, and,

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if this Act is amended, this Act as in force for the time being as amended, applies, so far as it is applicable, to the instrument as if—

- (a) it were an enactment and each such Rule, regulation or Bylaw were a section of an enactment; and
 - (b) each subrule of such a Rule, subregulation of such a Regulation or paragraph or other division of such a Bylaw were a subsection of an enactment.
- (2) An instrument so made, granted or issued shall be read and construed subject to the enactment and so as not to exceed the power conferred by the enactment to the extent that where the instrument would, but for this section, have been construed as being in excess of the power, it is nevertheless a valid instrument to the extent to which it is not in excess of the power.
 - (3) An expression used in an instrument referred to in subsection 7(1) has, unless the contrary intention appears, the same meaning as in the enactment under which the instrument was made, granted or issued.

8 Enactments to have effect subject to a contrary intention

Section 5, in its application to an enactment, and subsection 7(1), in its application to an instrument (including Rules, regulations or Bylaws) under an enactment, has effect subject to a contrary intention appearing in that or another enactment or in the instrument.

8AA Enactments extended to Queensland applied or adopted laws

- (1) To the extent that an enactment is extended in its operation to a law of New South Wales as in force in the Territory, the operation of the enactment is also extended in its application to a law of Queensland as in force in the Territory under section 18A of the *Norfolk Island Act 1979* of the Commonwealth and any other law of Queensland applied, adopted or incorporated by a legislative instrument made under that Act as in force in the Territory.
- (2) This section does not apply to the extent that its application would:

- (a) create an offence or civil penalty;
- (b) provide powers of:
 - (i) arrest or detention; or
 - (ii) entry, search or seizure; or
- (c) impose a tax.

8A Application of the *Acts Interpretation Act 1901* (Commonwealth)

- (1) The *Acts Interpretation Act 1901* of the Commonwealth (as in force from time to time) applies in relation to enactments (including this Act) in the same way as it applies in relation to Acts of the Commonwealth, whether the enactments are made before, at or after the interim transition time.

Note: That Act also applies in relation to instruments made under enactments in the same way as it applies in relation to Acts of the Commonwealth, because of section 7 of this Act.

- (2) However, subsection (1) does not apply the following provisions of the *Acts Interpretation Act 1901* of the Commonwealth to enactments:
- (a) the definitions of *Commonwealth*, *Executive Council*, *Gazette*, *justice of the peace*, *penalty unit*, *statutory declaration*, *Territory*, *Territory of the Commonwealth*, *Territory under the authority of the Commonwealth*, *Territory of Australia* and *United Kingdom* in section 2B;
 - (b) subsection 15B(1);
 - (c) section 21;
 - (d) subsection 38(1);
 - (e) section 39.

Note: This Act contains provisions that apply to enactments (and instruments made under enactments) instead of those definitions in section 2B of the *Acts Interpretation Act 1901* of the Commonwealth and instead of section 21 of that Act.

- (3) To avoid doubt, section 46AA of the *Acts Interpretation Act 1901* of the Commonwealth (as in force from time to time) applies because of subsection (1) of this section to instruments made under enactments. That section applies as if the reference in that section to an Act included a reference to a law continued in force by

Section 8B

section 16 or 16A of the *Norfolk Island Act 1979* of the Commonwealth.

8B Application of the *Legislative Instruments Act 2003* or the *Legislation Act 2003* (Commonwealth)

- (1) This section applies to a legislative instrument (within the meaning of the *Legislative Instruments Act 2003* or *Legislation Act 2003* of the Commonwealth) that is:
- (a) a section 19A Ordinance; or
 - (b) an instrument made under an enactment.

Note: On the commencement of Schedule 1 to the *Acts and Instruments (Framework Reform) Act 2015* of the Commonwealth, the *Legislative Instruments Act 2003* of the Commonwealth will become the *Legislation Act 2003* of the Commonwealth.

- (2) Section 14 of that Act applies in relation to the instrument:
- (a) as if the reference in that section to an Act included a reference to a law continued in force by section 16 or 16A of the *Norfolk Island Act 1979* of the Commonwealth; and
 - (b) if the instrument is made under an enactment—as if the enactment were the enabling legislation for the instrument.

8C Continued laws regulating employment do not apply to certain officers, employees and authorities of New South Wales

To the extent that a law continued in force by section 16 or 16A of the *Norfolk Island Act 1979* of the Commonwealth regulates employment, the law does not apply to:

- (a) an officer or employee of New South Wales; or
- (b) an authority of New South Wales (within the meaning of section 18B of the *Norfolk Island Act 1979* of the Commonwealth); or
- (c) an officer or employee of an authority of New South Wales (within the meaning of section 18B of the *Norfolk Island Act 1979* of the Commonwealth);

to the extent that the officer, employee or authority is exercising powers or performing functions or duties under an arrangement

entered into under section 18C of the *Norfolk Island Act 1979* of the Commonwealth.

8D Continued laws regulating employment do not apply to certain officers, employees and authorities of Queensland

To the extent that a law continued in force by section 16 or 16A of the *Norfolk Island Act 1979* of the Commonwealth regulates employment, the law does not apply to:

- (a) an officer or employee of Queensland; or
- (b) an authority (within the meaning of section 18B of the *Norfolk Island Act 1979* of the Commonwealth) of Queensland; or
- (c) an officer or employee of an authority (within the meaning of section 18B of the *Norfolk Island Act 1979* of the Commonwealth) of Queensland;

to the extent that the officer, employee or authority is exercising powers or performing functions or duties under an arrangement between the Commonwealth and Queensland for the delivery of services to Norfolk Island.

10D Use of extrinsic material in the interpretation of an enactment

Without limiting subsection 15AB(1) of the *Acts Interpretation Act 1901* of the Commonwealth (as that section applies because of section 8A of this Act), the material that may be considered in accordance with that subsection in the interpretation of a provision of an enactment made before the interim transition time includes—

- (a) all matters not forming part of the enactment that are set out in the document containing the text of the enactment as printed by the Administration printer; and
- (b) any relevant report of a committee of inquiry or similar body that was laid before the Legislative Assembly before the time when the provision was enacted; and
- (c) any explanatory memorandum relating to the Bill containing the provision, or any other relevant document, that was laid before, or furnished to the members of, the Legislative

Assembly by a Minister before the time when the provision was enacted; and

- (d) the speech made to the Legislative Assembly by a Minister on the occasion of the moving by that Minister of a motion that the Bill containing the provision be agreed to in principle; and
- (e) any document (whether or not a document to which a preceding paragraph applies) that is declared by the enactment to be a relevant document for the purposes of this section; and
- (f) any relevant material in the Minutes of Proceedings of the Legislative Assembly or in any official record of debates in the Legislative Assembly.

11 Expressions defined by Norfolk Island Act

Subject to section 12, an expression defined by subsection 4(1) of the *Norfolk Island Act 1979* has the same meaning in an enactment as in that Act.

Note 1: Section 12 defines **enactment** differently from the way that expression is defined by subsection 4(1) of the *Norfolk Island Act 1979*.

Note 2: Part 2 of Schedule 1 affects the operation of many provisions of enactments that use expressions defined by subsection 4(1) of the *Norfolk Island Act 1979*, such as **Legislative Assembly**.

12 General definitions

- (2) In an enactment (including this Act)—

Administration:

- (a) in relation to things done before the final transition time—has the same meaning as it had under section 4 of the *Norfolk Island Act 1979* of the Commonwealth as in force immediately before the final transition time; and
- (b) otherwise—means the Norfolk Island Regional Council.

Administration printer means any person printing for the Administration as it existed before the interim transition time.

Administrative Review Tribunal means the Tribunal established under subsection 4(1) of the *Administrative Review Tribunal Act 1996*.

Administrator means:

- (a) in relation to things done before the interim transition time—the Administrator of the Territory appointed under the *Norfolk Island Act 1979*, as in force immediately before 1 July 2016; or
- (b) otherwise—the Administrator of the Territory appointed under the *Norfolk Island Administrator Ordinance 2016*; and has a meaning affected by Part 2 of Schedule 1 (about the Commonwealth Minister’s role in administration of enactments at and after the interim transition time).

approved fee has the same meaning as in the *Local Government Act 1993* (NSW) (NI).

Chief Executive Officer means the general manager of the Norfolk Island Regional Council.

committed for trial means committed to prison with the view of being tried by or before the Supreme Court or admitted to bail upon a recognisance to appear and be so tried.

Commonwealth means the Commonwealth of Australia.

Commonwealth Act means an Act passed by the Commonwealth Parliament.

Commonwealth Minister means the Minister for the time being administering the *Norfolk Island Act 1979* and includes a Minister or member of the Federal Executive Council for the time being acting for or on behalf of the first-mentioned Minister.

Court of Petty Sessions means the Court of Petty Sessions of Norfolk Island established by the *Court of Petty Sessions Act 1960*.

enactment means:

- (a) a section 19A Ordinance; or

- (b) an Ordinance continued in force by section 16 or 16A (disregarding subsection 16A(4)) of the *Norfolk Island Act 1979* of the Commonwealth, as the Ordinance is in force from time to time; or
- (c) a Legislative Assembly law continued in force by section 16A (disregarding subsection 16A(3)) of that Act, as the law is in force from time to time.

Note: A law made under an Ordinance, or a law made under a Legislative Assembly law, is not an enactment. However, under section 7, this Act applies to such a law as if it were an enactment.

Executive Council has the same meaning as it had in the *Norfolk Island Act 1979* of the Commonwealth immediately before the interim transition time.

Gazette means the Norfolk Island Government Gazette.

indictment includes information.

Justice of the Peace means a Justice of the Peace for the Territory.

Minister has a meaning affected by Part 2 of Schedule 1 (about the Commonwealth Minister's role in administration of enactments at and after the interim transition time).

Norfolk Island Botanic Garden means the Norfolk Island Botanic Garden as determined by the *Norfolk Island National Park and Norfolk Island Botanic Garden Act 1984*.

Norfolk Island National Park means the Norfolk Island National Park as determined by the *Norfolk Island National Park and Norfolk Island Botanic Garden Act 1984*.

Norfolk Island Plan means the plan established by section 7 of the *Planning Act 1996*, as varied from time to time.

property means any legal or equitable estate or interest (whether present or future, vested or contingent, or tangible or intangible) in real or personal property of any description (including money), and includes a thing in action.

Note: A *thing in action* (also known as a *chose in action*) is an intangible personal property right recognised and protected by the law.

Examples include debts, money held in a bank, shares, rights under a trust, copyright and right to sue for breach of contract.

public sector employee or **public service employee** means an employee in the public service except the general manager of the Norfolk Island Regional Council.

public servant means a public sector employee.

public service means the group consisting of:

- (a) the employees of the Norfolk Island Regional Council; and
- (b) the employees of territory instrumentalities.

Registrar of Titles means the person appointed as the Registrar of Titles of Norfolk Island under section 6 of the *Land Titles Act 1996* and includes a person acting in that office.

statutory declaration means a statutory declaration under the *Statutory Declarations Act 1959*.

Surveyor-General means the person appointed as Surveyor-General for Norfolk Island under section 3 of the *Official Survey Act 1978*.

Territory authority means a body corporate established for a public purpose by or under an enactment.

territory instrumentality means a body corporate that is established by or under an enactment (including the *Companies Act 1985*) and either:

- (a) comprises persons, or has a governing body comprising persons, a majority of whom are or may be appointed by or on behalf of the Commonwealth Minister or the Norfolk Island Regional Council; or
- (b) is subject to direction or control by the Commonwealth Minister.

United Kingdom, in relation to a time before 6 December 1922, means the United Kingdom of Great Britain and Ireland and, in relation to a time on or after that date, means the United Kingdom of Great Britain and Northern Ireland.

Section 12A

- (3) In an enactment, a reference to Norfolk Island is a reference to the Territory as defined by subsection 4(1) of the *Norfolk Island Act 1979*.
- (4) In an enactment, a reference to a Territory (not being a reference to the Territory of Norfolk Island) is a reference to a Territory under the authority of the Commonwealth other than the Territory of Norfolk Island.

12A Penalties

In an enactment a reference to a number, whether whole or fractional, of *penalty units* is a reference to the number of dollars obtained by multiplying \$100 by the first mentioned number.

12B Fee units

In an enactment, a reference to a number, whether whole or fractional, of *fee units* is a reference to:

- (a) for a number of fee units less than 2—the amount of money in dollars determined by multiplying the number of fee units by \$28.40 and rounding the result to the nearest whole dollar amount (rounding 50 cents up); or
- (b) for a number of fee units greater than, or equal to, 2—the amount of money in dollars determined by multiplying the number of fee units by \$28.40 and rounding the result to the nearest whole multiple of 5 dollars (rounding odd multiples of \$2.50 up).

12C References to the *Norfolk Island Hospital Act 1985*, *Norfolk Island Hospital and Norfolk Island Hospital Enterprise etc.*

- (1) In an enactment, a reference to the *Norfolk Island Hospital Act 1985* is a reference to the *Norfolk Island Health and Residential Aged Care Service Act 1985*.
- (2) In an enactment, a reference to the Norfolk Island Hospital is a reference to the Norfolk Island Health and Residential Aged Care

Service Facility continued in existence by section 5 of the *Norfolk Island Health and Residential Aged Care Service Act 1985*.

- (3) In an enactment, a reference to the Norfolk Island Hospital Enterprise is a reference to the Norfolk Island Health and Residential Aged Care Service continued in existence by subsection 6(1) of the *Norfolk Island Health and Residential Aged Care Service Act 1985*.
- (4) In an enactment, a reference to the Director of the Norfolk Island Hospital Enterprise is a reference to the Manager of the Norfolk Island Health and Residential Aged Care Service appointed under section 19 of the *Norfolk Island Health and Residential Aged Care Service Act 1985*.

12CA Norfolk Island Health and Residential Aged Care Service Facility taken to be a hospital

For the purposes of any enactment, the Norfolk Island Health and Residential Aged Care Service Facility is taken to be a hospital.

12D References to Crown Law Officer or Crown Counsel

In an enactment, a reference to any of the following (however described) is a reference to the Director of Public Prosecutions of the Commonwealth:

- (a) Crown Law Officer;
- (b) principal Crown Law Officer;
- (c) deputy Crown Law Officer;
- (d) Crown Counsel.

12E Delegation by Director of Public Prosecutions of the Commonwealth

- (1) The Director of Public Prosecutions of the Commonwealth may, in writing, delegate all or any of his or her functions or powers under an enactment to a member of the staff of the Office (within the meaning of the *Director of Public Prosecutions Act 1983* of the Commonwealth) other than the Associate Director (within the meaning of that Act).

Section 12F

Note: Sections 34AA, 34AB and 34A of the *Acts Interpretation Act 1901* of the Commonwealth, applying because of section 8A of this Act, contain other rules about delegations.

- (2) If a function is delegated under subsection (1) to a person referred to in paragraph 29(b) of the *Director of Public Prosecutions Act 1983* of the Commonwealth, the person need not accept the function delegated.

12F Delegation by Norfolk Island Regional Council

The Norfolk Island Regional Council may, by resolution, delegate all or any of its functions, duties or powers under an enactment to the Chief Executive Officer.

Note: Sections 34AA, 34AB and 34A of the *Acts Interpretation Act 1901* of the Commonwealth, applying because of section 8A of this Act, contain other rules about delegations.

12G Delegation by Chief Executive Officer

- (1) The Chief Executive Officer may, in writing, delegate to a public sector employee all or any of the Chief Executive Officer's functions, duties or powers under an enactment.

Note: Sections 34AA, 34AB and 34A of the *Acts Interpretation Act 1901* of the Commonwealth, applying because of section 8A of this Act, contain other rules about delegations.

- (2) The Chief Executive Officer may, in writing, subdelegate to a public sector employee a function, duty or power delegated under section 12F to the Chief Executive Officer by the Norfolk Island Regional Council.
- (3) Sections 34AA, 34AB and 34A of the *Acts Interpretation Act 1901* of the Commonwealth apply in relation to a subdelegation under subsection (2) in a corresponding way to the way in which they apply to a delegation.
- (4) Before delegating or subdelegating a function, duty or power to a public sector employee under subsection (1) or (2), the Chief Executive Officer must have regard to:

- (a) if the function, duty or power is to be delegated or subdelegated to a public sector employee holding, occupying, or performing the duties of, a specified office or position—whether the office or position is sufficiently senior for the employee to perform the function or duty or exercise the power; or
 - (b) otherwise—whether the employee has appropriate qualifications or expertise to perform the function or duty or exercise the power.
- (5) In doing anything under a delegation or subdelegation under this section, the delegate must comply with any directions of the Chief Executive Officer.

17 References to offices

- (1) A reference to an officer or office is a reference to that officer or office in and for Norfolk Island.
- (2) A reference to a locality, jurisdiction or other matter or thing is a reference to the locality, jurisdiction or other matter or thing in and of Norfolk Island.

20C Alterations of names and constitutions

If a law of the Commonwealth alters the name of a body (whether or not incorporated) or of an office, then, unless the contrary intention appears, a reference in an enactment or an instrument made under an enactment to the body or office under the former name is to be construed, except in relation to matters that occurred before the alteration, as a reference to the body or office under the new name.

20E Service of documents

- (3) In subsection 28A(1) of the *Acts Interpretation Act 1901* of the Commonwealth as it applies because of subsection 8A(1) of this Act:
 - (a) reference to **document** includes a plaint, summons, writ, subpoena or other process issued out of the Court of Petty

Sessions or a tribunal in accordance with an enactment or rules of court; and

(b) reference to—

(i) *the address of the place of residence or business* of a person; and

(ii) *the head office, a registered office or a principal office of a body corporate*

includes, where that address is in Norfolk Island, a Post Office Box number registered in the name of, or of a business owned by, that person or in the name of that corporation.

- (4) For the purpose of paragraph (3)(b)(i) a document served by being sent to a Post Office Box number is, if the person to whom it is addressed satisfies the court or tribunal that he or she was not present on Norfolk Island on or after the day following the date of posting, not deemed to have been duly served until the day following his or her return to Norfolk Island or such earlier day as the court or tribunal is satisfied that the document was in fact received by the person.
- (5) For the avoidance of doubt, subsection 28A(1) of the *Acts Interpretation Act 1901* of the Commonwealth (as it applies because of subsection 8A(1) of this Act) and this section apply despite section 146 of the *Court of Petty Sessions Act 1960*.

21 Service by post

A document that may be served by post under subsection 29(1) of the *Acts Interpretation Act 1901* of the Commonwealth (as it applies because of subsection 8A(1) of this Act) and is to be so served in Norfolk Island may be served if it complies with that subsection and is addressed to the post office box number of the addressee.

25 Approval or disallowance by Commonwealth Minister or Administrator

Where it is provided that the making of any Rules, regulations or Bylaws under an enactment is subject to the approval of the

Commonwealth Minister or the Administrator, or that the doing of an act or thing is subject to the approval of, or may be disallowed by, the Commonwealth Minister or the Administrator, notice of the approval or disallowance shall be published in the Gazette.

Note: Schedule 1 also affects a provision for the Administrator to approve or disallow the doing of an act or thing.

26 Publication in the Gazette

- (1) Where a document, instrument, notice or notification is required to be published in the Commonwealth of Australia Gazette or in the Government Gazette of the State of New South Wales, it is sufficient if the document, instrument or notification is published in the Norfolk Island Government Gazette.
- (2) A document, instrument, notice or notification that was required by any law in force in Norfolk Island to be published in the Commonwealth of Australia Gazette shall be deemed to have been so published if it was published in the Australian Government Gazette during the period that commenced on 1 July 1973 and ended on 30 June 1977.

28 References to enactments

- (4) Where an enactment in force on 1 July 1914 and continued in force by subsection 16(1) of the *Norfolk Island Act 1979* contains a method of citation that includes the word “Law”, that enactment may be cited or referred to as though the word “Ordinance” were substituted for the word “Law”.
- (5) Where a provision in an enactment allows the enactment to be referred to by a short title or method of citation containing words or figures that are underlined or italicised, the enactment may be cited or referred to as though the words or figures were not underlined or italicised.

29 References to Commonwealth Acts

- (1) Where an enactment contains a reference—

- (a) to the short title of a Commonwealth Act as originally enacted and that Act has been amended; or
 - (b) to a method of citation that is, or at any time has been, provided by law for the citation of a Commonwealth Act as amended and that Act has been further amended,
- the reference shall be read as a reference to that Act as in force for the time being as amended.
- (2) If that Act has been repealed and re-enacted, with or without modification, the reference shall be read as being a reference—
 - (a) to the re-enacted Act; or
 - (b) if that re-enacted Act has been amended - to that Act as in force for the time being as amended.
 - (3) Where, in connection with such a reference as is mentioned in subsection 29(2), a particular provision of the repealed Act is referred to, being a provision to which—
 - (a) a provision of the re-enacted Act corresponds; or
 - (b) if that re-enacted Act has been amended - a provision of the re-enacted Act as in force for the time being as amended corresponds,the reference to that particular provision shall be read as being a reference to that corresponding provision.

29A References to NSW Acts and instruments

Acts and instruments as in force in Norfolk Island

- (1) A reference in an enactment to the short title of an Act of New South Wales, or to the name of an instrument made under such an Act, followed by “(NSW) (NI)” is a reference to the Act or instrument as in force in Norfolk Island from time to time in accordance with section 18A of the *Norfolk Island Act 1979* of the Commonwealth.

Note: Because of section 7 of this Act, this also applies to a reference in an instrument made under an enactment.

Acts and instruments as in force in NSW

- (2) A reference in an enactment to the short title of an Act of New South Wales, or to the name of an instrument made under such an Act, followed by “(NSW)” is a reference to the Act or instrument as in force in New South Wales from time to time.

Note: Because of section 7 of this Act, this also applies to a reference in an instrument made under an enactment.

29B References to Queensland Acts and instruments

Acts and instruments as in force in Norfolk Island

- (1) A reference in an enactment to the short title of an Act of Queensland, or to the name of an instrument made under such an Act, followed by “(Qld)(NI)” is a reference to the Act or instrument as in force in Norfolk Island from time to time in accordance with section 18A of the *Norfolk Island Act 1979* of the Commonwealth.

Note: Because of section 7 of this Act, this also applies to a reference in an instrument made under an enactment.

Acts and instruments as in force in Queensland

- (2) A reference in an enactment to the short title of an Act of Queensland, or to the name of an instrument made under such an Act, followed by “(Qld)” is a reference to the Act or instrument as in force in Queensland from time to time.

Note: Because of section 7 of this Act, this also applies to a reference in an instrument made under an enactment.

37 Imprisonment

A reference in any enactment to imprisonment with hard labour is a reference to imprisonment only.

38 Offences punishable on summary conviction

An offence that—

- (a) is punishable by imprisonment but not for a period exceeding 6 months; or
 - (b) not being punishable by imprisonment, is not declared to be an indictable offence,
- is punishable on summary conviction.

39 Indictable offences

An offence that is punishable by imprisonment for a period exceeding 6 months is an indictable offence.

40 Penalties

- (1) Except so far as the contrary intention appears, a penalty, whether pecuniary or otherwise, set out at the foot of any provision of an enactment as described in a paragraph of subsection (2) indicates:
 - (a) if the provision expressly creates an offence—that the offence is punishable on conviction by a penalty not exceeding the penalty so set out; or
 - (b) in any other case—that contravention of the provision is an offence against the provision, punishable on conviction by a penalty not exceeding the penalty so set out.
- (2) Subsection (1) applies to a penalty set out:
 - (a) at the foot of a section of an enactment; or
 - (b) at the foot of a subsection of an enactment, but not at the foot of the section containing the subsection; or
 - (c) at the foot of a clause of any Schedule to an enactment; or
 - (d) at the foot of a subclause of any Schedule to an enactment, but not at the foot of the clause containing the subclause.
- (3) Subsection (1) does not affect the operation of section 16 or 16A of the *Sentencing Act 2007*.

41A Disallowable instruments

- (1) This section applies to an instrument (the *key instrument*) that an enactment:
 - (a) confers power to make; and

(b) expressly provides is a disallowable instrument for the purposes of this section.

- (2) If the key instrument is not a legislative instrument (within the meaning of the *Legislative Instruments Act 2003* or the *Legislation Act 2003* of the Commonwealth) section 12 (commencement of instruments) of that Act, as in force from time to time, applies to the key instrument as if it were a legislative instrument.

Note: On the commencement of Schedule 1 to the *Acts and Instruments (Framework Reform) Act 2015* of the Commonwealth, the *Legislative Instruments Act 2003* of the Commonwealth will become the *Legislation Act 2003* of the Commonwealth.

- (3) A copy of the key instrument must be given to the Commonwealth Minister within 14 days after it is made.
- (4) If a copy of the key instrument is not given to the Commonwealth Minister within 14 days after it is made, the instrument ceases to have effect as if it were repealed by an enactment at the end of 14 days after it is made.
- (5) The Commonwealth Minister may, by notice in the Gazette, disallow the key instrument, or part of it, within 65 days after a copy of the instrument is given to him or her.
- (6) If the key instrument, or part of it, is disallowed, the instrument or part ceases to have effect as if it were repealed by an enactment when it is disallowed.
- (7) If:
- (a) the key instrument, or part of it, ceases to have effect under subsection (4) or (6) at a time (the *cessation time*); and
 - (b) before the cessation time, the key instrument or part amended or repealed another instrument, or part of another instrument, (the *earlier instrument*) that was in force immediately before the amendment or repeal;
- the earlier instrument (as in force immediately before the amendment or repeal) revives at the cessation time as if the key instrument had not been made. This has effect despite subsections (4) and (6) of this section and subsection 7(1) and

paragraph 7(2)(a) of the *Acts Interpretation Act 1901* of the Commonwealth as applying because of section 8A of this Act.

- (8) Another instrument that is, or contains one or more provisions that are, the same in substance as the key instrument or a provision of the key instrument must not be made, without the agreement of the Commonwealth Minister, during the period:
- (a) starting when the key instrument is made; and
 - (b) ending:
 - (i) if the key instrument ceases to have effect at a time under subsection (4)—at that time; or
 - (ii) if a copy of the key instrument is given to the Commonwealth Minister under subsection (3) and neither the key instrument nor any part of it is disallowed—65 days after the copy is given to the Commonwealth Minister; or
 - (iii) if the key instrument or part of it is disallowed—6 months after the disallowance.
- (9) An instrument made in contravention of subsection (8) has no effect.

42 Forfeited goods

- (1) A member of the Police Force may, without warrant, seize any goods that are forfeited to the Administration, or that he has reasonable grounds to believe to be so forfeited, under an enactment and take them before the Court of Petty Sessions.
- (2) The Court shall inquire into the matter and—
- (a) if the Court is satisfied that the goods are forfeited - shall order that they be condemned; or
 - (b) if the Court is not so satisfied - shall order that the goods be delivered to such person as the Court considers to be entitled to them.
- (3) The Court may, before inquiring into a matter under subsection 42(1), require notice of the inquiry to be given to such persons as the Court thinks fit.

- (4) Where a prosecution is pending, an order with respect to the goods shall not be made until the prosecution has been determined.
- (5) Goods condemned as forfeited shall be dealt with as the Commonwealth Minister directs and, pending his direction, may be detained in such custody as the Court directs.
- (6) A person shall not knowingly and with intent to hinder or defeat the seizure of goods that are forfeited to the Administration under an enactment receive, remove, retain, conceal or dispose of the goods.

Penalty: 5 penalty units or imprisonment for 6 months.

43 Administration of enactments at and after the interim transition time

Schedule 1 has effect, despite:

- (a) enactments other than:
 - (i) this Act; and
 - (ii) a section 19A Ordinance; and
- (b) section 8 of this Act.

Schedule 1—Administration of enactments at and after the interim transition time

Note: See section 43.

Part 1—Introduction

1 Object of this Schedule

The main object of this Schedule is to provide for the administration of enactments (other than section 19A Ordinances) at or after the interim transition time by certain persons other than those mentioned in the enactments immediately before that time, to take account of amendments made by the *Norfolk Island Legislation Amendment Act 2015* of the Commonwealth affecting the institutions and machinery of government of Norfolk Island.

2 Definitions

In this Schedule:

Minister has the same meaning as it had in this Act as in force immediately before the interim transition time.

3 This Schedule does not apply to section 19A Ordinances

This Schedule does not affect a section 19A Ordinance.

4 This Schedule does not apply in relation to section 8A of this Act

To avoid doubt, this Schedule does not affect provisions of the *Acts Interpretation Act 1901* of the Commonwealth as they apply in relation to enactments because of section 8A of this Act.

Part 2—Commonwealth Minister's roles

Division 1—Commonwealth Minister's roles

Subdivision A—General rule

5 Roles belonging to a Minister, an executive member or the Administrator before the interim transition time

- (1) For the operation of an enactment at or after the interim transition time, a reference in an enactment to either of the following is taken to be a reference to the Commonwealth Minister:
 - (a) a Minister or an executive member (however described, and whether identified by a specific title or not);
 - (b) the Administrator.
- (2) Subclause (1) has effect subject to Subdivision B.
- (3) Subclause (1) does not apply (of its own force or because of section 7 of this Act) to:
 - (e) the *Social Services Act 1980*; or
 - (f) the *Social Services Regulations*.
- (4) To avoid doubt, subclause (1) applies in relation to an enactment even if the enactment contains one or more references to the Commonwealth Minister (whether or not any of those references were included in the enactment before, at or after the interim transition time).

Transitional—things done before the interim transition time

- (5) If, under an enactment as affected by subclause (1), the exercise of a power, or the performance of the function or duty, by the Commonwealth Minister at or after the interim transition time is affected by the doing of anything before that time, the enactment has effect as if anything that was done by or in relation to a Minister or the Administrator before that time had been done by or in relation to the Commonwealth Minister.

Note: For example, if:

Schedule 1 Administration of enactments at and after the interim transition time

Part 2 Commonwealth Minister's roles

Division 1 Commonwealth Minister's roles

Clause 6

- (a) the enactment provides (apart from subclause (1)) that the Minister may issue a licence if a person applies to the Minister for it; and
- (b) an application was made to the Minister before the interim transition time but no decision was made by that time about issuing a licence;

the Commonwealth Minister may issue the licence after that time as if the application had been made to the Commonwealth Minister.

- (6) This clause does not affect the validity at or after the interim transition time of anything done before that time by a Minister or the Administrator.

Note: For example, a licence validly issued by a Minister under an enactment before the interim transition time continues to be valid for the purposes of the enactment at and after that time.

Subdivision B—Exceptions to general rule, and other special rules

6 Modification of prerequisites for Commonwealth Minister to take action under clause 5

- (1) This clause applies if:
 - (a) an enactment is expressed (ignoring subclause 5(1)) to make:
 - (i) a recommendation (however described) about a matter; or
 - (ii) an approval (however described) of a matter; by an authority established or appointed by or under an enactment, a prerequisite for a Minister or the Administrator to exercise a power or perform a function or duty; and
 - (b) the Commonwealth Minister has that power, function or duty because of subclause 5(1).
- (2) The Commonwealth Minister may exercise the power or perform the function or duty without receiving or following the authority's recommendation about the matter or approval of the matter.

7 Money to be paid or given to the Norfolk Island Regional Council instead of a Minister

If an enactment is expressed (ignoring subclause 5(1)) to require or permit an amount to be paid (however described) or given (however described) to a Minister or the Administrator, the enactment has effect as if it required or permitted (as the case requires) the amount to be paid or given to the Norfolk Island Regional Council.

Note: Some examples of such enactments are ones that (ignoring subclause 5(1)) say that a fee is payable to a Minister or that an application is to be made to a Minister and accompanied by a fee.

8 Commonwealth Minister not required to interact with himself or herself

- (1) The Commonwealth Minister need not comply with a requirement that:
- (a) is imposed on the Commonwealth Minister by an enactment (as affected by subclause 5(1) or otherwise); and
 - (b) because of that subclause, is a requirement for the Commonwealth Minister to do something in relation to the Commonwealth Minister:
 - (i) before taking another action; or
 - (ii) in the process of taking another action; or
 - (iii) after taking another action.

Note: Some examples of a requirement to which this clause applies are if an enactment (ignoring subclause 5(1)) says:

- (a) the Administrator may do something on the advice of a Minister; or
- (b) the Administrator must give the Minister or the Commonwealth Minister notice of a decision or action the Administrator has taken.

- (2) To avoid doubt, if the Commonwealth Minister takes the other action, its validity is not affected merely because the Commonwealth Minister did not or does not comply with the requirement.

Note: This also applies to action by a delegate of the Commonwealth Minister.

Clause 9

9 Special rules relating to the Legislative Assembly

Requirements relating to the Legislative Assembly that need not be complied with

- (1) A person or body need not comply with a requirement imposed by an enactment on the person or body to do either of the following:
- (a) give (however described) a thing to the Legislative Assembly, a committee of the Legislative Assembly or an officer or member of the Legislative Assembly;
 - (b) act consistently (however described) with a resolution or recommendation of the Legislative Assembly.

Failure to comply with the requirement does not affect the validity of any act.

Note 1: Enactments may use various verbs to express requirements to give something to the Legislative Assembly, a committee of the Legislative Assembly, or an officer or member of the Legislative Assembly. Some examples of such verbs are giving, furnishing, laying before, presenting to, tabling, notifying, advising and providing.

Note 2: Enactments may express in various ways a requirement for a person or body to act consistently with a resolution or recommendation of the Legislative Assembly. For example enactments may refer to a person or body doing something in accordance with a resolution of the Assembly, on the recommendation of the Assembly or on an address from the Assembly.

Acts valid despite absence of action relating to the Legislative Assembly

- (2) Despite an enactment providing for a thing to be done by or in relation to the Legislative Assembly:
- (a) before a power can be exercised, or a function or duty performed, by an authority other than the Assembly; or
 - (b) in connection with the exercise of a power, or the performance of a function or duty, by such an authority;
- the power may be exercised, or the function or duty performed, by the authority even though that thing has not been done, or is not done, by or in relation to the Legislative Assembly.

Division 2—Delegation of Commonwealth Minister's role

10 Delegation by Commonwealth Minister

- (1) The Commonwealth Minister may, by signed writing, delegate to one or more of the following any or all of the powers, functions and duties the Commonwealth Minister has under one or more enactments because of subclause 5(1), or because of one or more amendments of an enactment made by the *Norfolk Island Continued Laws Ordinance 2015*:
- (a) the Administrator;
 - (b) a councillor of the Norfolk Island Regional Council;
 - (c) an employee of the Norfolk Island Regional Council;
 - (d) a person who holds, or performs the duties of, an office under an enactment;
 - (e) an employee of a body corporate established by or under an enactment;
 - (f) an APS employee who holds or performs the duties of an Executive Level 2 position, or an equivalent or higher position, in the Department.

Subdelegation

- (2) If the Commonwealth Minister allows it in writing, a person to whom a power, function or duty has been delegated under subclause (1) may, by signed writing, further delegate the power, function or duty to a person described in paragraph (1)(a), (b), (c), (d), (e) or (f).

Transitional—conversion of delegations in force before the interim transition time

- (3) A delegation in force immediately before the interim transition time by a Minister or the Administrator of a power, function or duty under an enactment that continues in force after that time has effect as if it were a delegation made under subclause (1). This does not prevent the Commonwealth Minister from amending or revoking the delegation.

Clause 11

11 Directions to delegates

Compliance with Commonwealth Minister's directions

- (1) A person to whom a power, function or duty has been delegated under clause 10 must comply with any written directions of the Commonwealth Minister under this clause.
- (2) The Commonwealth Minister may give a written direction of a general or specific nature as to the exercise of a power, or performance of a function or duty, that has been delegated under clause 10.
- (3) The Commonwealth Minister may, by written notice given to a person to whom a power, function or duty has been delegated under clause 10, direct that:
 - (a) before the person exercises the power or performs the function or duty, the person must notify the Commonwealth Minister of the person's intention to exercise the power or perform the function or duty; and
 - (b) the person must do so at least the specified number of days before exercising the power or performing the function or duty.

12 Thing done under delegation taken to have been done by Commonwealth Minister

- (1) This clause applies if a power, function or duty of the Commonwealth Minister under an enactment has been delegated to a person under clause 10.

Note: Sections 34AA, 34AB and 34A of the *Acts Interpretation Act 1901* of the Commonwealth, applying because of section 8A of this Act, contain other rules about delegations.

- (2) If under the enactment (as affected by subclause 5(1), if relevant) the exercise of the power or the performance of the function or duty depends on the Commonwealth Minister's opinion, belief or state of mind, the person may exercise the power or perform the function or duty on the person's opinion, belief or state of mind.

- (3) If the person exercises the power or performs the function or duty, the Commonwealth Minister is taken for the purposes of the enactment (as affected by subclause 5(1), if relevant) to have exercised the power or performed the function or duty.

Endnotes

Legislation history

Endnotes

Legislation history

The *Interpretation Act 1979* as shown in this compilation comprises Act No. 10 of 1979 and amendments as indicated in the Tables below.

| Enactment | Number and year | Commencement | Application, saving or transitional provisions |
|--|-----------------|--------------|--|
| Interpretation Act 1979 | 10, 1979 | 7.8.79 | 5 |
| Ordinances Revision Act 1980 | 6, 1980 | 10.8.79 | |
| Interpretation Act 1980 | 20, 1980 | 25.9.80 | |
| Interpretation (Amendment) Act 1980 | 25, 1980 | 7.8.79 | |
| Interpretation (Penalty and Fee Units) Act 1981 | 19, 1981 | 11.12.81 | |
| Interpretation (Amendment) Act 1982 | 8, 1982 | 11.2.82 | |
| Interpretation (Amendment) Act 1984 | 2 of 1985 | 11.12.81 | |
| | | 7.2.85 | |
| Interpretation Amendment Act 1988 | 11, 1988 | 2.6.88 | |
| Interpretation Amendment Act 1993 | 22, 1993 | 28.10.93 | |
| Statute Law (Miscellaneous Provisions) Act 1995 | 13, 1995 | 27.7.95 | |
| Citation of Laws Act 1995 | 14, 1995 | 1.1.96 | |
| Interpretation Amendment Act 1996 | 14, 1996 | 11.7.96 | |
| Statutes Amendment (Fees) (No. 2) Act 1999 | 17, 1999 | 17.7.00 | |
| Statutes Amendment (Miscellaneous Provisions) Act 1999 | 21, 1999 | 17.7.00 | |

[Consolidated as at 10 September 2003]

Legislation history

| | | |
|--|----------|---|
| Interpretation Amendment Act 2004 | 15, 2004 | 20.8.04 |
| <i>[Consolidated as at 30 September 2004]</i> | | |
| Interpretation (Amendment) Act 2005 | 3, 2005 | 24.3.05 |
| <i>[Consolidated as at 30 May 2005; NB – re-issued 4 September 2006 to correct a typing error in subsection 12B(2); and re-issued 24 January 2008 to correct an indent in 20E(3)(b)]</i> | | |
| Interpretation (Amendment) Act 2012 | 14, 2012 | 28.12.12 [deemed to have effect from commencement of Territories Law Reform Act 2010, No. 139, 2010, (Cth)] |
| <i>[Consolidated as at 31 December 2012]</i> | | |
| Public Service Act 2014 | 11, 2014 | 23.12.2014 |

| Ordinance | Registration | Commencement | Application, saving and transitional provisions |
|---|-------------------------------|--|---|
| Norfolk Island Continued Laws Amendment Ordinance 2015 (No. 2, 2015) (now cited as Norfolk Island Continued Laws Ordinance 2015 (see F2015L01491)) | 17 June 2015 (F2015L00835) | Sch 1 (items 149–190, 344, 345, 350): 18 June 2015 (s 2(1) item 1) | Sch 1 (items 344, 345, 350, 367–372, 375, 382–396, 420) |
| as amended by | | | |
| Norfolk Island Continued Laws Amendment (Standard Time) Ordinance 2015 (No. 7, 2015) | 24 Sept 2015 (F2015L01491) | Sch 1 (item 2): 4 Oct 2015 (s 2(1) item 1) | — |
| Norfolk Island Continued Laws Amendment (2015 Measures No. 1) Ordinance 2015 (No. 10, 2015) | 14 Dec 2015 (F2015L01994) | Sch 1 (items 1–5): 15 Dec 2015 (s 2(1) item 2) | — |

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| Ordinance | Registration | Commencement | Application, saving and transitional provisions |
|---|-------------------------------|--|--|
| Norfolk Island Continued Laws Amendment (2016 Measures No. 1) Ordinance 2016 (No. 4, 2016) | 10 May 2016 (F2016L00771) | Sch 1 (item 6) and Sch 3 (items 1, 2) : 1 July 2016 (s 2(1) items 3, 6) | — |
| Norfolk Island Continued Laws Amendment (2016 Measures No. 2) Ordinance 2016 (No. 5, 2016) | 10 May 2016 (F2016L00751) | Sch 2 (item 1) and Sch 4 (items 24–30): 1 July 2016 (s 2(1) items 2, 4) | — |
| Norfolk Island Continued Laws Amendment (2017 Measures No. 1) Ordinance 2017 (No. 2, 2017) | 23 May 2017 (F2017L00581) | Sch 1 (item 7): 1 July 2017 (s 2(1) item 4) | — |
| Norfolk Island Continued Laws Amendment (Director of Public Prosecutions) Ordinance 2017 | 3 Aug 2017 (F2017L00986) | Sch 1 (item 12): 5 Aug 2017 (s 2(1) item 1) | — |
| Norfolk Island Continued Laws Amendment (2017 Measures No. 2) Ordinance 2017 | 17 Oct 2017 (F2017L01360) | Sch 3 (item 1): 18 Oct 2017 (s 2(1) item 1) | — |
| Norfolk Island Legislation Amendment (Public Health) Ordinance 2018 | 9 Mar 2018 (F2018L00237) | Sch 2: 10 Mar 2018 (s 2(1) item 1) | — |
| Norfolk Island Legislation Amendment (Public Sector Employment and Education) Ordinance 2018 | 21 Mar 2018 (F2018L00342) | Sch 1 (item 14) and Sch 2 (item 13): 22 Mar 2018 (s 2(1) items 2, 3) | — |
| Norfolk Island Legislation Amendment (Fees) Ordinance 2018 | 31 May 2018 (F2018L00697) | Sch 1 (Pt 1, item 2) and (Pt 2): 1 June 2018 (s 2(1) item 1) | — |
| Norfolk Island Continued Laws Amendment (Statutory Appointments and Other Matters) Ordinance 2018 | 28 Sept 2018 (F2018L01378) | Sch 1 (item 28): 29 Sept 2018 (s 2(1) item 1) | — |
| Norfolk Island Legislation Amendment (Fees and Other Matters) Ordinance 2019 | 12 Aug 2019 (F2019L01048) | Sch 1 (items 3, 4): 13 Aug 2019 (s 2(1) item 1) | — |

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| Ordinance | Registration | Commencement | Application, saving and transitional provisions |
|--|------------------------------|--|---|
| Norfolk Island Legislation Amendment (Criminal and Civil Matters) Ordinance 2021 | 9 July 2021 (F2021L00975) | Sch 1 (item 15): 10 July 2021 (s 2(1) item 1) | — |
| Norfolk Island Continued Laws Ordinance Amendment (Applied Laws and Service Delivery (Queensland) Measures) Rules 2021 | 24 Dec 2021 (F2021L01904) | Sch 1 (items 6–8): 1 Jan 2022 (s 2(1) item 1) | — |

Note: The amendment history in the Table of Amendments below reflects the amendment of this title by the *Norfolk Island Continued Laws Ordinance 2015* (Ord No 2, 2015) incorporating all amendments to the *Norfolk Island Continued Laws Ordinance 2015* up to the compilation date. The as amended by information is not referenced in the Table of Amendments but can be seen in the legislation history above.

Endnotes

Table of Amendments

Table of Amendments

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| Provisions affected | | How affected | | | | | |
| s 1 | am | 14, 1995 | | | | | |
| s 2 | am | 14, 1995 | | | | | |
| s 3 | am | 14, 1995 | | | | | |
| | | rep | | Ord No 2, 2015 | | | |
| s 4 | rep | Ord No 2, 2015 | | | | | |
| s 5 | am | 14, 1995 | | | | | |
| s 7 | am | 11, 1988 | | | | | |
| s 8AA..... | ad | Ord No 2, 2015 | | | | | |
| s 8A..... | ad | Ord No 2, 2015 | | | | | |
| s 8B..... | ad | Ord No 2, 2015 | | | | | |
| s 8C..... | ad | Ord No 2, 2015 | | | | | |
| s 8D..... | ad | Ord No 2, 2015 | | | | | |
| s 9 | rep | Ord No 2, 2015 | | | | | |
| s 9A..... | ad | 11, 1988 | | | | | |
| | | rep | | Ord No 2, 2015 | | | |
| s 10 | rep | Ord No 2, 2015 | | | | | |
| s 10A..... | ad | 14, 1996 | | | | | |
| | | rep | | Ord No 2, 2015 | | | |
| s 10B..... | ad | 14, 1996 | | | | | |
| | | rep | | Ord No 2, 2015 | | | |
| s 10C..... | ad | 14, 1996 | | | | | |
| | | rep | | Ord No 2, 2015 | | | |
| s 10D..... | ad | 14, 1996 | | | | | |
| | | am | | 14, 2012; Ord No 2, 2015 | | | |
| s 11 | am | Ord No 2, 2015 | | | | | |
| s 12 | am | 6, 1980; 20, 1980; 25, 1980; 19, 1981; 8, 1982; 2, 1985; 14, 1995; 14, 1996; 15, 2004; 14, 2012; 11, 2014; Ord No 2, 2015 | | | | | |
| s 12A..... | ad | 2, 1985 | | | | | |
| | | rs | | 17, 1999 | | | |
| s 12B..... | ad | 17, 1999 | | | | | |

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| | | am | 21, 1999; 15, 2004 | | | | |
| | | rs | Ord No 2, 2015 | | | | |
| s 12C..... | | ad | Ord No 2, 2015 | | | | |
| s 12CA..... | | ad | Ord No 2, 2015 | | | | |
| s 12D..... | | ad | Ord No 2, 2015 | | | | |
| s 12E..... | | ad | Ord No 2, 2015 | | | | |
| s 12F..... | | ad | Ord No 2, 2015 | | | | |
| s 12G..... | | ad | Ord No 2, 2015 | | | | |
| s 13..... | | rep | Ord No 2, 2015 | | | | |
| s 14..... | | rep | Ord No 2, 2015 | | | | |
| s 14A..... | | ad | 20, 1980 | | | | |
| | | am | 8, 1982; 14, 1996 | | | | |
| | | rs | 14, 2012 | | | | |
| | | rep | Ord No 2, 2015 | | | | |
| s 15..... | | am | 25, 1980; 8, 1982 | | | | |
| | | rep | Ord No 2, 2015 | | | | |
| s 16..... | | rep | Ord No 2, 2015 | | | | |
| s 18..... | | rep | Ord No 2, 2015 | | | | |
| s 19..... | | rep | Ord No 2, 2015 | | | | |
| s 20..... | | rs | 22, 1993 | | | | |
| | | rep | Ord No 2, 2015 | | | | |
| s 20A..... | | ad | 22, 1993 | | | | |
| | | rep | Ord No 2, 2015 | | | | |
| s 20B..... | | ad | 22, 1993 | | | | |
| | | rep | Ord No 2, 2015 | | | | |
| s 20C..... | | ad | 14, 1996 | | | | |
| | | am | Ord No 2, 2015 | | | | |
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| s 20E..... | | ad | 14, 1996 | | | | |
| | | am | 3, 2005; Ord No 2, 2015 | | | | |

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| s 21 | am | 15, 2004; | Ord No 2, 2015 | | | | |
| s 22 | rep | Ord No 2, | 2015 | | | | |
| s 23 | rep | Ord No 2, | 2015 | | | | |
| s 23A..... | ad | 14, 1996 | | | | | |
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| s 23B..... | ad | 14, 1996 | | | | | |
| | rep | Ord No 2, | 2015 | | | | |
| s 24 | rep | Ord No 2, | 2015 | | | | |
| s 25 | am | 14, 2012; | Ord No 2, 2015 | | | | |
| s 27 | am | 14, 1996 | | | | | |
| | rep | Ord No 2, | 2015 | | | | |
| s 28 | am | 6, 1980; 11, | 1988; Ord No 2, 2015 | | | | |
| s 29 | am | Ord No 2, | 2015 | | | | |
| s 29A..... | ad | Ord No 2, | 2015 | | | | |
| s 29B..... | ad | Ord No 2, | 2015 | | | | |
| s 30 | rep | Ord No 2, | 2015 | | | | |
| s 31 | rep | Ord No 2, | 2015 | | | | |
| s 32 | rep | Ord No 2, | 2015 | | | | |
| s 33 | rep | Ord No 2, | 2015 | | | | |
| s 33A..... | ad | 22, 1993 | | | | | |
| | rep | 14, 1996 | | | | | |
| s 34 | rep | Ord No 2, | 2015 | | | | |
| s 35 | am | 25, 1980 | | | | | |
| | rep | Ord No 2, | 2015 | | | | |
| s 36 | ad | 25, 1980 | | | | | |
| | am | 13, 1995; 14, | 1996 | | | | |
| | rep | Ord No 2, | 2015 | | | | |
| s 36A..... | ad | 14, 1996 | | | | | |
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| s 37 | ad | 25, 1980 | | | | | |
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| | am | Ord No 2, 2015 |
| s 38 | ad | 25, 1980 |
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| | rs | Ord No 2, 2015 |
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