

ACTS INTERPRETATION.

No. 19 of 1963.

An Act to amend the *Acts Interpretation Act 1901–1957*, and for purposes connected therewith.

[Assented to 28th May, 1963.]

[Date of commencement, 25th June, 1963.]

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

Short title
and citation.

1.—(1.) This Act may be cited as the *Acts Interpretation Act 1963*.

(2.) The *Acts Interpretation Act 1901–1957** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Acts Interpretation Act 1901–1963*.

2. After section thirty-four A of the Principal Act the following section is inserted:—

Presentation of
papers to the
Parliament.

“ 34B.—(1.) Where, by an Act or a law of a Territory, provision is made requiring or permitting the presentation (however expressed) of a paper to the Parliament or to both Houses, or to each or either House, of the Parliament, it is sufficient compliance with the provision, in relation to a House, if—

(a) the paper is presented in that House in accordance with the rules or orders of the House or, if, under the rules or orders of the House, papers are deemed to be presented to the House if they are delivered to the Clerk of the House and recorded in the records of the proceedings of the House, the paper is so delivered and recorded;

(b) where the provision provides for a specified person to present the paper or to cause the paper to be presented—that person, or any other person who could by virtue of this Act or of any other Act, or of a law of a Territory, act in the place of that

* Act No. 2, 1901, as amended by No. 4, 1916; No. 8, 1918; No. 23, 1930; No. 24, 1932; No. 10, 1937; No. 7, 1941; No. 78, 1947; No. 79, 1948; No. 30, 1950; and No. 69, 1957.

person, makes or causes to be made, as the case may be, the presentation or the delivery of the paper referred to in the last preceding paragraph; and

- (c) where the provision specifies a period within which the paper is to be presented—the presentation, or the delivery and recording, of the paper referred to in paragraph (a) of this sub-section takes place within that period.

“(2.) In this section, ‘paper’ includes—

- (a) an ordinance, rule, regulation or by-law;
 (b) a report; and
 (c) any other document or instrument whatsoever.”.

3. Section forty of the Principal Act is amended by omitting paragraph (b) of sub-section (1.) and inserting in its stead the following paragraph:— Citation of Acts.

“(b) any Imperial Act may be cited by its short title (if any) or in such other manner as is sufficient in an Imperial Act; and”.

4. Section forty-eight of the Principal Act is amended by omitting sub-sections (4.) and (5.) and inserting in their stead the following sub-sections:— Regulations.

“(4.) If either House of the Parliament, in pursuance of a motion of which notice has been given within fifteen sitting days after any regulations have been laid before that House, passes a resolution disallowing any of those regulations, any regulation so disallowed shall thereupon cease to have effect.

“(5.) If, at the expiration of fifteen sitting days after notice of a motion to disallow any regulation has been given in a House of the Parliament, being notice given within fifteen sitting days after the regulation has been laid before that House—

- (a) the notice has not been withdrawn and the motion has not been called on; or
 (b) the motion has been called on, moved and seconded and has not been withdrawn or otherwise disposed of,

the regulation specified in the motion shall thereupon be deemed to have been disallowed.

“(5A.) If, before the expiration of fifteen sitting days after notice of a motion to disallow any regulation has been given in a House of the Parliament—

- (a) that House is dissolved or, being the House of Representatives, expires, or the Parliament is prorogued; and

(b) at the time of the dissolution, expiry or prorogation, as the case may be—

- (i) the notice has not been withdrawn and the motion has not been called on; or
- (ii) the motion has been called on, moved and seconded and has not been withdrawn or otherwise disposed of,

the regulation shall, for the purposes of the last two preceding sub-sections, be deemed to have been laid before that House on the first sitting day of that House after the dissolution, expiry or prorogation, as the case may be.”.

Disallowed regulations not to be re-made unless resolution rescinded or House approves.

Sections 48 and 49 of Principal Act to continue in force in relation to certain regulations.

5. Section forty-nine of the Principal Act is amended by omitting from paragraph (b) of sub-section (1.) the word “ resolution ” (first occurring) and inserting in its stead the word “ motion ”.

6. Notwithstanding the amendments made by the last two preceding sections, sections forty-eight and forty-nine of the Principal Act continue to apply in relation to notice of a motion to disallow a regulation given before the commencement of this Act.