

## **INTERPRETATION (AMENDMENT) BILL 2012**

### **EXPLANATORY MEMORANDUM**

The purpose of this Bill is to give formal effect in Norfolk Island law, to the changes to the reference to members of the Executive Council of Norfolk Island. Previously members were known as “executive member” although being generally referred to as “Minister”. The *Territories Law Reform Act 2010* (Commonwealth) formally changed the title from “executive member” to “Minister”.

The *Interpretation Act 1979*, provides references for common words and expressions used in Norfolk Island legislation. At present the legislation defines the expression “executive member” and “Minister”. Because of the passage of the *Territories Law Reform Act 2010* these expressions as defined are in conflict. This Bill proposes to remove the existing references and substitute those that are consistent with the changes thereby removing the conflict.

In order to avoid possible issues with interpretation, the changes are deemed to have effect from the commencement of the *Territories Law Reform Act 2010*, and the *Enactments Reprinting Act 1980* is amended to make it clear that the authority to correct legislation upon reprinting and consolidation, extends to changing the references to “executive member” and “Minister”.

A further, unrelated amendment inserts a definition of “property” as used in legislation in order to clarify its meaning and avoid issues that sometimes arise with respect to intangible property.

**Clauses 1-3** are the usual references to the title of the Act, its commencement and the name of the Act to be amended.

**Clause 4** sets out a Schedule of changes to the principal Act.

**Item 1** repeals the existing definition of “Minister” and inserts that of “Commonwealth Minister” and inserts a definition of “property”.

**Item 2** repeals the existing section 14A referring to executive members and replaces it with a definition of “Minister”.

**Clause 5** is a transitional clause that makes it clear that the changes made by the amending Bill are deemed to have been made and to have been effective since the coming into force of the *Territories Law Reform Act 2010* (Commonwealth).

**Clause 6** amends the *Enactments Reprinting Act 1980* to make it clear that the changes in description of members of the Executive Council and the Minister of the Commonwealth are changes that may be given effect by the Commissioner for Reprints in reprinting and consolidating legislation.

16 November 2012