

ADMINISTRATOR'S COUNCIL ORDINANCE 1959.*

27

Amended 7/3/64

An Ordinance to confer certain powers on the Administrator in Council, and for other purposes.

- 1 This Ordinance may be cited as the *Administrator's Council Ordinance 1959*.* Short title.
- 2 This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.† Commencement.
3. The *Council of Advice Ordinance 1919* is repealed. Repeal.
- 4 In this Ordinance, "the Administrator's Council" means the Administrator's Council established under section four ZA of the *Northern Territory (Administration) Act 1910-1959*. Definition.
- 5 Where an Ordinance is expressed to confer power on the Administrator to make regulations, or where an Ordinance of North Australia is expressed to confer upon the Government Resident power to make regulations, the regulations may be made by the Administrator in Council. Regulation making power.
- 6 The Ordinances specified in the first column of the First Schedule to this Ordinance are amended as respectively specified in the second column of that Schedule. Amendment of Ordinances.
7. Each Ordinance specified in the first column of the Second Schedule to this Ordinance, as amended by this Ordinance, may be cited in the manner specified in the second column of that Schedule opposite the reference to that Ordinance in the first column. Citation of amended Ordinances.
- 8.—(1.) Subject to this section, where it is provided by this or any other Ordinance that an act or thing shall or may be done by the Administrator in Council, that act or thing shall or may, as the case may be, be done by the Administrator. Exercis of powers, &c., of Administrator in Council.
(2.) The Administrator's Council may advise the Administrator in respect of the doing of such an act or thing and the Administrator shall not do the act or thing until the Administrator has received the advice of the Administrator's Council.

The *Administrator's Council Ordinance 1959* comprises the *Administrator's Council Ordinance 1959* (No. 22 of 1959) as amended by the *Licensing Ordinance 1959* (No. 12 of 1959) and the *Stock Diseases Ordinance 1959* (No. 23 of 1959). The *Administrator's Council Ordinance 1959* was assented to by the Administrator on 7th July, 1959, and commenced on 28th April, 1960. The *Licensing Ordinance 1959* was assented to on 17th June, 1959, and commenced on 19th June, 1959. The *Stock Diseases Ordinance 1959* was assented to and commenced on 23rd July, 1959.

† The date fixed was 28th April, 1960.

(3.) The Administrator, in doing such an act or thing, is not bound to act in conformity with the advice of the Administrator's Council.

(4.) In the event of the Administrator acting contrary to or failing to act in accordance with the advice of the Administrator's Council, he shall, not later than the first sitting day of the next meeting of the Legislative Council, cause a statement of the reasons for his so acting or failing to act, as the case may be, to be laid before the Legislative Council.

THE SCHEDULES.

FIRST SCHEDULE.
AMENDMENT OF ORDINANCES.

Section 6.

Amended by
N. 12, 1959,
s. 1.

Ordinance.	Extent of Amendment.
<i>Birds Protection Ordinance 1928-1940 as amended by the Birds Protection Ordinance 1959</i>	Section 10— Omit " Administrator " (twice occurring) insert " Administrator in Council ".
<i>Birds Protection Ordinance 1959</i> ..	Section 11— Omit " Administrator " insert " Administrator in Council ".
<i>Buffaloes Control Ordinance 1939-1957</i>	Section 1— Omit sub-section (3.).
<i>Cemeteries Ordinance 1952-1955</i> ..	Section 8— Omit " Minister " insert " Administrator in Council ".
	Section 4— From definition of " the recognized head " omit " Administrator " insert " Administrator in Council ".
	Section 5— Omit " Administrator " insert " Administrator in Council ".
	Section 7— Omit " Administrator " (wherever occurring) insert " Administrator in Council ".
	Section 14— Omit " Administrator " insert " Administrator in Council ".
<i>Child Welfare Ordinance 1958</i> ..	Section 5— From definition of " institution " omit " Administrator " insert " Administrator in Council ".
	Section 16— Omit " Administrator " insert " Administrator in Council ".
	Section 18— Omit " Administrator " insert " Administrator in Council ".
	Section 21— Omit " Administrator " insert " Administrator in Council ".
	Section 22— Omit " Administrator " insert " Administrator in Council ".

Administrator's Council Ordinance 1959.

FIRST SCHEDULE—continued.

Ordinance.	Extent of Amendment.
<i>Child Welfare Ordinance 1958—continued.</i>	Section 28— Omit “ Administrator ” (wherever occurring) insert “ Administrator in Council ”.
<i>Control of Roads Ordinance 1953–1958</i>	Section 12— (a) From sub-section (1.) omit “ he ” insert “ the Administrator in Council ”; (b) From sub-section (2.) omit “ Administrator ” insert “ Administrator in Council ”; and (c) From sub-section (2.) omit “ and may,” insert “ and the Administrator may.” Section 15— Omit “ Administrator ” insert “ Administrator in Council ”. Section 32— From sub-section (1.) omit “ Administrator ” insert “ Administrator in Council ”. Section 35— Omit “ Administrator ” (first occurring) insert “ Administrator in Council ”.
<i>Control of Waters Ordinance 1938–1955</i>	Section 16A— Omit “ Administrator ” (wherever occurring) insert “ Administrator in Council ”.
<i>Control of Waters Ordinance 1959 ..</i>	Section 1— Omit sub-section (3.).
<i>Crown Lands Ordinance 1931–1957 as amended by the Crown Lands Ordinance 1959 and the Crown Lands Ordinance (No. 2) 1959</i>	Section 113— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Crown Lands Ordinance (No. 2) 1959 ..</i>	Section 1— Omit sub-section (4.).
<i>Dangerous Drugs Ordinance 1928–1956</i>	Section 4— From paragraph (e) of the definition of “ Dangerous Drugs ” omit “ Government Resident ” insert “ Administrator in Council ”.
<i>Darwin Rates Ordinance 1937–1940 ..</i>	Section 18— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Early Closing Ordinance 1912–1932 ..</i>	Section 4— Omit “ Administrator ” insert “ Administrator in Council ”. Section 5— (a) From sub-section (1.) omit “ Administrator ” insert “ Administrator in Council ”; (b) From sub-section (2.) omit “ Administrator ” insert “ Administrator in Council ”; (c) From sub-section (5.) omit “ Administrator ” insert “ Administrator in Council ”; and (d) From sub-section (5.) omit “ (other than a notice referred to in sub-section (4.) of this section) ”.

*Administrator's Council Ordinance 1959.***FIRST SCHEDULE—continued.**

Ordinance.	Extent of Amendment.
<i>Education Ordinance 1957</i>	Section 7— Omit " Administrator " (wherever occurring) insert " Administrator in Council ". Section 8— Omit " Administrator " (wherever occurring) insert " Administrator in Council ". Section 9— Omit " Administrator " (wherever occurring) insert " Administrator in Council ". Section 16— Omit " Administrator " (wherever occurring) insert " Administrator in Council ".
<i>Fisheries Ordinance 1949-1958</i>	Section 16— Omit " Administrator " insert " Administrator in Council ".
<i>Food and Drugs Ordinance 1936-1957</i> as amended by the <i>Food and Drugs Ordinance 1959</i>	Section 7— Omit " Administrator " (wherever occurring) insert " Administrator in Council ". Section 9— Omit " Administrator " insert " Administrator in Council ". Section 12— Omit " Administrator " insert " Administrator in Council ". Section 14— From paragraph (c) of sub-section (3.) omit " Administrator " insert " Administrator in Council ". Section 15— Omit " Administrator " insert " Administrator in Council ". Section 18— Omit " Administrator " insert " Administrator in Council ".
<i>Food and Drugs Ordinance 1959</i>	Section 1— Omit sub-section (3.).
<i>Foreign Marriage Ordinance 1921</i>	Section 5— Omit " Minister " (wherever occurring) insert " Administrator in Council ".
<i>Health Ordinance 1915-1957</i>	Section 6A— Omit " Administrator " insert " Administrator in Council ". Section 13— Omit " Administrator " (first, second and third occurring) insert " Administrator in Council ". Section 14— Omit " Administrator " insert " Administrator in Council ".

FIRST SCHEDULE—continued.

Ordinance.	Extent of Amendment.
<i>Health Ordinance 1915-1957—continued.</i>	<p>Section 14A— Omit “from such premises and on such terms and conditions as he thinks fit, or as are prescribed, and may charge a fee for those additional collections.” insert “from such premises as he thinks fit on such terms and conditions as are prescribed or as are approved by the Administrator in Council, and may charge for those additional collections such fee as is prescribed or so approved.”.</p>
<i>Holidays Ordinance 1957 as amended by the Holidays Ordinance 1959</i>	<p>Section 20— (a) Omit “Administrator” (first occurring) insert “Administrator in Council”; and (b) Omit “<i>Lands Acquisition Ordinance 1911</i>” (twice occurring) insert “<i>Lands Acquisition Act 1955-1957</i>”.</p> <p>Section 5— Omit “Administrator may, as he thinks fit,” insert “Administrator in Council may”.</p>
<i>Holidays Ordinance 1959</i>	<p>Section 6— (a) From sub-section (1.) omit “Administrator may, as he thinks fit,” insert “Administrator in Council may”. (b) From sub-section (2.) omit “Administrator” insert “Administrator in Council”.</p>
<i>Licensing Ordinance 1939-1957</i>	<p>Section 1— Omit sub-section (2.).</p> <p>Section 6— Omit “Administrator” insert “Administrator in Council”.</p>
<i>Local Government Ordinance 1954-1958 as amended by the Local Government Ordinance 1959</i>	<p>Section 10— Omit “Administrator” (wherever occurring) insert “Administrator in Council”.</p> <p>Section 351— Omit “Administrator” (wherever occurring) insert “Administrator in Council”.</p> <p>Section 352— Omit “Administrator may, in his absolute discretion,” insert “Administrator in Council may”.</p>
<i>Local Government Ordinance 1959</i>	<p>Section 1— Omit sub-section (3.).</p>
<i>Lottery and Gaming Ordinance 1940-1958</i>	<p>Section 71H— Omit “Administrator.” insert “Administrator in Council.”.</p> <p>Section 74— Omit “Administrator.” insert “Administrator in Council.”.</p>
<i>Mining Ordinance 1939-1958</i>	<p>Section 13— Omit “Administrator” insert “Administrator in Council”.</p> <p>Section 15— Omit “Administrator” insert “Administrator in Council”.</p>
<i>Mining Development Ordinance 1939-1958</i>	<p>Section 23— Omit “Administrator” (second occurring) insert “Administrator in Council”.</p>

*Administrator's Council Ordinance 1959.***FIRST SCHEDULE—continued.**

Ordinance.	Extent of Amendment.
<i>Mining Development Ordinance 1939-1958—continued.</i>	Section 25— Omit " Administrator " (second and third occurring) insert " Administrator in Council ".
<i>Motor Vehicles Ordinance 1949-1958 ..</i>	Section 132— Omit " Administrator may, whenever he thinks fit," insert " Administrator in Council may ".
<i>Noxious Weeds Ordinance 1916 ..</i>	Section 4— Omit " Administrator " (wherever occurring) insert " Administrator in Council ".
<i>Places of Public Entertainment Ordinance 1949</i>	Section 7— From sub-section (2.) omit " Administrator may, whenever he thinks fit," insert " Administrator in Council may ".
<i>Plant Diseases Ordinance 1918-1928 ..</i>	Section 2— Omit " Administrator " insert " Administrator in Council ".
	Omit " Government Resident " insert " Administrator in Council ".
	Section 3— Omit " Government Resident " (wherever occurring) insert " Administrator in Council ".
	Section 6F— Omit " Administrator " insert " Administrator in Council ".
	Section 6K— Omit " Administrator " insert " Administrator in Council ".
	Section 6L— Omit " Administrator " insert " Administrator in Council ".
	Section 6M— Omit " Administrator " insert " Administrator in Council ".
	Section 6N— Omit " Administrator " insert " Administrator in Council ".
<i>Poisons Ordinance 1924-1958 ..</i>	Section 3— Omit " Administrator " insert " Administrator in Council ".
<i>Pounds Ordinance 1930</i>	Section 17— Omit " Government Resident " insert " Administrator in Council ".
	Section 24— Omit " Government Resident " insert " Administrator in Council ".
<i>Prices Regulation Ordinance 1949-1954</i>	Section 4— Omit " Administrator " (wherever occurring) insert " Administrator in Council ".
	Section 19— Omit " Administrator " (wherever occurring) insert " Administrator in Council ".
	Section 24— Omit " Administrator " (first and third occurring) insert " Administrator in Council ".

FIRST SCHEDULE—continued.

Ordinance.	Extent of Amendment.
<i>Prices Regulation Ordinance 1949-1954</i> —continued.	Section 44— Omit “ Administrator ” (wherever occurring) insert “ Administrator in Council ”.
<i>Slaughtering Ordinance 1923-1940</i> ..	Section 47— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 2A— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 6A— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 5— From definition of “ stock ” omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 6— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 12— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 17— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 19— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 20— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 21— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 22— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Diseases Ordinance 1954-1957</i> ..	Section 23— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Stock Routes and Travelling Stock Ordinance 1954-1957</i>	Section 56— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Welfare Ordinance 1953-1957</i> ..	Section 6— From definition of “ institution ” omit “ Administrator ” insert “ Administrator in Council ”.
<i>Welfare Ordinance 1953-1957</i> ..	Section 13— Omit “ Administrator ” insert “ Administrator in Council ”.
<i>Welfare Ordinance 1953-1957</i> ..	Section 14— Omit “ Administrator ” (first occurring) insert “ Administrator in Council ”.
<i>Welfare Ordinance 1953-1957</i> ..	Section 40— (a) Omit “ Administrator ” insert “ Administrator in Council ”; and (b) Omit “ as he thinks fit and as are prescribed ” insert “ as are prescribed and to such further conditions as the Administrator in Council thinks fit ”.

Amended by
No. 12, 1959,
s. 1; and No. 23,
1959, s.1.

SECOND SCHEDULE.
CITATION OF ORDINANCES.

Section 7.

First Column.	Second Column.
<i>Birds Protection Ordinance</i> 1928-1940 as amended by the <i>Birds Protection Ordinance</i> 1959	<i>Birds Protection Ordinance</i> 1928-1959.
<i>Buffaloes Control Ordinance</i> 1939-1957	<i>Buffaloes Control Ordinance</i> 1939-1959.
<i>Cemeteries Ordinance</i> 1952-1955 ..	<i>Cemeteries Ordinance</i> 1952-1959.
<i>Child Welfare Ordinance</i> 1958 ..	<i>Child Welfare Ordinance</i> 1958-1959.
<i>Control of Roads Ordinance</i> 1953-1958	<i>Control of Roads Ordinance</i> 1953-1959.
<i>Control of Waters Ordinance</i> 1938-1955 as amended by the <i>Control of Waters Ordinance</i> 1959	<i>Control of Waters Ordinance</i> 1938-1959.
<i>Crown Lands Ordinance</i> 1931-1957 as amended by the <i>Crown Lands Ordinance</i> 1959 and the <i>Crown Lands Ordinance</i> (No. 2) 1959	<i>Crown Lands Ordinance</i> 1931-1959.
<i>Dangerous Drugs Ordinance</i> 1928-1956	<i>Dangerous Drugs Ordinance</i> 1928-1959.
<i>Darwin Rates Ordinance</i> 1937-1940 ..	<i>Darwin Rates Ordinance</i> 1937-1959.
<i>Early Closing Ordinance</i> 1912-1932 ..	<i>Early Closing Ordinance</i> 1912-1959.
<i>Education Ordinance</i> 1957 ..	<i>Education Ordinance</i> 1957-1959.
<i>Fisheries Ordinance</i> 1949-1958 ..	<i>Fisheries Ordinance</i> 1949-1959.
<i>Food and Drugs Ordinance</i> 1936-1957 as amended by the <i>Food and Drugs Ordinance</i> 1959	<i>Food and Drugs Ordinance</i> 1936-1959.
<i>Foreign Marriage Ordinance</i> 1921 ..	<i>Foreign Marriage Ordinance</i> 1921-1959.
<i>Health Ordinance</i> 1915-1957 ..	<i>Health Ordinance</i> 1915-1959.
<i>Holidays Ordinance</i> 1957 as amended by the <i>Holidays Ordinance</i> 1959	<i>Holidays Ordinance</i> 1957-1959.
<i>Local Government Ordinance</i> 1954-1958 as amended by the <i>Local Government Ordinance</i> 1959	<i>Local Government Ordinance</i> 1954-1959.
<i>Lottery and Gaming Ordinance</i> 1940-1958	<i>Lottery and Gaming Ordinance</i> 1940-1959.
<i>Mining Ordinance</i> 1939-1958 ..	<i>Mining Ordinance</i> 1939-1959.
<i>Mining Development Ordinance</i> 1939- 1958	<i>Mining Development Ordinance</i> 1939-1959.
<i>Motor Vehicles Ordinance</i> 1949-1958 ..	<i>Motor Vehicles Ordinance</i> 1949-1959.
<i>Noxious Weeds Ordinance</i> 1916 ..	<i>Noxious Weeds Ordinance</i> 1916-1959.
<i>Places of Public Entertainment Ordinance</i> 1949	<i>Places of Public Entertainment Ordinance</i> 1949-1959.
<i>Plant Diseases Ordinance</i> 1918-1928 ..	<i>Plant Diseases Ordinance</i> 1918-1959.
<i>Poisons Ordinance</i> 1924-1958 ..	<i>Poisons Ordinance</i> 1924-1959.
<i>Pounds Ordinance</i> 1930 ..	<i>Pounds Ordinance</i> 1930-1959.
<i>Prices Regulation Ordinance</i> 1949-1954	<i>Prices Regulation Ordinance</i> 1949-1959.
<i>Slaughtering Ordinance</i> 1923-1940 ..	<i>Slaughtering Ordinance</i> 1923-1959.
<i>Stock Routes and Travelling Stock Ordinance</i> 1954-1957	<i>Stock Routes and Travelling Stock Ordinance</i> 1954-1959.
<i>Welfare Ordinance</i> 1953-1957 ..	<i>Welfare Ordinance</i> 1953-1959.