

SEAT OF GOVERNMENT (ADMINISTRATION).

No. 90 of 1959.

An Act to amend the *Seat of Government
(Administration) Act 1910-1955.*

[Assented to 4th December, 1959.]

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

1.—(1.) This Act may be cited as the *Seat of Government (Administration) Act 1959.* Short title and citation.

(2.) The *Seat of Government (Administration) Act 1910-1955** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Seat of Government (Administration) Act 1910-1959.*

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

* Act No. 25, 1910, as amended by No. 9, 1927; No. 44, 1928; No. 2, 1930; No. 9, 1931; No. 4, 1933; No. 86, 1939; No. 14, 1940; No. 10, 1947; and No. 70, 1955.

Ordinances and
regulations
under
Ordinances.

3. Section twelve of the Principal Act is amended—

(a) by omitting paragraph (c) of sub-section (2.) and inserting in its stead the following paragraph:—

“(c) be laid before each House of the Parliament within fifteen sitting days of that House after the day on which the Ordinance is made.”; and

(b) by omitting sub-section (3.) and inserting in its stead the following sub-sections:—

“(3.) If an Ordinance is not laid before each House of the Parliament in accordance with paragraph (c) of sub-section (2.) of this section, it shall be void and of no effect.

“(4.) If either House of the Parliament passes a resolution (of which notice has been given at any time within fifteen sitting days after the day on which the Ordinance was laid before that House) disallowing an Ordinance or a part of an Ordinance, the Ordinance or part so disallowed thereupon ceases to have effect.

“(5.) If, at the expiration of fifteen sitting days after the day on which notice of a resolution to disallow an Ordinance or a part of an Ordinance has been given in either House of the Parliament in accordance with the last preceding sub-section, the resolution has not been withdrawn or otherwise disposed of, the Ordinance or the part of the Ordinance, as the case may be, shall thereupon be deemed to have been disallowed.

“(6.) Where an Ordinance or a part of an Ordinance is disallowed, or is deemed to have been disallowed, under this section, the disallowance has the same effect as a repeal of the Ordinance or the part of the Ordinance, as the case may be, except that, if a provision of the Ordinance or of the part of the Ordinance amended or repealed a law in force immediately before that provision came into operation, the disallowance revives the previous law from and including the date of the disallowance as if the disallowed provision had not been made.

“(7.) If an Ordinance or a part of an Ordinance is disallowed, or is deemed to have been disallowed, under this section, and an Ordinance containing a provision being the same in substance as a provision so disallowed, or deemed to have been disallowed, is

made within six months after the date of the disallowance, that provision is void and of no effect, unless—

- (a) in the case of an Ordinance, or a part of an Ordinance, disallowed by resolution—the resolution has been rescinded by the House of the Parliament by which it was passed; or
- (b) in the case of an Ordinance, or a part of an Ordinance, deemed to have been disallowed—the House of the Parliament in which notice of the resolution to disallow the Ordinance or part was given has approved, by resolution, the making of a provision the same in substance as the provision deemed to have been disallowed.

“(8.) All regulations made under an Ordinance shall be laid before each House of the Parliament within fifteen sitting days of that House after the day on which the regulations are made and, if they are not so laid before each House of the Parliament, shall be void and of no effect.

“(9.) Sub-sections (4.) to (7.), inclusive, of this section apply to and in relation to regulations laid before a House of the Parliament as if the references in those sub-sections to an Ordinance were references to regulations.

“(10.) In this section—

‘Ordinance’ means an Ordinance made under this Act;

‘regulations’ includes rules and by-laws.”

4. Section twelve A of the Principal Act is amended—

- (a) by omitting from sub-section (1.) the words “ as modified or varied prior to the date of the commencement of this section ” and inserting in their stead the words “ as previously modified or varied ”;
- (b) by omitting from sub-section (1.) the word “ thirty ” and inserting in its stead the word “ twelve ”;
- (c) by omitting sub-section (2.) and inserting in its stead the following sub-section:—

“(2.) A copy of the instrument by which any modification or variation of the plan has been made, together with an explanatory statement by the Minister, shall be laid before each House of the Parliament within fifteen sitting days of that House after the making of the modification or variation.”; and

Modification
or variation of
plan of city
and environs.

(d) by omitting from sub-section (3.) the words “fifteen sitting days” and inserting in their stead the words “six sitting days of that House”.

Application
of
amendments.

5.—(1.) Notwithstanding the amendments made by section three of this Act, section twelve of the Principal Act continues to apply to and in relation to all Ordinances made before the date of commencement of this Act.

(2.) The amendments made by paragraphs (c) and (d) of the last preceding section apply to and in relation to all modifications or variations of the plan referred to in section twelve A of the Principal Act made on or after the date of commencement of this Act, but do not apply to or in relation to any such modification or variation made before that date.
