

Cocos (Keeling) Islands Amendment Act 1979

No. 6 of 1979

An Act to amend the *Cocos (Keeling) Islands Act 1955*.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

1. (1) This Act may be cited as the *Cocos (Keeling) Islands Amendment Act 1979*.¹ Short title, &c.

(2) The *Cocos (Keeling) Islands Act 1955*² is in this Act referred to as the Principal Act.

2. This Act shall come into operation on a date to be fixed by Proclamation. Commencement

3. Section 15 of the Principal Act is repealed and the following sections are substituted:

“14A. A person (not being an Australian citizen) who—

(a) was, immediately before the proclaimed date, ordinarily resident in the Islands; and

(b) is ordinarily resident in Australia or an external Territory,

may make, in the prescribed manner, a declaration that he wishes to become an Australian citizen and upon registration, as prescribed, of the declaration, the person shall become an Australian citizen.

Grant of Australian citizenship to certain persons

“15. For the purposes of sections 14 and 14A, a person shall be deemed to be, or to have been, at a particular time, ordinarily resident in a place if, at that time—

(a) he has, or had, his home at that place; or

(b) that place is, or was, the place of his permanent abode notwithstanding his temporary absence at that time from that place,

but a person shall not be deemed to be, or to have been, resident at that time in that place if, at that time, he is, or was, resident in that place for a special or temporary purpose only.”

Meaning of ‘ordinarily resident’

4. The Principal Act is amended as set out in the Schedule.

Formal amendments

SCHEDULE

Section 4

FORMAL AMENDMENTS

Provision	Amendment
Preamble	(a) Omit "four of this Act", substitute "4". (b) Omit "the first day of February, One thousand nine hundred and fifty-five", substitute "1 February 1955".
Section 4	(a) Omit "twelve degrees five minutes" from the definition of "the Islands", substitute "12° 5'". (b) Omit "ninety-six degrees fifty-three minutes" from the definition of "the Islands", substitute "96° 53'". (c) Omit "two of this Act" from the definition of "the proclaimed date", substitute "2".
Sub-section 6 (1)	Omit "of this section".
Sub-section 6 (2)	Omit "the next succeeding sub-section", substitute "sub-section (3)".
Section 7	Omit "the seventh day of July, One thousand eight hundred and eighty-six", substitute "7 July 1886".
Sub-section 8 (3)	Omit "the last preceding sub-section", substitute "sub-section (2)".
Sub-section 8 (4)	Omit "the last preceding sub-section", substitute "sub-section (3)".
Section 9	Omit "the last preceding section", substitute "section 8".
Section 10	Omit "Subject to the next succeeding section, an", substitute "An".
Sub-section 13 (1)	Omit "fifteen", substitute "15".
Sub-section 13 (2)	Omit "fifteen", substitute "15".
Sub-section 13 (3)	Omit "fifteen" (wherever occurring), substitute "15".
Sub-section 13 (3A)	(a) Omit "fifteen", substitute "15". (b) Omit "the last two preceding sub-sections", substitute "sub-sections (2) and (3)".
Sub-section 13 (5)	Omit "six", substitute "6".
Sub-section 14 (2)	Omit "the last preceding sub-section", substitute "sub-section (1)".
Sub-section 14 (3)	Omit "of this section".
Sub-section 14 (4)	(a) Omit "of this section". (b) Omit "three", substitute "3". (c) Omit "six", substitute "6". (d) Omit "two", substitute "2". (e) Omit "twenty-one", substitute "21".
Section 20	(a) Omit "One hundred dollars", substitute "\$100". (b) Omit "three", substitute "3".

NOTES

1. Act No. 6, 1979; assented to 5 March 1979.
2. Act No. 34, 1955, as amended. For previous amendments *see* Act No. 89, 1956; No. 67, 1958; No. 22, 1963; No. 93, 1966; No. 216, 1973; and No. 56, 1975.