



Cocos (Keeling) Islands Self-Determination (Consequential Amendments) Act 1984

No. 46 of 1984

An Act to amend certain laws in connection with the Act of Self-Determination by certain residents of the Territory of Cocos (Keeling) Islands

[Assented to 25 June 1984]

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

PART I—PRELIMINARY

Short title

1. This Act may be cited as the *Cocos (Keeling) Islands Self-Determination (Consequential Amendments) Act 1984*.

Commencement

2. (1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.

(2) Part VII shall be deemed to have come into operation on 6 April 1984.

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**PART II—AMENDMENTS OF COMMONWEALTH ELECTORAL
ACT 1918**

Principal Act

3. The *Commonwealth Electoral Act 1918*¹ is in this Part referred to as the Principal Act.

Interpretation

4. Section 5 of the Principal Act is amended—

(a) by inserting after the definition of “Justice of the Peace” the following definition:

“ ‘Northern Territory’ includes the Territory of Cocos (Keeling) Islands;” and

(b) by adding at the end thereof the following sub-section:

“(6) This Act extends to the Territory of Cocos (Keeling) Islands.”.

Assistant Divisional Returning Officers

5. Section 10 of the Principal Act is amended by inserting after sub-section (1) the following sub-section:

“(1A) The Electoral Commissioner may appoint an Assistant Divisional Returning Officer for the District referred to in sub-section 26 (1A).”.

Subdivisions

6. Section 26 of the Principal Act is amended—

(a) by omitting from sub-section (1) “The Electoral Commission” and substituting “Subject to sub-section (1A), the Electoral Commission”; and

(b) by inserting after sub-section (1) the following sub-section:

“(1A) The Territory of Cocos (Keeling) Islands shall be one District of the Division of the Northern Territory.”.

**PART III—AMENDMENTS OF COMMONWEALTH GRANTS
COMMISSION ACT 1973**

Principal Act

7. The *Commonwealth Grants Commission Act 1973*² is in this Part referred to as the Principal Act.

8. After section 5 of the Principal Act the following section is inserted:

Extension of Act to Territory of Cocos (Keeling) Islands

“6. This Act extends to the Territory of Cocos (Keeling) Islands.”.

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9. After section 16B of the Principal Act the following section is inserted:

Inquiries relating to the Territory of Cocos (Keeling) Islands

“16C. The Commission shall inquire into and report to the Minister upon—

- (a) any matters, being matters relating to a grant of financial assistance made by the Commonwealth to the Territory of Cocos (Keeling) Islands, that are referred to the Commission by the Minister; and
- (b) any matters, being matters relating to the making of a grant of financial assistance by the Commonwealth to the Territory of Cocos (Keeling) Islands, that are referred to the Commission by the Minister.”.

Reports to be laid before Parliament

10. Section 25 of the Principal Act is amended by inserting in sub-section (1) “, 16C” after “16A”.

PART IV—AMENDMENTS OF HEALTH INSURANCE ACT 1973

Principal Act

11. The *Health Insurance Act 1973*³ is in this Part referred to as the Principal Act.

Interpretation

12. Section 3 of the Principal Act is amended—

- (a) by inserting after the definition of “approved pathology practitioner” in sub-section (1) the following definition:

“ ‘Australia’ includes the Territory of Cocos (Keeling) Islands;”
and

- (b) by inserting in the definition of “recognized hospital” in sub-section (1) “and the Territory of Cocos (Keeling) Islands” after “Jervis Bay Territory”.

13. After section 7 of the Principal Act the following section is inserted in Part I:

Extension of Act to Territory of Cocos (Keeling) Islands

“7A. This Act extends to the Territory of Cocos (Keeling) Islands.”.

Medicare benefit not payable where compensation, &c., payable

14. Section 18 of the Principal Act is amended by omitting from paragraph (1) (b) “or internal Territory” and substituting “, an internal Territory or the Territory of Cocos (Keeling) Islands”.

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PART V—AMENDMENTS OF NATIONAL HEALTH ACT 1953

Principal Act

15. The *National Health Act 1953*⁴ is in this Part referred to as the Principal Act.

16. After section 6 of the Principal Act the following section is inserted in Part I:

Extension of Act to Territory of Cocos (Keeling) Islands

“6A. This Act extends to the Territory of Cocos (Keeling) Islands.”.

Interpretation

17. Section 58D of the Principal Act is amended by omitting the definition of “registered nurse” and substituting the following definition:

“ ‘registered nurse’ includes—

- (a) a person who is registered under a law of a State or Territory as—
 - (i) a psychiatric nurse;
 - (ii) a mental nurse; or
 - (iii) a geriatric nurse; and
- (b) in respect of the Territory of Cocos (Keeling) Islands, a nurse who has such qualifications (if any) as are prescribed.”.

Interpretation

18. Section 66 of the Principal Act is amended by adding at the end thereof the following sub-section:

“(7) For the purposes of this Part, the Territory of Cocos (Keeling) Islands shall be deemed to form part of the State of Western Australia.”.

Reinsurance Account in health benefits fund

19. Section 73BB of the Principal Act is amended by inserting before the definition of “basic table” in sub-section (11) the following definition:

“ ‘Australia’ includes the Territory of Cocos (Keeling) Islands;”.

**PART VI—AMENDMENTS OF NORTHERN TERRITORY
(SELF-GOVERNMENT) ACT 1978**

Principal Act

20. The *Northern Territory (Self-Government) Act 1978*⁸ is in this Part referred to as the Principal Act.

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Qualifications of electors

21. Section 14 of the Principal Act is amended—

- (a) by omitting “All persons who are, under Part V of the Northern Territory Electoral Regulations from time to time in force under the *Northern Territory Representation Act 1922* and” and substituting “Subject to sub-section (2), all persons who are, under”; and
- (b) by adding at the end thereof the following sub-section:

“(2) Sub-section (1) does not apply to persons who are qualified to vote at an election of a member of the House of Representatives for the Northern Territory by reason only of the amendments of the *Commonwealth Electoral Act 1918* made by the provisions of Part II of the *Cocos (Keeling) Islands Self-Determination (Consequential Amendments) Act 1984*.”.

PART VII—AMENDMENTS OF SOCIAL SECURITY ACT 1947

Principal Act

22. The *Social Security Act 1947*⁶ is in this Part referred to as the Principal Act.

Interpretation

23. Section 6 of the Principal Act is amended—

- (a) by inserting before the definition of “claim” in sub-section (1) the following definition:

“ ‘Australia’ includes the Territory of Cocos (Keeling) Islands;” and

- (b) by inserting after the definition of “Director-General” in sub-section (1) the following definition:

“ ‘external Territory’ does not include the Territory of Cocos (Keeling) Islands;”.

24. After section 6B of the Principal Act the following section is inserted in Part I:

Extension of Act to Territory of Cocos (Keeling) Islands

“6C. This Act extends to the Territory of Cocos (Keeling) Islands.”.

Interpretation

25. Section 17B of the Principal Act is amended by omitting “1 and 2” from the definition of “remote area” in sub-section (1) and substituting “1, 2 and 7”.

Claims for pensions, &c., before 6 July 1984

26. Where, as a result of the amendments made to the *Social Security Act 1947* by this Part—

- (a) a person becomes qualified or eligible to receive a pension, benefit or allowance under that Act before 6 July 1984; and

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(b) the person makes a claim for a pension, benefit or allowance after the person became qualified or eligible to receive that pension, benefit or allowance but before 6 July 1984,
the Director-General of Social Security may determine that the claim shall be taken, for the purposes of that Act, to have been lodged on the day on which the person became so qualified or eligible.

NOTES

1. No. 27, 1918. For previous amendments, see No. 31, 1919; No. 14, 1921; No. 14, 1922; No. 10, 1924; No. 20, 1925; No. 17, 1928; No. 2, 1929; No. 9, 1934; No. 19, 1940; No. 42, 1946; No. 17, 1948; Nos. 10 and 47, 1949; No. 106, 1952; No. 79, 1953; No. 26, 1961; No. 31, 1962; Nos. 48 and 70, 1965; Nos. 32 and 93, 1966; No. 7, 1973; No. 216, 1973 (as amended by No. 20, 1974); No. 38, 1974; No. 56, 1975; Nos. 14 and 116, 1977; No. 19, 1979; Nos. 102 and 155, 1980; No. 176, 1981 (as amended by No. 26, 1982); No. 80, 1982; and Nos. 39 and 144, 1983.
2. No. 54, 1973, as amended. For previous amendments, see No. 216, 1973; No. 59, 1975; No. 47, 1976; Nos. 111 and 143, 1977; No. 86, 1978; No. 6, 1980; and No. 173, 1981.
3. No. 42, 1974, as amended. For previous amendments, see No. 58, 1975; Nos. 59, 91, 101 and 109, 1976; No. 75, 1977; Nos. 89 and 133, 1978; Nos. 53 and 123, 1979; No. 132, 1980; No. 118, 1981; Nos. 49 and 112, 1982; and Nos. 54 and 139, 1983.
4. No. 95, 1953, as amended. For previous amendments, see No. 68, 1955; Nos. 55 and 95, 1956; No. 92, 1957; No. 68, 1958; No. 72, 1959; No. 16, 1961; No. 82, 1962; No. 77, 1963; No. 37, 1964; Nos. 100 and 146, 1965; No. 44, 1966; Nos. 14 and 100, 1967; No. 100, 1968; No. 102, 1969; No. 41, 1970; No. 85, 1971; No. 114, 1972; Nos. 49 and 202, 1973; No. 37, 1974; Nos. 1, 13 and 93, 1975; Nos. 1, 60, 91, 99, 108, 157 and 177, 1976; Nos. 98 and 100, 1977; Nos. 36, 88, 132 and 189, 1978; Nos. 54, 91 and 122, 1979; Nos. 117 and 131, 1980; Nos. 40, 74, 118 and 176, 1981; Nos. 49 and 112, 1982; and Nos. 35, 54 and 139, 1983.
5. No. 58, 1978, as amended. For previous amendments, see No. 130, 1982; and No. 10, 1984.
6. No. 26, 1947, as amended. For previous amendments, see Nos. 38 and 69, 1948; No. 16, 1949; Nos. 6 and 26, 1950; No. 22, 1951; Nos. 41 and 107, 1952; No. 51, 1953; No. 30, 1954; Nos. 15 and 38, 1955; Nos. 67 and 98, 1956; No. 46, 1957; No. 44, 1958; No. 57, 1959; No. 45, 1960; No. 45, 1961; Nos. 1 and 95, 1962; No. 46, 1963; Nos. 3 and 63, 1964; Nos. 57 and 152, 1965; No. 41, 1966; Nos. 10 and 61, 1967; No. 65, 1968; No. 94, 1969; Nos. 2 and 59, 1970; Nos. 16 and 67, 1971; Nos. 1, 14, 53 and 79, 1972; Nos. 1, 26, 48, 103 and 216, 1973; Nos. 2, 23 and 91, 1974; Nos. 34, 56, 101 and 110, 1975; Nos. 26, 62 and 111, 1976; No. 159, 1977; No. 128, 1978; No. 121, 1979 (as amended by Nos. 37 and 98, 1982); No. 130, 1980; No. 61, 1981, No. 159, 1981 (as amended by No. 98, 1982); No. 170, 1981; Nos. 37, 98 and 148, 1982; and Nos. 4, 36 and 69, 1983.