

# THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 5 of 1930.

## AN ORDINANCE

### Relating to the Administration of the Territory for the Seat of Government.

**B**E it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909* and the *Seat of Government (Administration) Act 1910*, as follows:—

1.—This Ordinance may be cited as the *Seat of Government (Administration) Ordinance 1930*. Short title.

2. This Ordinance shall commence on the date of the commencement of the *Seat of Government (Administration) Act 1930*. Commencement.

3. In this Ordinance, unless the contrary intention appears, “the Commission” means the Federal Capital Commission established under the *Seat of Government (Administration) Act 1924-1928*. Definition.

4.—(1.) In any Ordinance in force at the commencement of the *Seat of Government (Administration) Act 1930*— References to Commission, &c.

- (a) any reference to property or rights of property of, or forfeitures to, the Commission shall be read as property or rights of property of, or forfeitures to, the Commonwealth;
- (b) any reference to officers or employees of, or employment by, the Commission shall be read as officers or employees of, or employment by the Commonwealth;
- (c) any reference to a representative of the Commission in relation to any industrial matter shall be read as a reference to a representative of the Department of State for Works and Railways;
- (d) any reference to the Secretary to the Commission shall be read as a reference to the Secretary of the Department of State administering that Ordinance;

- (e) any reference to any specified officer of the Commission (other than the Secretary) shall be read as a reference to such person as the Minister directs;
- (f) any reference to any office of the Commission shall be read as a reference to such office as the Minister directs;
- (g) any power or function vested in the Commission and exercisable by it, subject to the approval of the Minister, may be so exercised by the Secretary, Department of State for Home Affairs by the order and subject to the approval of the Minister;
- (h) any reference to the Chief Commissioner or Chairman of the Commission shall be read as a reference to the Secretary of the Department of State administering the Ordinance;
- (i) any reference to the Commission in the heading to any form therein shall be omitted;
- (j) any reference to "Home and Territories" shall be read as a reference to "Home Affairs".

(2.) Where, in any Ordinance in force at the commencement of the *Seat of Government (Administration) Act 1930*, any act of the Commission is required to be evidenced or done by or under the seal of the Commission, the act may be evidenced or done by writing under the hand of the Minister or such person as the Minister directs.

(3.) Subject to sub-sections (1.) and (2.) of this section the powers and functions exercisable by, and anything required to be done by, to, or before the Commission under any such Ordinance, or any regulations made thereunder or under any instrument executed under or in pursuance of any such Ordinance or regulation, shall be exercisable and may be done by, to, or before the Minister or such person as is thereto authorized in writing by the Minister, and any reference to the Commission in any such Ordinance or in any instrument made under or in pursuance of any such Ordinance (including rules, regulations or by-laws) shall be read as a reference to the Minister.

(4.) Any such Ordinance or regulation under such an Ordinance which contains a definition of the expression "Federal Capital Commission" or "the Commission" is amended by omitting that definition.

(5.) Where any such Ordinance confers power upon any authority other than a Minister to make regulations under that Ordinance, that power shall be exercisable by a Minister.

**Consequential  
Amendments.**

5. Notwithstanding the provisions of the last preceding section, the Ordinances specified in the first column of the Schedule to this Ordinance are amended as respectively specified in the second column of that Schedule.

6. The Ordinances, the titles of which are specified in Column 1 of the Second, Third, Fourth and Fifth Schedules to this Ordinance, shall, to the extent specified in Column 2 of those Schedules, be administered respectively by—

Administration  
of Ordinances.

- (a) the Attorney-General's Department;
- (b) the Department of Health;
- (c) the Department of Home Affairs; and
- (d) the Department of Works and Railways.

7. All the powers and functions exercisable by and anything required to be done by, to or before the Administrator under any Ordinance mentioned in the Second Schedule to the *Federal Capital Commission's Powers Ordinance* 1924-1925 or under any regulation made under any such Ordinance or under any instrument executed under or in pursuance of any such Ordinance or regulation shall be exercisable by and done by, to or before the Minister or such person as is thereto authorized in writing by the Minister and any reference to the Administrator in any such Ordinance, regulation or instrument shall be deemed to be a reference to the Minister.

References  
to the  
Administrator.

8. The *Delegation of Authority Ordinance* 1923 and the *Board of Inquiry Ordinance* 1928 are repealed.

## SCHEDULES.

### THE FIRST SCHEDULE.

| Ordinance.  | Extent of Amendment.  |
|---|---|
| <i>Animals and Birds Protection Ordinance</i> 1918-1928   | Section 3—<br>Omit the definition of "The Minister".  |
| <i>Auctioneers Ordinance</i> 1927                         | Section 19—<br>Omit "or vested in the Commission"<br>Omit "or the Commission".  |
| <i>Building and Services Ordinance</i> 1924-1928          | Omit paragraph (b) of sub-section (2.)<br>of section 4.   |
| <i>City Area Leases Ordinance</i> 1924-1929               | Section 6—<br>Omit "Federal Capital Commission"<br>and insert "Secretary, Department<br>of State for Home Affairs".               |
| <i>Defamation Ordinance</i> 1928                          | Section 2—<br>Omit "or by the Federal Capital<br>Commission".<br>Omit sub-paragraph (ii) of paragraph<br>(a) of sub-section (1.). |
| <i>Education Ordinance</i> 1928                           | Section 8—<br>Omit "or the Commission".<br>Section 15—<br>Omit "or the Commission".<br>Section 27—<br>Omit "or the Commission".   |
| <i>Federal Capital Commission's Powers Ordinance</i> 1924 | Section 5 is repealed.  |
| <i>Federal Capital Commission's Powers Ordinance</i> 1925 | Section 4 is repealed.  |
| <i>Industrial Board Ordinance</i> 1922-1928               | Section 2—<br>Omit "or by the Commission".  |

- Interpretation Ordinance 1914-1929* Section 3—  
Omit "The" (first occurring) in the definition of "The Minister".  
Add at the end of the definition of "The Minister", "and includes any Minister for the time being administering any Ordinance made in pursuance of those Acts".
- Liquor Ordinance 1929* . . . . . Section 3—  
Omit "Commission" (wherever occurring) and insert "Secretary, Department of State for Home Affairs".  
Section 31—  
Omit "or of the Commission".  
Omit "Commission" (second occurring) and insert "Secretary, Department of State for Home Affairs".  
Section 45—  
Omit "Commission" and insert "Secretary, Department of State for Home Affairs".
- Motor Traffic Ordinance 1926-1927* Section 74—  
Omit "or the Secretary for the time being of the Commission".
- National Memorials Ordinance 1928* Section 2—  
Omit definition of "Chief Commissioner".  
Section 3—  
Omit "of State for Home and Territories".
- Provisional Government Ordinance 1928* Section 3 is repealed.
- Rates Ordinance 1926-1929* . . . . . Section 4—  
Omit "and includes land within the Territory vested in the Commission".  
Section 12 is repealed.  
Section 15, sub-section (6.)—  
Omit "Commission" (first occurring) and insert "Commonwealth".  
Section 18—  
Omit "Commission" (wherever occurring) and insert "Commonwealth".  
Section 37 is repealed.  
First Schedule, Form C—  
Omit "Given under common seal of the Federal Capital Commission" and insert "Dated".  
Add at the end thereof "Minister".  
Section 11 is repealed.
- Rates Ordinance (No. 3) 1929* Section 11 is repealed.
- Recovery of Lands Ordinance 1929* Section 2 is repealed.  
Section 3—  
Omit "Commission" (first, second and fourth occurring) and insert "Commonwealth".  
Section 4—  
Omit "Commission" (first and fourth occurring) and insert "Commonwealth".  
Omit "Commission" (second and third occurring) and insert "Minister".
- Timber Protection Ordinance 1919-1927* Section 2—  
Omit the definition of "Minister".

*Trespass on Commonwealth Lands Ordinance 1922-1928*

- Section 3—  
Omit "or the Commission".
- Section 2—  
Omit ", or belonging to, or under the control of, the Federal Capital Commission," (wherever occurring).  
Sub-section (2.), paragraph (b)—  
Omit "Federal Capital Commission" and insert "Commonwealth".
- Section 2A—  
Omit "or the Commission".
- Section 2c—  
Omit "or the Commission".
- Section 2D—  
Omit "Federal Capital Commission" and insert "Commonwealth".
- Section 3B—  
Omit "or the Federal Capital Commission".

THE SECOND SCHEDULE.

THE ATTORNEY-GENERAL'S DEPARTMENT.

| Column 1.<br>Titles of Ordinances.                                    | Column 2.<br>Extent to which administered by the Attorney-General.                                    |
|---|---|
| <i>Amendments Incorporation Ordinance 1929</i> ..                     | The whole   |
| <i>Industrial Board Ordinance 1922-1928</i> ..                        | The whole   |
| <i>Interpretation Ordinance 1914-1929</i> ..                          | The whole   |
| <i>Lotteries and Art Unions Ordinance 1926-1929</i>                   | The whole   |
| <i>Maintenance Orders (Facilities for Enforcement) Ordinance 1927</i> | The whole   |
| <i>Police Ordinance 1927</i> .. .. .                                  | The whole   |
| <i>Police Superannuation Ordinance 1928</i> ..                        | The whole   |
| <i>Provisional Government Ordinance 1911-1928</i>                     | Sections 1 to 5A (inclusive) and sections 8 and 9   |
| <i>Rates Ordinance 1926-1929</i> .. ..                                | In so far as the Ordinance relates to the constitution, practice and procedure of the Valuation Court |
| <i>Real Property Ordinance 1925-1927</i> ..                           | The whole   |

THE THIRD SCHEDULE.

THE DEPARTMENT OF HEALTH.

| Column 1.<br>Titles of Ordinances.                                 | Column 2.<br>Extent to which administered by the Minister of State for Health.   |
|--|--|
| <i>Cattle Testing Ordinance 1924</i> .. ..                         | The whole  |
| <i>Dairies Supervision Ordinance 1925</i> ..                       | The whole  |
| <i>Public Health Ordinance 1928</i> .. ..                          | Except in so far as the Ordinance relates to—<br>(a) the disposal of garbage, refuse and night soil;<br>(b) the establishment, control and inspection of cemeteries, burial grounds, crematories, mortuaries and morgues |
| <i>Vine and Vegetation Diseases and Fruit Pests Ordinance 1922</i> | The whole  |

THE FOURTH SCHEDULE.  
THE DEPARTMENT OF HOME AFFAIRS.

| Column 1.<br>Titles of Ordinances.                             | Column 2.<br>Extent to which administered by the<br>Minister of State for Home Affairs.   |
|--|---|
| <i>Advisory Council Ordinance 1930</i> ..                      | The whole   |
| <i>Animals and Birds Protection Ordinance 1918-1928</i>        | The whole   |
| <i>Apiaries Ordinance 1928</i> .. ..                           | The whole   |
| <i>Auctioneers Ordinance 1927</i> .. ..                        | The whole   |
| <i>Bank Holidays Ordinance 1927 (No. 8 of 1927)</i>            | The whole   |
| <i>Bank Holidays Ordinance (No. 2) 1927. (No. 12 of 1927)</i>  | The whole   |
| <i>Billiard Saloon Ordinance 1926</i> .. ..                    | The whole   |
| <i>Buildings and Services Ordinance 1924-1928</i>              | In so far as the Ordinance relates to<br>Garbage  |
| <i>Canberra University College Ordinance 1929</i>              | The whole   |
| <i>Careless Use of Fire Ordinance 1916-1927</i> ..             | The whole   |
| <i>Church Lands Leases Ordinance 1924-1930</i> ..              | The whole   |
| <i>Church of England Lands Leases Ordinance 1926</i>           | The whole   |
| <i>Church of England Property Trust Ordinance 1928</i>         | The whole   |
| <i>City Area Leases Ordinance 1924-1929</i> ..                 | The whole   |
| <i>Cotter River Ordinance 1914-1928</i> .. ..                  | The whole   |
| <i>Defamation Ordinance 1928</i> .. ..                         | The whole   |
| <i>Districts Ordinance 1927</i> .. ..                          | The whole   |
| <i>Dogs Registration Ordinance 1926</i> .. ..                  | The whole   |
| <i>Education Ordinance 1928</i> .. ..                          | The whole   |
| <i>Explosives Ordinance 1917</i> .. ..                         | The whole   |
| <i>Federal Capital Commission's Arms Ordinance 1929</i>        | The whole   |
| <i>Federal Capital Commission's Powers Ordinance 1924-1925</i> | The whole   |
| <i>Fire Brigades Ordinance 1924</i> .. ..                      | The whole   |
| <i>Fire Precautions Ordinance 1926</i> .. ..                   | The whole   |
| <i>Fish Protection Ordinance 1929</i> .. ..                    | The whole   |
| <i>Gun Licence Ordinance 1925-1926</i> .. ..                   | The whole   |
| <i>Hawkers Ordinance 1926</i> .. ..                            | The whole   |
| <i>Housing Ordinances 1928</i> .. ..                           | The whole   |
| <i>Inflammable Liquid Ordinance 1917</i> .. ..                 | The whole   |
| <i>Leases Ordinance 1918-1927</i> .. ..                        | The whole   |
| <i>Leases (Special Purposes) Ordinance 1925-1929</i>           | The whole   |
| <i>Liquor Ordinance 1929</i> .. ..                             | The whole   |
| <i>Marriage Ordinance 1929</i> .. ..                           | The whole   |
| <i>Methodist Church Property Ordinance 1928</i>                | The whole   |
| <i>Mining Ordinance 1930</i> .. ..                             | The whole   |
| <i>National Memorials Ordinance 1928</i> .. ..                 | The whole   |
| <i>Noxious Weeds Ordinance 1921-1922</i> .. ..                 | The whole   |
| <i>Pounds Ordinance 1928</i> .. ..                             | The whole   |
| <i>Provisional Government Ordinance 1911-1928</i>              | Section 7A  |
| <i>Public Health Ordinance 1928</i> .. ..                      | In so far as the Ordinance relates to—<br>(a) the disposal of garbage, refuse and night-soil;<br>(b) the establishment, control and inspection of cemeteries, burial grounds, crematories, mortuaries and morgues |
| <i>Public Parks Ordinance 1928</i> .. ..                       | The whole   |
| <i>Queanbeyan Lease Ordinance 1929</i> .. ..                   | The whole   |
| <i>Rabbit Destruction Ordinance 1919</i> .. ..                 | The whole   |

FOURTH SCHEDULE—*continued.*  
The Department of Home Affairs—*continued.*

| Column 1.<br>Titles of Ordinances.                                  | Column 2.<br>Extent to which administered by the<br>Minister of State for Home Affairs.                      |
|---|--|
| <i>Rates Ordinance 1926-1929</i> .. ..                              | Except in so far as the Ordinance relates to the constitution, practice and procedure of the Valuation Court |
| <i>Recovery of Lands Ordinance 1929-1930</i> ..                     | The whole  |
| <i>Registration of Births, Deaths and Marriages Ordinances 1929</i> | The whole  |
| <i>Standard Time Ordinance 1928</i> .. ..                           | The whole  |
| <i>Statistics Ordinance 1929</i> .. ..                              | The whole  |
| <i>Stock Ordinance 1920-1924</i> .. ..                              | The whole  |
| <i>Theatres and Public Halls Ordinance 1928-1929</i>                | The whole  |
| <i>Timber Protection Ordinance 1919-1927</i> ..                     | The whole  |
| <i>Tobacco Ordinance 1927</i> .. ..                                 | The whole  |
| <i>Trading Hours Ordinance 1926</i> .. ..                           | The whole  |
| <i>Traffic Ordinance 1912-1923</i> .. ..                            | The whole  |
| <i>Trespass on Commonwealth Lands Ordinance 1922-1928</i>           | The whole  |
| <i>Weights and Measures Ordinance 1929</i> ..                       | The whole  |

THE FIFTH SCHEDULE.

DEPARTMENT OF WORKS AND RAILWAYS.

| Column 1.<br>Titles of Ordinances.                  | Column 2.<br>Extent to which administered by the<br>Minister of State for Works and Railways. |
|---|---|
| <i>Building and Services Ordinance 1924-1928</i> .. | The whole   |
| <i>Queambeyan Water Supply Ordinance 1925</i> ..    | The whole   |
| <i>Seat of Government Railway Ordinance 1923</i> .. | The whole   |

Dated this thirtieth day of April, One thousand nine hundred and thirty.

STONEHAVEN

Governor-General.

By His Excellency's Command,

ARTHUR BLAKELEY

Minister of State for Home Affairs.

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