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Statutory Rules 1989 No. 1

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## A.C.T. Self-Government (Consequential Provisions) Regulations<sup>2</sup> (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *A.C.T. Self-Government (Consequential Provisions) Act 1988*.

Dated 9 MAY 1989.

BILL HAYDEN

Governor-General

By His Excellency's Command,

CLYDE HOLDING  
SIGNED BY MINISTER

Minister of State for the Arts  
and Territories

### Commencement

1. These Regulations commence on the date of commencement of section 22 of the *Australian Capital Territory (Self-Government) Act 1988*.

### Principal Regulations

2. In these Regulations, "Principal Regulations" means the A.C.T. Self-Government (Consequential Provisions) Regulations.

3. After regulation 1 of the Principal Regulations the following regulation is inserted:

### Interpretation

"1A. In these Regulations, unless the contrary intention appears:

'contract' means a contract to which subsection 6 (1) of the Act applies;

'responsible administrative unit', in relation to a contract, means an administrative unit established under subsection 54 (2) of the Self-Government Act the functions of which include the subject-matter of the contract;

'the Act' means the *A.C.T. Self-Government (Consequential Provisions) Act 1988*."

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**Modifications of legislation**

4. Regulation 2 of the Principal Regulations is amended by omitting "Acts specified in the Schedule are" and substituting "legislation specified in Schedule 1 is".

5. After Regulation 2 of the Principal Regulations the following regulations are inserted:

**Commonwealth contracts relating to Territory functions**

"3. (1) The Territory is substituted for the Commonwealth as a party to any contract.

"(2) Any liability of the Commonwealth under a contract which had accrued immediately before Self-Government Day continues to be a liability of the Commonwealth.

"(3) Where a contract, or a document that relates to a contract refers to a person or matter specified in column 1 of an item in Schedule 2, the reference shall be taken to be a reference to the person or matter specified in column 2 of that item.

"(4) Where:

- (a) a contract or a document that relates to a contract refers to an Ordinance of the Australian Capital Territory that has become an enactment within the meaning of the Self-Government Act or by virtue of subsection 10 (3) or 12 (2) or (3) of the Act; and
- (b) the short title of the enactment is amended by a law of the Australian Capital Territory;

each reference in the contract or document:

- (c) to the short title of that enactment—shall be read as a reference to the short title of that enactment as so amended; and
- (d) to the enactment otherwise than by its short title—shall be read as if, for the word 'Ordinance', there were substituted the word 'Act'."

**Citation of certain A.C.T. laws**

"4. Where:

- (a) a law of the Commonwealth refers to an Ordinance of the Australian Capital Territory that has become an enactment within the meaning of the Self-Government Act or by virtue of subsection 10 (3) or 12 (2) or (3) of the Act; and
- (b) the short title of the enactment is amended by a law of the Australian Capital Territory;

each reference in the law of the Commonwealth:

- (c) to the short title of that enactment—shall be read as a reference to the short title of that enactment as so amended; and
- (d) to the enactment otherwise than by its short title—shall be read as if, for the word 'Ordinance', there were substituted the word 'Act'."

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**Schedule 1**

6. The Schedule to the Principal Regulations is amended by omitting "SCHEDULE" and substituting "SCHEDULE 1".

7. The Principal Regulations are amended by adding at the end the following Schedule:

**SCHEDULE 2**

Regulation 3

**CORRESPONDING REFERENCES AND PROVISIONS**

Column 1 Item	Column 2 Commonwealth reference or provision	Column 3 Territory reference or provision
1	The Commonwealth	The Territory
2	A Commonwealth Minister of State other than the Minister for Finance	The Minister for the Territory responsible for the subject matter of the contract
3	The Commonwealth Minister for Finance	The Minister administering the <i>Audit Ordinance 1989</i>
4	A Commonwealth Department	The responsible administrative unit
5	The Administration of the Territory	The responsible administrative unit
6	The ACT Administration Central Office	The responsible administrative unit
7	A Secretary of a Commonwealth Department	The Head of Administration or an Associate Head of Administration in control of the responsible administrative unit
8	An officer of a Commonwealth Department	A public servant employed in the responsible administrative unit
9	Any other matter relating to a Commonwealth Department	The corresponding matter relating to the responsible administrative unit
10	Australian Capital Territory Trust Account	The Territory
11	An Audit Act Account	The corresponding Trust Account established by subsection 15 (1) of the Act.

**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on 1989. 10 May
2. Statutory Rules 1989 No. 3 as amended by 1989 No. 52.