



Cocos (Keeling) Islands Applied Laws Ordinance 1992

No. 5, 1992

made under the

Cocos (Keeling) Islands Act 1955

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About this compilation

This compilation

This is a compilation of the *Cocos (Keeling) Islands Applied Laws Ordinance 1992* that shows the text of the law as amended and in force on 23 September 2023 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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1 Name of Ordinance

This Ordinance is the *Cocos (Keeling) Islands Applied Laws Ordinance 1992*.

3 Amendments of applied laws

The applied laws specified in Schedule 1 are amended as set out in that Schedule.

4 Rules—fish resources management

- (1) The Minister may, by legislative instrument, make rules:
 - (a) so as to amend Part 15A of Schedule 1 to this Ordinance; or
 - (b) to make application, saving or transitional provision in relation to such amendments.
- (2) To avoid doubt, the rules may not do the following:
 - (a) create an offence or civil penalty;
 - (b) provide powers of:
 - (i) arrest or detention; or
 - (ii) entry, search or seizure;
 - (c) impose a tax.
- (3) Before making rules under this section, the Minister must consult with an advisory committee established under section 42 of the *Fish Resources Management Act 1994 (WA)* as it applies in the Territory.

6 The applied laws specified in Schedule 4 are repealed

The applied laws specified in Schedule 4 are repealed.

7 Revival of applied laws omitted from Schedule 4 (Repealed applied laws)

The omission from Schedule 4 (Repealed applied laws) of an applied law that was specified in the Schedule revives the application of that law in the Territory.

Schedule 1—Amendments of applied laws

(section 3)

Part 1—Administration Act 1903 (W.A.)(C.K.I.)

1 New section 60B

1.1 After section 60A, insert:

60B Territory transition

- (1) If probate of a will or the administration of an estate in the Territory:
 - (a) was granted to, or vested in, the Official Assignee under the Probate and Administration Ordinance; and
 - (b) was administered, held, managed or controlled by the Official Assignee under that Ordinance before 1 July 1992;then the grant of probate or the administration of that estate is taken to be a grant of probate or administration to the Public Trustee under this Act.
- (2) The Public Trustee must administer, hold, manage or control an estate referred to in subsection (1) in accordance with the law as in force in the Territory before 1 July 1992.

Part 2—Associations Incorporation Act 1987 (W.A.)(C.K.I.)

1 Section 3 (Interpretation)

1.1 Subsection 3(1):

Insert the following definitions:

Companies (Western Australian) Code must be read as a reference to the ‘Corporations Law’.

2 Section 30 (Voluntary winding up)

2.1 Subsection 30(4):

Omit the subsection, substitute:

- (4) The regulations may provide that the provisions of Part 5.5 of the Corporations Law relating to the voluntary winding up of companies apply with specified exclusions, additions and modifications to a winding up of an association under this section as if that Law was an Ordinance and as if the association was a company as defined in that Law.

3 Section 31 (Winding up by Court)

3.1 Subsection 31(3):

Omit the subsection, substitute:

- (3) Subject to this Act and the regulations, the provisions of Part 5.4 of the Corporations Law apply, so far as they are applicable and with the prescribed modifications (if any), in relation to the winding up of an association by the Supreme Court as if the association was a company as defined in the Corporations Law.

4 New section 48A

4.1 After section 48, insert:

48A Territory savings and transition

An association incorporated under the *Associations Incorporation Act 1987 (W.A.)* is taken to be an incorporated association for the purposes of this Act.

Part 3—Bread Act 1982 (W.A.)(C.K.I.)

1 New section 17A

1.1 After section 17, insert:

17A Territory transition

If a baker who is required to hold a licence under this Act:

- (a) used or occupied a bakehouse in the Territory immediately before 1 July 1992; and
- (b) applies for a licence under section 7 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the bakehouse is taken to be licensed under this Act until a licence is granted to the baker or the application is refused.

Part 4—Business Names Act 1962 (W.A.)(C.K.I.)

1 New section 5A

1.1 After section 5, insert:

5A Territory transition

If a person who is required to register a business name under this Act:

- (a) was carrying on business in the Territory under a business name, either alone or in association with other persons, immediately before 1 July 1992; and
- (b) applies for registration of the business name under section 7 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the business name is taken to be registered under this Act until registration is granted to the person or the application is refused.

Part 5—Children's Court of Western Australia Act 1988 (W.A.)(C.K.I.)

1 Section 5 (Establishment of Court)

1.1 Repeal the section.

2 Sections 6 to 18 (inclusive)

2.1 Sections 6 to 18 (inclusive) are repealed.

Part 6—Coroners Act 1996 (W.A.)(C.K.I.)

1 Section 3 (Interpretation)

- 1.1 Definition of *reportable death*:
Omit ‘Western Australian’, substitute ‘Territory’.
- 1.2 Definition of *reportable death* (paragraph (i)):
Omit ‘Western Australia’, substitute ‘the Territory’.
- 1.3 Definition of *reportable death* (paragraph (j)):
Omit ‘Western Australia’, substitute ‘the Territory’.
- 1.4 Definition of Western Australian death:
Omit the definition.
- 1.5 Insert the following definitions:
- coastal sea* means:
- (a) the territorial sea adjacent to the Territory; and
 - (b) the sea on the landward side of the territorial sea adjacent to the Territory and not within the limits of the Territory;
- and includes the airspace over, and the sea-bed and subsoil beneath, that sea.
- Territory death* means a death:
- (a) that occurred in the Territory or the coastal sea; or
 - (b) where the body is in the Territory or the coastal sea; or
 - (c) the cause of which occurred in the Territory or the coastal sea; or
 - (d) of a person who was ordinarily residing in the Territory at the time of death.

2 Section 22 (Jurisdiction of coroner to hold inquest into a death)

- 2.1 Subsection 22(1):
Omit ‘Western Australian’, substitute ‘Territory’.

3 Section 30 (Control of body)

- 3.1 Subsection 30(1):
Omit ‘Western Australia’, substitute ‘the Territory’.

Part 7—Criminal Code Act Compilation Act 1913 (W.A.)(C.K.I.)

Schedule The Criminal Code

1 Section 282 (Punishment of wilful murder and murder)

- 1.1 Paragraph 282(a):
Omit ‘mandatory’.
- 1.2 Paragraph 282(b):
Omit ‘mandatory’.

2 Section 400 (Definitions)

- 2.1 Subsections 400(3) and (4):
Omit the subsections.

3 Section 401 (Burglary)

- 3.1 Subsections 401(4), (5) and (6):
Omit the subsections.

Note: Sections 297 and 378 of The Criminal Code, in their application to the Territory, are amended by the repeal of the *Criminal Law Amendment Act 1992* (W.A.)(C.K.I.) by section 6 of this Ordinance.

Part 8—Debits Tax Act 1990 (W.A.)(C.K.I.)

1 Amendments—references to Western Australia

1.1 Amendments as set out in the following table:

Provision	omit	substitute
Paragraph 4(1)(c)	Western Australia	the Territory
Subparagraph 4(1)(c)(i)	Western Australia	the Territory
Subparagraph 4(1)(c)(ii)	Western Australia	the Territory
Subsection 4(2)	Western Australia (twice occurring)	the Territory

Part 9—Debits Tax Assessment Act 1990 (W.A.)(C.K.I.)

1 Amendments—references to Western Australia

1.1 Amendments as set out in the following table:

Provision	omit	substitute
Subsection 3(1) (definition of <i>excluded debit</i> , subparagraph (a)(iii))	the State of Western Australia	the Territory
Subsection 3(1) (definition of <i>excluded debit</i> , subparagraph (a)(iv))	the State of Western Australia	the Territory
Subsection 3(1) (definition of <i>excluded debit</i> , sub-subparagraph (b)(i)(A))	Western Australia	the Territory
Subsection 3 (1) (definition of <i>excluded debit</i> , sub-subparagraph (b)(i)(B))	Western Australia	the Territory
Subsection 3(1) (definition of <i>exempt account</i>)	Western Australia	the Territory
Subsection 3(1) (definition of <i>taxable account</i>)	Western Australia	the Territory
Subsection 3(2)	Western Australia	the Territory
Subparagraph 3(2)(a)(i)	Western Australia	the Territory
Subparagraph 3(2)(a)(ii)	Western Australia (twice occurring)	the Territory
Subparagraph 3(2)(b)(i)	Western Australia	the Territory
Subparagraph 3(2)(b)(ii)	Western Australia (twice occurring)	the Territory
Sub-subparagraph 3(2)(b)(ii)(A)	Western Australia	the Territory
Sub-subparagraph 3(2)(b)(ii)(B)	Western Australia	the Territory
Paragraph 3(2)(c)	Western Australia	the Territory
Subsection 3(8)	the State of Western Australia (twice occurring)	the Commonwealth
Subsection 8(4)	Western Australia	the Territory
Subsection 11(1)	Western Australia	the Territory
Paragraph 14(1)(b)	the State of Western Australia	the Commonwealth
Subparagraph 14(5)(a)(ii)	the State of Western Australia	the Commonwealth
Subparagraph 14(5)(b)(ii)	the State of Western Australia	the Commonwealth
Paragraph 15(1)(b)	the State of Western Australia	the Commonwealth
Subparagraph 19(3)(b)(ii)	the State of Western Australia	the Commonwealth
Subsection 19(4)	the State of Western	the Commonwealth

Provision	omit	substitute
	Australia	
Subsection 26(1)	the State of Western Australia	the Commonwealth
Paragraph 29(1)(d)	the State of Western Australia	the Commonwealth
Subsection 39(1)	Western Australia (twice occurring)	the Territory
Subsection 39(3)	Western Australia	the Territory
Paragraph 39(3)(b)	Western Australia	the Territory

Part 10—District Court of Western Australia Act 1989 (W.A.)(C.K.I.)

1 Section 7 (Establishment of the Court)

1.1 Repeal the section.

2 Section 10 (The Judges of the Court)

2.1 Repeal the section.

3 Section 18 (Acting appointments)

3.1 Repeal the section.

4 Section 24 (Power to appoint Commissioners and Jurisdiction of Commissioners)

4.1 Repeal the section.

Part 10A—Duties Act 2008 (WA) (CKI)

1 Section 142 (Transactions by first home owners that are concessional transactions)

1.1 Subparagraph 142(1)(a)(i) and (ii):

Omit the subparagraphs, substitute:

- (a) is, or becomes, a person to whom a first home owner grant would be, or would have been, payable if section 18 of the FHOG Act applied to the person in relation to the property; or
- (b) is, or becomes, a person to whom a first home owner grant would be, or would have been, payable in relation to the property if consideration had been given for the transfer of the property.

1.2 Paragraph 142(2)(a):

Omit the paragraph, substitute:

- (a) from a person who would have been excluded from the operation of the FHOG Act section 16(1); and

Part 11—Explosives and Dangerous Goods Act 1961 (W.A.)(C.K.I.)

1 Section 17 (Notice of arrival of imported explosive)

1.1 Subsection 17(4):

Omit ‘Comptroller-General of Customs of the Commonwealth,’ substitute
‘Comptroller of the Indian Ocean Territories Customs Service,’.

Part 12—Financial Institutions Duty Act 1983 (W.A.)(C.K.I.)

1 Section 3 (Interpretation)

- 1.1 Subsection 3(1) (definition of *another State*):
Omit ‘other than Western Australia’.
- 1.2 After subsection 3(1), insert:
- (1A) A reference in this Act to a provision of the *Companies (Western Australia) Code* or the *Securities Industry (Western Australia) Code* is a reference to the provision of the Corporations Law that corresponds to the provision of the relevant Code.

2 Section 6 (Act to bind Crown)

- 2.1 Omit the section.

3 Section 11 (Financial institutions duty and short term dealings)

- 3.1 Subsection 11(1):
Omit ‘the amount comprising one-tenth of’.
- 3.2 Subsection 11(1):
Omit ‘Australian-based’, substitute ‘Territory’.

4 Section 15 (Trust fund account)

- 4.1 Paragraph 15(1)(a):
Omit the paragraph, substitute:
- (a) that would be a dealer’s trust account for the purposes of the Corporations Law if that law were in force in the Territory; or

5 Section 27 (Returns by certified short term dealers)

- 5.1 Subsection 27(2):
Omit the subsection, substitute:
- (2) For subsection (1), a return must:
- (a) be in a form approved by the Commissioner; and
- (b) contain the information required by the Commissioner.

6 Section 34 (Interpretation)

- 6.1 Add at the end:
- (2) For section 35 and subsection 36(4), the question whether 2 corporations are related to each other is to be determined in the same manner as under the Corporations Law.

7 Section 35 (Grouping of corporations)

- 7.1 Subsection 35(1):
Omit ‘by reason of section 7(5) of the *Companies (Western Australia) Code* to be deemed, for the purposes of that Code, to be’.
- 7.2 Subsection 35(2):
Omit ‘deemed by reason of section 7(5) of the *Companies (Western Australia) Code* to be related for the purposes of that Code’, substitute ‘related’.

8 Section 36 (Grouping of commonly controlled businesses)

- 8.1 Subsection 36(4):
Omit ‘another corporation that is, by reason of section 7(5) of the *Companies (Western Australia) Code* to be deemed, for the purposes of that Code, to be related to it’, substitute ‘a related corporation’.

8A Section 67 (Agents and trustees)

- 8A.1 Omit the section.

9 Other amendments—references to Western Australia

- 9.1 Amendments as set out in the following table:

Provision	omit	substitute
Subsection 3(1) (definition of <i>agent</i>)	Western Australia (twice occurring)	the Territory
Subsection 3(1) (definition of <i>dutiable deposit</i>)	Western Australia	the Territory
Subsection 3(1) (definition of <i>dutiable receipt</i>)	Western Australia	the Territory
Subsection 3(1) (definition of <i>financial institution</i> , subparagraph (a)(v))	Western Australia	the Territory
Subsection 3(1) (definition of <i>financial institution</i> , subparagraph (a)(viii))	Western Australia	the Territory
Subsection 3(1) (definition of <i>financial institution</i> , subparagraph (b)(i))	Western Australia	the Territory
Subsection 3(1) (definition of <i>financial institution</i> , subparagraph (b)(iii))	Western Australia	the Territory
Subsection 3(19)	Western Australia	the Territory
Paragraph 3(19e)(a)	Western Australia	the Territory
Subsection 5(1)	Western Australia	the Territory
Subsection 10(1)	Western Australia	the Territory
Subsection 12(1)	Western Australia	the Territory

Provision	omit	substitute
Subsection 12(2)	Western Australia	the Territory
Paragraph 14(6)(b)	Western Australia	the Territory
Subsection 17(1)	Western Australia (twice occurring)	the Territory
Subparagraph 17(5)(b)(i)	Western Australia	the Territory
Subsection 26(2)	Western Australia	the Territory
Section 43	Western Australia	the Territory
Subsection 66(1)	Western Australia	the Territory
Section 68	Western Australia	the Territory
Paragraph 68(c)	Western Australia	the Territory
Paragraph 68(d)	Western Australia	the Territory
Subsection 69(1)	Western Australia	the Territory
Subsection 69(2)	Western Australia	the Territory

Part 13—Financial Institutions Duty Regulations 1984 (W.A.)(C.K.I.)

1 Amendments—references to Western Australia

1.1 Amendments as set out in the following table:

Provision	omit	substitute
Paragraph 5(5)(a)	Western Australia	the Territory
Paragraph 5(5)(b)	Western Australia	the Territory
Paragraph 7I(b)	Western Australia	the Territory
Schedule 1	Western Australia	the Territory

Part 14—Family Court Act 1975 (W.A.)(C.K.I.)

1 Section 6 (Creation of the Court)

1.1 Repeal the section.

2 Section 9 (Appointment of Judges)

2.1 Repeal the section.

3 Section 11 (Acting appointments)

3.1 Repeal the section.

Part 15—Fish Resources Management Act 1994 (WA) (CKI)

1 At the end of section 42

Add:

- (4) The Minister of the Commonwealth who administers this Act as in force in the Territory:
 - (a) must, as soon as practicable after the commencement of this subsection, establish an advisory committee under subsection (1); and
 - (b) despite subsection (3), ensure that at least one such committee is established at any time.

Part 15A—Fish Resources Management Regulations 1995 (WA) (CKI)

1 Subregulation 3(1) (definition of *day trip*)

Repeal the definition, substitute:

day trip means a voyage undertaken by a person on a boat, except a voyage which has taken place over more than one day;

2 Subregulation 3(1) (definition of *one day*)

Repeal the definition, substitute:

one day means a period of 24 hours commencing at midnight;

3 Regulation 14

Repeal the regulation, substitute:

14 Finfish to be landed as whole fish, or as fish trunks or fillets

- (1) A person must not be in possession of a finfish on a boat or bring a finfish onto land unless it is:
- (a) a whole fish; or
 - (b) a fish trunk that has the skin and scales attached; or
 - (c) a fillet that:
 - (i) has the skin and scales attached; and
 - (ii) is packaged flat; and
 - (iii) is packaged so that it is easily accessible for identification; and
 - (iv) if the fish is frozen—can be measured and identified without being thawed.

Penalty: a fine of \$3,000 and the penalty provided in section 222 of the Act.

- (2) Subregulation (1) does not apply to:
- (a) finfish taken for a commercial purpose in accordance with an authorisation; or
 - (b) finfish on a boat if the finfish is:
 - (i) being consumed; or
 - (ii) prepared, or being prepared, for immediate consumption by persons on the boat.

4 Regulations 16D, 16DB, 16E, 16GA, 22 and 22AA

Repeal the regulations.

5 Subregulation 31(1)

Repeal the subregulation.

6 Subregulation 31(2) (penalty)

Omit “\$5 000”, substitute “\$3,000”.

7 Subregulation 31(3)

Repeal the subregulation.

8 Subregulation 31(4)

Omit “or (3)”.

9 Paragraphs 32(1)(b) and (c)

Repeal the paragraphs, substitute:

- (b) in the case of a pot set or pulled from a licensed fishing boat—is marked by branding or stamping with legible characters not less than 60 mm high and not less than 10 mm wide showing the licensed fishing boat number of the boat.

10 Paragraph 36(1)(b)

Repeal the paragraph.

11 Subregulation 36(2B)

Repeal the subregulation.

12 Regulation 37

Repeal the regulation, substitute:

37 Offences against r.36, defences for

In any proceedings for an offence against regulation 36(1)(c), it is a defence for the person charged to prove that the person did not know and could not reasonably have known that 6 rock lobster pots had already been pulled by persons on board the boat in the relevant period.

13 Regulation 42

Repeal the regulation.

14 At the end of Division 6 of Part 4

Add:

46 Areas of Cocos (Keeling) Islands closed to fishing for certain species

- (1) A person must not fish for Humphead Maori Wrasse (Ikan Hijau) in the waters in the area described in clause 1 of Schedule 2A.

Penalty: a fine of \$3,000 and the penalty provided in section 222 of the Act.

- (2) A person must not fish for gong gong in:
 - (a) the waters in the northern closure area described in clause 2 of Schedule 2A; or
 - (b) the waters in the central closure area described in clause 3 of Schedule 2A; or
 - (c) the waters in the southern closure area described in clause 4 of Schedule 2A.

Penalty: a fine of \$3,000 and the penalty provided in section 222 of the Act.

15 Regulation 64AA

Repeal the regulation.

16 At the end of Division 8 of Part 4

Add:

64AB Fish at Cocos (Keeling) Islands Airport

- (1) The following requirements apply to the possession of fish by a person in the area of Cocos (Keeling) Islands Airport:
 - (a) the maximum quantity of fish that a person may possess is:
 - (i) for fish other than gong gong or kima clam—5 kg; and
 - (ii) for gong gong—2 kg; and
 - (iii) for kima clam—2 kg;
 - (b) if the fish is finfish, it must:
 - (i) have the skin attached; and
 - (ii) be packaged flat;
 - (c) the fish must be packaged so that it is easily accessible for identification;
 - (d) if the fish is frozen, it must be able to be identified without being thawed.
- (2) A person in the area of Cocos (Keeling) Islands Airport must not have any fish in the person's possession that does not meet the requirements of subregulation (1).

Penalty: a fine of \$3,000 and the penalty provided in section 222 of the Act.

- (3) It is a defence in proceedings for an offence against subregulation (2) for the person charged to prove that:
 - (a) the fish were taken for a commercial purpose in accordance with an authorisation; or
 - (b) the fish were kept, bred, hatched, cultured or harvested in accordance with an aquaculture licence; or
 - (c) the fish were taken under an authority to fish for scientific purposes issued under regulation 178.
- (4) In this regulation:

area of Cocos (Keeling) Islands Airport means the land within Reserve No. 47727.

17 Subregulation 64E(3)

Repeal the subregulation (not including the penalty).

18 Subparagraph 64F(1)(b)(i)

Omit "60", substitute "100".

19 Subparagraph 64F(1)(b)(iv)

Repeal the subparagraph.

20 Subregulation 64F(2)

Repeal the subregulation, substitute:

- (2) The mesh of a fishing net referred to in subregulation (1)(b)(v) must be not less than 50 mm or more than 114 mm.

21 After regulation 64G

Insert:

64GA Use of set or haul fishing net

- (1) A person who fishes using a set or haul fishing net must:
 - (a) attend that net; and
 - (b) clear it of fish at intervals of not more than one hour.

Penalty: \$2,000.

- (2) In this regulation:

attend, in respect of a net, means to be within 100 m of the net.

22 At the end of Division 2 of Part 4A

Add:

64LA Spearfishing using breathing apparatus prohibited

A person must not fish with a spear or spear gun while using compressed air breathing apparatus.

Penalty: a fine of \$3,000 and the penalty provided in section 222 of the Act.

23 At the end of Division 4 of Part 4A

Add:

64U Set and haul net fishing prohibited in Northern Lagoon, West Island

A person must not set a net or use a haul net in the Northern Lagoon of West Island, inside of a line drawn between 12°10.723'S, 096°49.790'E and 12°10.446'S, 096°49.922'E.

Penalty: a fine of \$3,000 and the penalty provided in section 222 of the Act.

24 Subparagraph 64W(1)(b)(i)

Omit “in accordance with regulation 16D(1) Table items 1, 2 and 4”.

25 Paragraph 64W(1)(c)

Repeal the paragraph.

26 Regulation 64X

Repeal the regulation, substitute:

64X Counting pieces of fish for bag limits

For the purpose of determining the number of fish in relation to a bag limit:

- (a) 2 pieces of finfish are taken to be equivalent to one whole finfish; and
- (b) a piece of clam meat is taken to be equivalent to a whole clam; and
- (c) a piece of gong gong meat is taken to be equivalent to a whole gong gong.

27 Division 2 of Part 4B

Repeal the Division, substitute:

Division 2—Bag limits for Territory

64Y Territory bag limits

- (1) For the purposes of section 50 of the Act, the quantity of fish appearing under the heading “Species, or group of species, bag limit” in a Part of Schedule 3 is the bag limit in respect of fish of that species or group of species in the Territory.
- (2) The bag limits set out in Schedule 3 do not apply in relation to a person if the person takes fish:
 - (a) from waters within 3 nautical miles of land; and
 - (b) during a period the person has notified in accordance with subregulations (3) and (4) to an advisory committee established under section 42 of the Act.
- (3) The person must give notice of the period during which the person intends to fish (the *fishing period*) at least 1 month before the day the period starts.
- (4) The fishing period must be wholly within one of the following periods:
 - (a) the Ceremony of Death month (Bulan Arwah) (but the maximum duration of the fishing period is 2 weeks);
 - (b) the period of 2 weeks immediately before the day that Ramadan starts;
 - (c) the period of 1 week immediately before Hari Maulad Nabi (Prophet Mohammad’s Birthday);
 - (d) the period of 1 week immediately before the day of Islamic New Year;
 - (e) the period of 1 month immediately before the day of the wedding of a member of the Cocos Malay community that is to take place in the Territory;
 - (f) the period of 1 month immediately before the day the circumcision of a member of the Cocos Malay community in the Territory is to be celebrated.

64Z Report on fishing period

- (1) A person who gave notice to an advisory committee under regulation 64Y of a period that the person intended to fish must give the advisory committee a report on the fishing that the person undertook during the period.
- (2) The report must include, for each day during the period, the species of fish taken by the person and the number of fish of each species.

- (3) The report must be given to the advisory committee no later than 2 weeks after the last day of the fishing period.

28 Subregulation 117(1)

After “current fishing boat licence”, insert “granted under regulation 118 as it applies in the Territory”.

29 At the end of subregulation 121(1)

Add “granted under regulation 122 as it applies in the Territory”.

30 At the end of regulation 121

Add:

- (3) The Minister may exempt an individual from subregulation (2), and any other provision of these regulations that would prevent the sale of fish taken by recreational fishing.
- (4) The Minister may not exempt more than 7 individuals at any time.
- (5) An exemption given by the Minister under subregulation (3) only applies:
- (a) in relation to fish taken from waters within 3 nautical miles of land; and
 - (b) in relation to the sale of those fish to a purchaser within the Territory.

31 Division 2 of Part 11

Repeal the Division.

32 Regulation 156 (table)

After “45(2),”, insert “46(1), 46(2),”.

33 Regulation 156 (table)

After “64AA(2B),”, insert “64AB, 64LA, 64U,”.

34 Part 1 of Schedule 2

Omit:

Billfish (marlins, sailfish and spearfish).

35 Part 1 of Schedule 2

Omit “and Rays, other than sharks or rays that are totally protected fish”.

36 Part 2 of Schedule 2

Repeal the Part, substitute:

Part 2—Totally protected fish

Division 1—Protected by reference to characteristics

Totally protected fish—protected by reference to characteristics

Item Description of totally protected fish

1	Female crab with eggs or spawn attached beneath its body
2	Female rock lobster with eggs or spawn attached beneath its body
3	Gong gong that do not have fully formed and closed spines

Division 2—Protected by reference to length

Totally protected fish—protected by reference to length

Item	A fish of the following class...	...is a totally protected fish if its length is less than...
1	Bonefish	40 centimetres
2	Coronation Trout	35 centimetres
3	Coral Trout	35 centimetres
4	Emperor, Yellowlip	40 centimetres
5	Humphead Maori Wrasse (Ikan Hijau)	65 centimetres
6	Parrotfish, Humphead	65 centimetres
7	Rock Lobster	10 centimetres
8	Silveries	20 centimetres

Division 3—Other protected species

Totally protected fish—other protected species

Item Description of totally protected fish

1	Clam, Giant
2	Cod, Potato
3	Cod, White Banded
4	Coral and Live Rock
5	Groper, Queensland
6	Rays

37 Part 3 of Schedule 2

Repeal the Part, substitute:

Part 3—Recreationally protected fish

Note: This Part is reserved for future use.

38 After Schedule 2

Insert:

Schedule 2A—Cocos (Keeling) Islands areas

Note: See regulation 46.

1 Humphead Maori Wrasse closure area

The area of waters closed to fishing for Humphead Maori Wrasse (Ikan Hijau) is the area bounded by the line described in item 1 of the following table and running sequentially as described in the table.

Area closed to fishing for Humphead Maori Wrasse (Ikan Hijau)	
Item	Description
1	The point 12° 6' 50.2" S, 96° 49' 35.5" E
2	Easterly along the geodesic to the point 12° 6' 29.0" S, 96° 49' 3.7" E
3	Southerly along the geodesic to the point 12° 7' 10.0" S, 96° 48' 36.4" E
4	Westerly along the geodesic to the point 12° 7' 30.8" S, 96° 49' 8.3" E
5	Northerly along the geodesic to the starting point

2 Northern gong gong closure area

The area of waters closed to fishing for gong gong is the area bounded by the line starting at the point described in item 1 of the following table and running sequentially as described in the table.

Area closed to fishing for gong gong—northern area	
Item	Description
1	The point 12°07.314'S, 096°53.032'E
2	East along the parallel of latitude 12°07.314'S to its intersection by the meridian of longitude 096°53.638'E
3	Southerly along the geodesic to the point 12°07.860'S, 096°53.635'E
4	Westerly along the geodesic to the point 12°07.858'S, 096°53.037'E
5	Northerly along the geodesic to the starting point

3 Central gong gong closure area

The area of waters closed to fishing for gong gong is the area bounded by the line starting at the point described in item 1 of the following table and running sequentially as described in the table.

Area closed to fishing for gong gong—central area	
Item	Description
1	The point 12°08.739'S, 096°53.559'E
2	East along the parallel of latitude 12°08.739'S to its intersection by the meridian of longitude 096°54.160'E
3	Southerly along the geodesic to the point 12°09.285'S, 096°54.151'E
4	West along the parallel of latitude 12°09.285'S to its intersection by the meridian of longitude 096°53.556'E
5	Northerly along the geodesic to the starting point

4 Southern gong gong closure area

The area of waters closed to fishing for gong gong is the area bounded by the line starting at the point described in item 1 of the following table and running sequentially as described in the table.

Area closed to fishing for gong gong—southern area

Item	Description
1	The point 12°10.454'S, 96°53.405'E
2	Easterly along the geodesic to the point 12°10.449'S, 96°53.990'E
3	Southerly along the geodesic to the point 12°11.003'S, 96°53.987'E
4	Westerly along the geodesic to the point 12°11.000'S, 96°53.402'E
5	Northerly along the geodesic to the starting point

39 Schedule 3

Repeal the Schedule, substitute:

Schedule 3—Bag limits

Note: See regulation 64Y.

Part 1—Pelagic species

Bag limits for pelagic species

Item	Fish	Species, or group of species, bag limit
1	Barracuda	4
2	Billfish and Swordfish	4
3	Dolphinfish (Mahi Mahi)	4
4	Tuna (all species except Dogtooth Tuna)	4
5	Tuna, Dogtooth	1
6	Wahoo	4
7	All species in items 1 to 6, combined	4

Part 2—Demersal species

Bag limits for demersal species

Item	Fish	Species, or group of species, bag limit
1	Bonefish	4
2	Cod (Groupers) (except totally protected species)	16
3	Coral Trout	4
4	Coronation Trout	4
5	Humphead Maori Wrasse (Ikan Hijau)	1
6	Parrotfish (except Humphead Parrotfish)	16
7	Parrotfish, Humphead	1
8	Sepat, Red and Black	16

Schedule 1 Amendments of applied laws

Part 15A Fish Resources Management Regulations 1995 (WA) (CKI)

Bag limits for demersal species

Item	Fish	Species, or group of species, bag limit
9	Snappers and Emperors	16
10	Trevally	16
11	All species in items 1 to 10, combined	16

Part 3—Lagoon species

Bag limits for lagoon species

Item	Fish	Species, or group of species, bag limit
1	All of the following: (a) Milkfish; (b) Mullet, Diamond Scale; (c) Mullet, Sea	40
2	Silveries	30

Part 4—Crustaceans and molluscs

Bag limits for crustaceans and molluscs

Item	Fish	Species, or group of species, bag limit
1	Clams (except Giant Clam)	80
2	Crab, Mud	2
3	Gong Gong	100
4	Rock Lobster	10

40 Schedule 4

Repeal the Schedule, substitute:

Schedule 4—Categories of Fish

Note: See regulation 180.

Part 1—Category 1 fish

Category 1 fish

Item	Type of fish
1	Billfish
2	Bonefish
3	Clams
4	Cod, Potato
5	Cod, White Banded
6	Coral
7	Coral Trout
8	Coronation Trout
9	Crab, Mud

Category 1 fish

Item	Type of fish
10	Dolphinfish (Mahi Mahi)
11	Gong Gong
12	Groper, Queensland
13	Humphead Maori Wrasse (Ikan Hijau)
14	Live Rock
15	Parrotfish, Humphead
16	Rays
17	Rock Lobster
18	Sharks
19	Swordfish
20	Tuna (all species)
21	Wahoo

Part 2—Category 2 fish

Category 2 fish

Item	Type of fish
1	Cod (Groupers) (except species listed as category 1 fish)
2	Emperors
3	Parrotfish (except Humphead Parrotfish)
4	Sepat, Red and Black
5	Snappers
6	Trevally

Part 3—Category 3 fish

Category 3 fish

Item	Type of fish
1	Milkfish
2	Mullet, Diamond Scale
3	Mullet, Sea
4	Silveries

Part 4—Category 4 fish

Category 4 fish

Item	Type of fish
1	Any species of fish not specified in this Schedule to be category 1 fish, category 2 fish or category 3 fish

41 Schedule 7

Repeal the Schedule, substitute:

Schedule 7—List of common and scientific names

Note: See subregulation 3(2).

Common and scientific names of fish		
Item	Common name	Scientific name
1	Barracuda	<i>Sphyraena</i> spp.
2	Billfish	Family Istiophoridae
3	Bonefish	<i>Albula</i> spp.
4	Clam, Giant	<i>Tridacna gigas</i>
5	Clam, Kima	<i>Tridacna maxima</i>
6	Clams	<i>Tridacna</i> spp.
7	Cod (Groupers)	Family Epinephelidae
8	Cod, Potato	<i>Epinephelus tukula</i>
9	Cod, White Banded	<i>Anyperodon leucogrammicus</i>
10	Coral	Class Anthozoa and Class Hydrozoa
11	Coral Trout	<i>Plectropomus</i> spp.
12	Coronation Trout	<i>Variola</i> spp.
13	Crab, Mud	<i>Scylla</i> spp.
14	Dolphinfish (Mahi Mahi)	<i>Coryphaena</i> spp.
15	Emperor, Yellowlip	<i>Lethrinus xanthurus</i>
16	Emperors	Family Lethrinidae
17	Gong Gong	<i>Lambis</i> spp. and <i>Harpago chiragra</i>
18	Groper, Queensland	<i>Epinephelus lanceolatus</i>
19	Humphead Maori Wrasse (Ikan Hijau)	<i>Cheilinus undulatus</i>
20	Live Rock	Family Corallinaceae, Class Polychaeta, Class Crinoidea, Class Ascidiacea, Class Ophiuroidea, Phylum Bryozoa and Phylum Porifera and dead fish of Class Anthozoa and Class Hydrozoa
21	Milkfish	<i>Chanos chanos</i>
22	Mullet, Diamond Scale	<i>Liza vaigiensis</i>
23	Mullet, Sea	<i>Mugil cephalus</i>
24	Parrotfish	Subfamily Scarinae
25	Parrotfish, Humphead	<i>Bolbometopon muricatum</i>
26	Rays	Superorder Batoidea
27	Rock Lobster	<i>Panulirus</i> spp.
28	Sepat, Red and Black	Families Berycidae and Bramidae
29	Sharks	Orders Squatiniformes, Pristiophoriformes, Squaliformes, Hexanchiformes, Carcharhiniformes, Lamniformes, Orectolobiformes and Heterodontiformes

Common and scientific names of fish

Item	Common name	Scientific name
30	Shark, Whale	<i>Rhincodon typus</i>
31	Silveries	<i>Gerres</i> spp.
32	Snappers	Family Lutjanidae
33	Swordfish	Family Xiphiidae
34	Trevally	Family Carangidae
35	Tuna, Albacore	<i>Thunnus alalunga</i>
36	Tuna, Bigeye	<i>Thunnus obesus</i>
37	Tuna, Dogtooth	<i>Gymnosarda unicolor</i>
38	Tuna, Longtail	<i>Thunnus tonggol</i>
39	Tuna, Skipjack	<i>Katsuwonus pelamis</i>
40	Tuna, Southern Bluefin	<i>Thunnus maccoyii</i>
41	Tuna, Yellowfin	<i>Thunnus albacares</i>
42	Wahoo	<i>Acanthocybium solandri</i>

42 Schedule 9

Repeal the Schedule, substitute:

Schedule 9—Determining the value of fish

Note: See regulation 157.

Value of fish species

Item	Species of fish	Value per unit of weight (\$/kg)	Value per fish (\$)
1	Barracuda	2.00	10.00
2	Billfish	2.00	100.00
3	Bonefish	8.00	24.00
4	Clam, Giant	10.00	100.00
5	Clams (except Giant Clam) (shucked)	60.00	5.00
6	Clams (except Giant Clam) (whole)	25.00	5.00
7	Cod (Groupers) (except species listed separately)	9.50	38.00
8	Cod, Potato	10.00	100.00
9	Cod, White Banded	10.00	100.00
10	Coral and Live Rock	80.00	-
11	Coral Trout	10.00	100.00
12	Coronation Trout	8.00	24.00
13	Crab, Mud	25.00	14.00
14	Dolphinfish (Mahi Mahi)	2.00	4.00
15	Emperors	8.00	24.00
16	Gong Gong (shucked)	60.00	3.00

Schedule 1 Amendments of applied laws

Part 15A Fish Resources Management Regulations 1995 (WA) (CKI)

Value of fish species			
Item	Species of fish	Value per unit of weight (\$/kg)	Value per fish (\$)
17	Gong Gong (whole)	25.00	3.00
18	Groper, Queensland	10.00	100.00
19	Humphead Maori Wrasse (Ikan Hijau)	25.00	100.00
20	Milkfish	4.50	3.00
21	Mullet, Diamond Scale	4.50	3.00
22	Mullet, Sea	4.50	3.00
23	Parrotfish (except Humphead Parrotfish)	6.00	12.00
24	Parrotfish, Humphead	25.00	100.00
25	Rock Lobster	30.00	15.00
26	Sepat, Red and Black	8.00	24.00
27	Sharks and Rays (except Whale Shark)	6.00	90.00
28	Shark, Whale	10.00	500.00
29	Silveries	4.50	3.00
30	Snappers	8.00	24.00
31	Swordfish	2.00	100.00
32	Trevally	3.50	8.00
33	Tuna, Dogtooth	5.00	25.00
34	Tuna (except Dogtooth Tuna)	2.00	20.00
35	Wahoo	7.00	28.00
36	All fish not otherwise listed in this Schedule	1.00	1.00

43 Schedule 12 (table headed “Part 2—Regulations”, item 4)

After “41,”, insert “46,”.

44 Schedule 12 (table headed “Part 2—Regulations”, item 4)

After “64E,”, insert “64GA, 64LA,”.

45 Schedule 12 (table headed “Part 2—Regulations”, item 4)

After “64QA,”, insert “64U,”.

46 At the end of Schedule 15

Add:

5 Zone 5: Cocos (Keeling) Islands

The Territory

Part 16—Limitation Act 1935 (W.A.)(C.K.I.)

1 Section 38A (Extended limitation period in certain circumstances)

1.1 Subsection 38A(2):

Omit subsection (2), substitute:

(2) Where:

- (a) the period of limitation within which an action, suit or other proceeding may be brought would, but for this section, be fixed by section 38(1)(c) of this Act; and
- (b) the person who suffered the latent injury had knowledge of the relevant facts before 1 July 1992; and
- (c) the period of limitation that would be applicable had the amending Act not come into operation had expired before 1 July 1992;

that action, suit or other pending proceeding may be commenced within the period of three years commencing on 1 July 1992.

1.2 Subsection 38A(3):

Omit paragraphs (3)(a) and (b), substitute:

- (a) the person who suffered the latent injury had knowledge of the relevant facts before 1 July 1992; and
- (b) the period of limitation that would be applicable had the amending Act not come into operation had expired before 1 July 1992 and before the action, suit or other proceeding was commenced;

1.3 Subsection 38A(4):

Omit subsection (4), substitute:

(4) Where:

- (a) the period of limitation within which an action, suit or other proceeding may be brought would, but for this section, be fixed by section 38(1)(c) of this Act; and
- (b) the cause of action arises from a person having suffered a latent injury that is attributable to the inhalation of asbestos; and
- (c) the person who suffered the latent injury had knowledge of the relevant facts before 1 July 1992; and
- (d) the period of limitation that would be applicable had the amending Act not come into operation had not expired before 1 July 1992;

that action, suit or other proceeding may be commenced within the period referred to in paragraph (d) or, if that period expires less than 3 years after the coming into operation of the amending Act, may be commenced within the period of three years after the coming into operation of that Act.

1.4 Subsection 38A(5):

Omit paragraphs (5)(a) and (b), substitute:

- (a) the person who suffered the latent injury had knowledge of the relevant facts before 1 July 1992; and

- (b) the period of limitation that would be applicable had the amending Act not come into operation had expired before 1 July 1992 and before the action, suit or other proceeding was commenced;

1.5 Subsection 38A(6):

Omit subsection (6), substitute:

(6) Where:

- (a) the period of limitation within which an action, suit or other proceeding may be brought is fixed by section 38(1)(c) of this Act; and
- (b) the cause of action arises from a person having suffered a latent injury that is attributable to the inhalation of asbestos; and
- (c) the person who suffered the latent injury did not have knowledge of the relevant facts before 1 July 1992;

the period of limitation runs from the time when the person has knowledge of the relevant facts instead of the time provided by section 38.

2 Section 47A (Protection of persons acting etc)

2.1 Subsection 47A(5):

Omit paragraph (5)(b), substitute:

- (b) the person who suffered the latent injury had the knowledge referred to in section 38A of this Act before 1 July 1992;

2.2 Subsection 47A(6):

Omit paragraph (6)(a), substitute:

- (a) the person who suffered the latent injury had the knowledge referred to in section 38A of this Act before 1 July 1992;

2.3 Subsection 47A(7):

Omit paragraph (7)(b), substitute:

- (b) the person who suffered the latent injury did not have the knowledge referred to in section 38A of this Act before 1 July 1992;

3 New section 49A

3.1 After section 49, insert:

49A Territory transition

Subject to sections 38A, 38B and 47A, nothing in this Act:

- (a) affects an action or proceeding commenced before the commencement of the *Territories Law Reform Act 1992*; or
- (b) enables an action or proceeding to be commenced or maintained which is barred by a law in force in the Territory that was repealed by the *Territories Law Reform Act 1992*; or
- (c) subject to paragraph (b), prevents the commencement and maintenance of an action or proceeding within the time allowed by a law in force in the Territory that is repealed by the *Territories Law Reform Act 1992* on a cause of action which accrued before the commencement of that Act.

Part 17—Medical Act 1894 (W.A.)(C.K.I.)

1 New section 25

1.1 After section 24, insert:

25 Territory transition

If a medical practitioner who is required to be registered under this Act:

- (a) was registered or licensed to practise as a medical practitioner under a law of a State or Territory; and
- (b) practised medicine in the Territory immediately before 1 July 1992; and
- (c) applies for registration under section 11 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the medical practitioner is taken to be registered under this Act until registration is granted to the medical practitioner or the application is refused.

Part 20—Navigable Waters Regulations (W.A.)(C.K.I.)

1 Section 45B

1.1 Add at the end:

- (9) If a person who is required to register a vessel under these Regulations:
 - (a) used the vessel in the Territory immediately before 1 July 1992; and
 - (b) applies for registration of the vessel under these Regulations within two months of the commencement of the *Territories Law Reform Act 1992*;
the person is taken to be registered under these Regulations until the registration is granted or refused.
- (10) The application fees specified in subregulation (3) are not required to be paid if a person applies for registration of a vessel in accordance with subregulation (9).

Part 21—Nurses Act 1968 (W.A.)(C.K.I.)

1 New section 42A

1.1 After section 42, insert:

42A Territory transition

If a person who is required to be registered under this Act:

- (a) practised nursing in the Territory immediately before 1 July 1992; and
- (b) applies for registration under section 20 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be registered under this Act until registration is granted to the person or the application is refused.

Part 22—Pay-roll Tax Act 1971 (W.A.)(C.K.I.)

1 Section 7 (Rates for group employers)

- 1.1 Subsection 7(3):
Omit ‘Western Australia.’, substitute ‘the Territory.’.
- 1.2 Subsection 7(4):
Omit ‘Western Australia’, substitute ‘the Territory’.
- 1.3 Subsection 7(5):
Omit ‘Western Australia,’, substitute ‘the Territory,’.
- 1.4 Paragraph 7(5)(b):
Omit ‘Western Australia’, substitute ‘the Territory’.
- 1.5 Subsection 7(6):
Omit ‘Western Australia’, substitute ‘the Territory’.
- 1.6 Subsection 7(7):
Omit ‘Western Australia’, substitute ‘the Territory’.
- 1.7 Paragraphs 7(7)(b) and (c):
Omit ‘Western Australia;’, substitute ‘the Territory;’.
- 1.8 Subsection 7(8):
Omit ‘Western Australia’, substitute ‘the Territory’.
- 1.9 Paragraphs 7(8)(b) and (c):
Omit ‘Western Australia;’, substitute ‘the Territory;’.
- 1.10 Subsection 7(12):
Omit ‘Western Australia,’, substitute ‘the Territory,’.

Part 23—Pay-roll Tax Assessment Act 1971 (W.A.)(C.K.I.)

1 Section 3 (Interpretation)

- 1.1 Subsection 3(1) (definition of *agent*):
Omit ‘Western Australia,’ , substitute ‘the Territory,’ .
- 1.2 Subsection 3(1) (definition of *agent*):
Omit ‘Western Australia’ , substitute ‘the Territory’ .
- 1.3 Subsection 3(1) (definition of *corresponding law*):
Omit ‘another State’ , substitute ‘a State’ .
- 1.4 Subsection 3(1) (definition of *employer*):
After ‘any person’ , insert ‘(except the Commonwealth)’ .
- 1.5 Subsection 3(1) (definition of *employer*):
Omit ‘the Crown in right of the State of Western Australia and includes also’ .
- 1.6 Subsection 3(1) (definition of *wages*):
Paragraph (a):
Omit the paragraph.
- 1.7 Subsection 3(3):
After ‘Act,’ , insert ‘the Territory of Christmas Island,’ .

2 Section 6 (Wages liable to pay-roll tax)

- 2.1 Paragraph 6(1)(a):
Omit ‘Western Australia,’ , substitute ‘the Territory,’ .
- 2.2 Paragraph 6(1)(a):
Omit ‘one other State;’ , substitute ‘a State;’ .
- 2.3 Paragraph 6(1)(b):
Omit ‘Western Australia’ , substitute ‘the Territory’ .
- 2.4 Paragraph 6(1)(b):
Omit ‘Western Australia.’ , substitute ‘the Territory.’ .
- 2.5 Subsection 6(2):
Omit ‘Western Australia or in another State),’ , substitute ‘the Territory or in a State),’ .
- 2.6 Paragraph 6(2)(a):
Omit ‘Western Australia—‘ , substitute ‘the Territory—’ .
- 2.7 Paragraph 6(2)(a):
Omit ‘Western Australia;’ , substitute ‘the Territory;’ .

Schedule 1 Amendments of applied laws

Part 23 Pay-roll Tax Assessment Act 1971 (W.A.)(C.K.I.)

- 2.8 Paragraph 6(2)(b):
Omit ‘Western Australia or wholly in one other State,’ substitute ‘the Territory or wholly in a State,’.
- 2.9 Paragraph 6(2)(b):
Omit ‘Western Australia;’, substitute ‘the Territory;’.
- 2.10 Paragraph 6(2)(c):
Omit ‘Western Australia or in another State—’, substitute ‘the Territory or in a State—’.

3 Section 41 (Public officer of company)

- 3.1 Subsection 41(1):
Omit ‘Western Australia)’, substitute ‘the Territory)’.

Part 24—Pharmacy Act 1964 (W.A.)(C.K.I.)

1 New sections 46A and 46B

1.1 After section 46 insert:

46A Territory transition

If a person who is required to be registered under this Act was registered under the Registration of Pharmacists Ordinance immediately before 1 July 1992, the person is taken to be registered under this Act:

- (a) until the person's registration under the Registration of Pharmacists Ordinance expires; or
- (b) if the person applies for registration as a pharmaceutical chemist under section 21 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*, until registration is granted to the person or the application is refused.

46B

If:

- (a) premises required to be registered under this Act were being used as a pharmacy immediately before 1 July 1992; and
 - (b) the occupier of the premises applies for registration of the premises within two months of the commencement of the *Territories Law Reform Act 1992*;
- the premises are taken to be registered under this Act until registration is granted to the person or the application is refused.

Part 25—Physiotherapists Act 1950 (W.A.)(C.K.I.)

1 New section 15A

1.1 After section 15, insert:

15A Territory transition

If a person who is required to be registered under this Act:

- (a) practised physiotherapy in the Territory immediately before 1 July 1992;
and
- (b) applies for registration under section 10 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be registered under this Act until registration is granted to the person or the application is refused.

Part 26—Podiatrists Registration Act 1984 (W.A.)(C.K.I.)

1 New Section 43A

1.1 After section 43, insert:

43A Territory transition

If a person who is required to be registered under this Act:

- (a) practised podiatry in the Territory immediately before 1 July 1992; and
- (b) applies for registration under section 10 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be registered under this Act until registration is granted to the person or the application is refused.

Part 27—Police Act 1892 (W.A.)(C.K.I.)

1 New section 4A

1.1 After section 4, insert:

4A Territory transition

- (1) A person who was, immediately 1 July 1992, appointed under the Police Force Ordinance 1941 of the Colony of Singapore in its application to the Territory is taken to be appointed under this Act, at the rank held under the Ordinance.
- (2) The person is taken to be employed on the same terms and conditions as applied to the person immediately before that date.

Part 28—Psychologists Registration Act 1976 (W.A.)(C.K.I.)

1 New section 56A

1.1 After section 56, insert:

56A Territory transition

If a person who is required to be registered under this Act:

- (a) practised psychology in the Territory immediately before 1 July 1992; and
- (b) applies for registration under section 24 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be registered under this Act until registration is granted to the person or the application is refused.

Part 29—Public and Bank Holidays Act 1972 (W.A.)(C.K.I.)

1 Section 7 (Special public or bank holidays and half-holidays)

- 1.1 Subsection 7(2):
After ‘weeks’, insert ‘, except where this is not practicable,’

2 Section 8 (Power of Governor to alter day appointed for a public holiday or bank holiday)

- 2.1 Subsection 8(2):
After ‘weeks’, insert ‘, except where this is not practicable,’.
- 2.2 Subsection 8(3):
After ‘weeks’, insert ‘, except where this is not practicable,’.

3 New section 8A

- 3.1 After section 8, insert:

8A Gazettal of certain public or bank holidays

A proclamation made under subsection 7(1) or 8(1) that cannot practicably be published at least 3 weeks before the day specified in subsection 7(2), 8(2) or 8(3), as the case may be, must be published in the *Gazette* before the day appointed or declared by the proclamation to be a public holiday or bank holiday.

4 Second Schedule

- 4.1 Omit the Schedule, substitute:

Second Schedule—Public Holidays and Bank Holidays

1. New Year’s Day (1 January)
2. Australia Day (26 January)
3. The Muslim festival day known as Hari Raya Puasa (to be appointed annually by proclamation published in the *Gazette* before the day so appointed)
4. Act of Self-Determination day (6 April) (to be appointed annually by proclamation published in the *Gazette* before the day so appointed)
5. Good Friday
6. Easter Monday
7. Anzac Day (25 April)
8. The Muslim festival day known as Hari Raya Haji (to be appointed annually by proclamation published in the *Gazette* before the day so appointed)
9. The Muslim festival day known as Hari Maulad Nabi (Prophet Mohammad’s Birthday) (to be appointed annually by proclamation published in the *Gazette* before the day so appointed)

10. Celebration Day for the Anniversary of the Birthday of the Reigning Sovereign (6 June) (to be appointed annually by proclamation published in the Gazette before the day so appointed)
11. Christmas Day (25 December)
12. Boxing Day (26 December)
13. If a day referred to in item 1, 2, 3, 4, 7, 8, 9 or 11 falls on a Saturday or Sunday—the immediately following Monday
14. If the day referred to in item 12 falls on a Saturday—the immediately following Monday
15. If the day referred to in item 12 falls on a Sunday or Monday—the immediately following Tuesday

Part 30—Public Trustee Act 1941 (W.A.)(C.K.I.)

1 New section 37B

1.1 After section 37A, insert:

Division (7) Powers and Duties of Public Trustee with respect to Territory Estates

37B

- (1) If probate of a will or the administration of an estate in the Territory:
 - (a) was granted to, or vested in, the Official Assignee under the Probate and Administration Ordinance; and
 - (b) was administered, held, managed or controlled by the Official Assignee under that Ordinance before 1 July 1992;then the administration of that estate is taken to be vested in the Public Trustee on 1 July 1992.
- (2) The Public Trustee must administer, hold, manage or control an estate referred to in subsection (1) in accordance with the law as in force in the Territory before 1 July 1992.

Part 31—Registration of Births, Deaths and Marriages Act 1961 (W.A.)(C.K.I.)

1 New section 75

1.1 After section 74, insert:

75 Territory transition

- (1) Particulars of births and deaths registered under the Registration of Births and Deaths Ordinance before 1 July 1992 are taken to be particulars registered under section 10 of this Act.
- (2) Particulars of marriages registered under the Civil Marriage Ordinance before 1 July 1992 are taken to be particulars of marriages registered under section 10 of this Act.

Part 32—Residential Tenancies Act 1987 (W.A.)(C.K.I.)

1 Section 3 (Interpretation)

1.1 Definition of *clerk*:

Omit the definition, substitute:

clerk means the clerk, or assistant clerk, of a local court.

Part 32A—Residential Tenancies Regulations 1989 (WA) (CKI)

1 After regulation 4

Insert:

4A Exemption for certain agreements entered into by Cocos (Keeling) Islands Shire Council

- (1) A residential tenancy agreement to which this regulation applies is a prescribed agreement for the purposes of paragraph 5(2)(g) of the Act.
- (2) This regulation applies to a residential tenancy agreement entered into by the Cocos (Keeling) Islands Shire Council (whether before or after the commencement of this regulation) that:
 - (a) is in respect of premises on land held by the Shire Council in trust under a Deed of Trust entered into between the Commonwealth of Australia and the former Cocos (Keeling) Islands Council constituted under the repealed *Local Government Ordinance 1979* of the Commonwealth; and
 - (b) is for a term of 5 years or more.

2 Regulation 5D

Repeal the regulation.

Part 33—Registration of Deeds Act 1856 (W.A.)(C.K.I.)

1 New section 21

1.1 After section 20 , insert:

21 Territory transition

- (1) A deed registered under the *Registration of Deeds Ordinance 1988* as in force at any time before 1 July 1992 is taken to have been registered under this Act on the day on which it was registered under the Ordinance.
- (2) Subsection (1) does not affect the order of priority of registration of the deed.

Part 34—Road Traffic Act 1974 (W.A.)(C.K.I.)

1 New sections 29A and 29C

1.1 After section 29, insert:

29A Territory savings and transition—vehicle licences

- (1) The owner of a vehicle that was registered under the Road Traffic Ordinance immediately before 1 July 1992, is taken to have been granted a licence for the vehicle under this Act for the period ending when the registration period would have ended under the Ordinance if the Ordinance had not been repealed.
- (2) If a person applied for registration, or renewal of registration, of a vehicle under the Ordinance before 1 July 1992 and the application had not been granted or refused before that date, the Minister may determine the application as if the Ordinance had not been repealed.
- (3) If:
 - (a) the registration period referred to in subsection (1) expires before 1 October 1992; and
 - (b) the owner applies for a licence under this Act before that date;the vehicle is taken to be licensed under this Act until the licence is granted or the application is refused.

29B

If the owner of a vehicle referred to in section 29A applies under this Act for a licence for the vehicle the application is taken to be an application for the renewal of the licence under section 18 of this Act.

2 New sections 42AA and 42AB

2.1 After section 42A, *insert*

42AA Territory savings and transitional—driver’s licences

- (1) If a person who is required to hold a driver’s licence under this Act held a driving licence under the Road Traffic Ordinance immediately before 1 July 1992, the person is taken to be licensed under this Act until that driver’s licence expires.
- (2) If a person applied for a driving licence, or renewal of a driving licence, under the Ordinance before 1 July 1992 and the application had not been granted or refused before that date, the Minister may determine the application as if the Ordinance had not been repealed.
- (3) If a person’s driver’s licence expires before 1 October 1992, and the person applies for the renewal of the licence under this Act before that date—the person is taken to be licensed under this Act until the licence is granted or the application is refused.

42AB

If a person referred to in section 42AA applies under this Act for a driver's licence, the application is taken to be an application for the renewal of a driver's licence under section 46 of this Act.

Part 35—Road Traffic Code 1975 (W.A.)(C.K.I.)

1 Section 1307

1.1 Omit ‘1 July 1992’, substitute ‘1 January 1993.’.

2 Section 1607

2.1 After subsection (1), insert:

‘Subsection (1) is suspended until 1 January 1993.’.

Part 36—Sentencing Act 1995 (W.A.)(C.K.I.)

1 Section 9 (Statutory penalty: effect of)

- 1.1 Subsection 9(1):
Omit ‘Subject to subsection (4),’.
- 1.2 Subsections 9(2), (3), (4) and (5):
Omit the subsections, substitute:
- (2) If the statutory penalty for an offence is a fine of a particular amount, or a particular term of imprisonment, that penalty is the maximum penalty that may be imposed for the offence, and a lesser penalty of the same kind may be imposed.
 - (3) If a written law specifies a mandatory penalty or a minimum penalty for an offence, a lesser penalty of the same kind may nevertheless be imposed.

Part 36A—Shipping and Pilotage (Ports and Harbours)
Regulations 1966 (WA) (CKI)

1 Division 1 of Schedule 1A (after table item dealing with the port of Carnarvon)

Insert:

Port of Cocos (Keeling) Islands	The area of water and land described in the plan for the Port of Cocos (Keeling) Islands that is included in Division 2.
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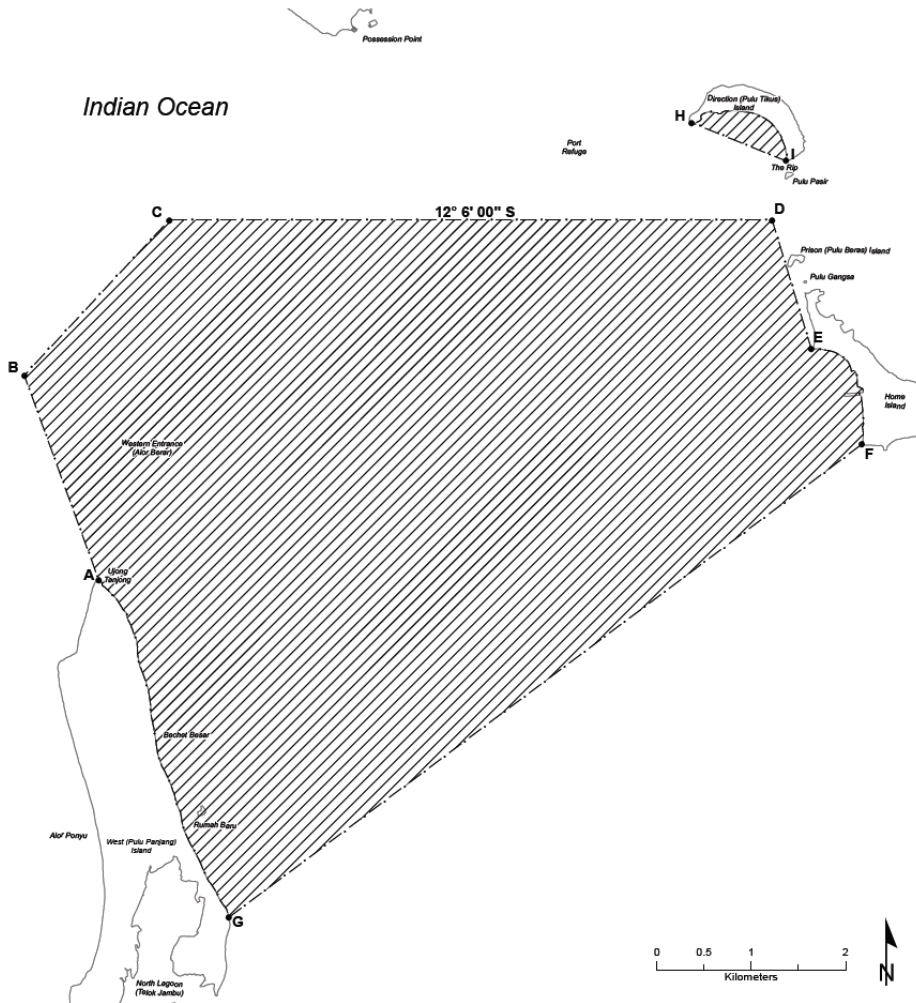
2 Division 2 of Schedule 1A (after the plan for the port of Carnarvon)

Insert:

**PORT OF COCOS (KEELING) ISLANDS
SHIPPING AND PILOTAGE ACT 1967
PORT BOUNDARY**

All the waters below High Water Mark of Indian Ocean shown hatched on map and bounded by a line connecting the marked coordinates and the most landward High Water Marks

Point	Latitude	Longitude
A	12° 08' 03.61" S	96° 49' 14.74" E
B	12° 06' 53.40" S	96° 48' 49.20" E
C	12° 06' 00.00" S	96° 49' 39.00" E
D	12° 06' 00.00" S	96° 53' 06.00" E
E	12° 06' 44.09" S	96° 53' 19.38" E
F	12° 07' 17.04" S	96° 53' 36.85" E
G	12° 09' 59.54" S	96° 49' 59.40" E
H	12° 05' 26.67" S	96° 52' 38.39" E
I	12° 05' 39.74" S	96° 53' 10.74" E



Part 37—Standard Survey Marks Act 1924 (W.A.)(C.K.I.)

1 New section 6A

1.1 After section 6, insert:

6A Territory transition

Section 6 of this Act applies to a Permanent Survey Mark erected in the Territory before 1 July 1992 as if the Permanent Survey Mark were a standard survey mark within the meaning of that section.

Part 38—Supreme Court Act 1935 (W.A.)(C.K.I.)

1 Section 6 (The Supreme Court of Western Australia)

1.1 Repeal the section.

2 Section 7 (Constitution of the Court)

2.1 Repeal the section.

3 Section 10 (Vacancy of office, absence etc of Chief Justice)

3.1 Repeal the section.

4 Section 11 (Acting Judges)

4.1 Repeal the section.

5 Section 11A (Masters)

5.1 Repeal the section.

6 Section 11D (Vacancies, temporary appointments and acting appointments)

6.1 Repeal the section.

Part 39—Tobacco Control Act 1990 (W.A.)(C.K.I.)

1 Part 3 Western Australian Health Promotion Foundation

1.1 Repeal the Part.

Part 40—Transfer of Land Act 1893 (W.A.)(C.K.I.)

2 Section 20 (Lands alienated in fee before etc)

- 2.1 Omit ‘before the first day of July, one thousand eight hundred and seventy-five’, substitute:
‘or the Commonwealth before 1 July 1992.’

3 Section 20A (Evidence and restrictions of requisitions)

- 3.1 Add at the end:
(2) The Registrar may accept a copy of a document as evidence for the purposes of bringing land in the Territory under this Act.

4 New sections 20AA, 20AB and 20B

- 4.1 After section 20A, insert:

20AA Registrar may refuse to register an instrument

- (1) Where an instrument executed on or after 1 July 1992 and purporting to convey the fee simple of land in the Territory is lodged for registration under the *Registration of Deeds Act 1856* (W.A.)(C.K.I.), the Registrar of Deeds under that Act may refuse to register the instrument until the purchaser or mortgagor lodges an application in accordance with section 20.
- (2) If a purchaser or mortgagor lodges an application under section 20:
 - (a) the mortgagee’s consent to the making of the application, in accordance with section 20, is not required; and
 - (b) section 34 does not apply to the application.

20AB Registrar may issue notices

- (1) The Registrar of Titles may issue a notice to a person requiring the person to inform the Registrar within a specified period, not being a period of less than 30 days, whether the person claims an estate or interest in the land specified in the notice.
- (2) If a person claims an estate or interest of the kind referred to in section 20, the Registrar may require the person to make an application under that section for the land to be brought under the Act.
- (3) If the Registrar requires a person to make application under section 20, section 34 of this Act does not apply to the application.
- (4) A person who, without reasonable excuse:
 - (a) fails to comply with a notice issued by the Registrar under subsection (1); or
 - (b) fails to make an application under section 20 when required to do so under subsection (2);commits an offence against this Act.

20B Registrar may require a person to produce documents

- (1) If a person applies to bring land in the Territory under this Act, the Registrar may, by written notice, require a person to:
 - (a) produce for inspection by the Registrar; or
 - (b) surrender to the Registrar;any documents in the person's possession or control that affect the land or title to the land.
- (2) A person who, without reasonable excuse, fails to comply with a notice issued by the Registrar under this section commits an offence against this Act.

5 Section 22 (How applications to be dealt with etc)

- 5.1 Omit 'fourteen days' , substitute '21 days' .

6 Section 30 (Parties interested may lodge caveat)

- 6.1 Omit 'seven days' , substitute '21 days' .

12 Section 74 (Lost and delapidated certificate etc)

- 12.1 Omit 'fourteen days' , substitute '21 days' .

13 Section 75 (Provision in case of certificate lost etc)

- 13.1 Omit 'fourteen days' , substitute '21 days' .

14 Section 78 (Registrar may call in certificate etc)

- 14.1 Omit 'seven days' , substitute '21 days' .

15 Section 137 (Caveat may be lodged where land already under the Act)

- 15.1 Omit 'seven days' , substitute '21 days' .

16 Section 138 (Notice of caveat to be given)

- 16.1 Omit 'fourteen days' , substitute '21 days' .

17 Section 141A (Removal of caveat where etc)

- 17.1 Omit 'fourteen days' , substitute '21 days' .

18 Section 142 (A caveat of a beneficiary etc)

- 18.1 Omit 'fourteen days' , substitute '21 days' .

19 Section 148 (Persons proposing to deal etc)

- 19.1 Omit 'forty-eight hours' , substitute '14 days' .

20 Section 149 (Instrument affecting proposed dealing etc)

20.1 Omit ‘forty-eight hours’ , substitute ‘14 days’ .

21 Section 162 (Notice to be advertised etc)

21.1 Omit ‘fourteen days’ , substitute ‘21 days’ .

23 Section 173 (How application to be dealt with)

23.1 Omit ‘fourteen days’ , substitute ‘21 days’ .

29 Section 203 (Proprietor may summon etc)

29.1 Omit ‘six clear days’ , substitute ‘21 days’ .

32 Section 207 (Damages against the assurance fund in certain other circumstances)

32.1 Omit the section, substitute:

207

- (1) A person who:
 - (a) was neither a party to, nor privy to, an application or dealing in relation to land in the Territory, to which the Minister exercised the powers conferred on the Minister by this Act or by *The Transfer of Land Act 1874 (W.A.)*; and
 - (b) has suffered loss or damage, or will suffer loss or damage, as a result of the Minister exercising those powers;may bring an action for recovery of damages against the Commonwealth, as nominal defendant.
- (2) A person referred to in subsection (1) may bring an action for recovery of damages under that subsection without being required to pursue the remedies provided in sections 201 and 205 and without prejudice to the person’s rights under those sections.
- (3) A person who:
 - (a) was a party to, or privy to, an application or dealing; and
 - (b) commences an action for recovery of damages against any other person who was a party to, or privy to, the application or dealing;may join the Commonwealth as a nominal co-defendant.

33 Section 208 (Persons claiming may before action etc)

33.1 Omit the section, substitute:

208

- (1) A person who:
 - (a) has suffered loss or damage; and

- (b) is entitled to commence an action for recovery of damages against the Commonwealth as nominal defendant;
may before commencing any proceedings, apply to the Minister for compensation.
- (2) The Minister may admit the claim or a part of the claim.
- (3) If the Minister admits the claim or any part of the claim, the Commonwealth must pay to the person any damages agreed to or admitted to by the Minister.

37 Section 220 (Application how dealt with)

37.1 Omit ‘fourteen days’ , substitute ‘21 days’ .

38 Section 223 (Application to be referred to Commissioner)

38.1 Omit ‘fourteen days’ , substitute ‘21 days’ .

Part 41—Transport Co-ordination Act 1966 (W.A.)(C.K.I.)

1 New section 20A

1.1 After section 20, insert:

20A Transitional arrangement

If a person operates a vehicle that, under this Act, is required to be licensed, and the person applies for a licence before the end of 31 March 1995, the vehicle is taken to be licensed under the Act until:

- (a) a licence is granted in respect of the vehicle; or
- (b) the application is refused.

Part 42—Travel Agents Act 1985 (W.A.)(C.K.I.)

1 New section 7A

1.1 After section 7, insert:

7A Territory transition

If a person who is required to hold a licence under this Act:

- (a) was carrying on business as a travel agent in the Territory immediately before 1 July 1992; and
- (b) applies for a licence under section 9 within two months after the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be licensed as a travel agent under this Act until a licence is granted to the person or the application is refused.

Part 43—Valuation of Land Act 1978 (W.A.)(C.K.I.)

1 New section 25A

1.1 After section 25, insert:

25A Territory transition

If a valuation of any land in the Territory:

- (a) was made before 1 July 1992 by a person:
 - (i) licensed under the *Land Valuers Licensing Act 1978* (W.A.); or
 - (ii) qualified for membership as a Fellow or Associate of the Australian Institute of Valuers (Incorporated); and
- (b) the value of the land has not significantly increased or decreased since the valuation;

then:

- (c) the Valuer-General may adopt that valuation as a general or interim valuation; and
 - (d) this Act applies to the valuation as if the valuation was a general or interim valuation made by the Valuer-General under the Act.
- (2) The Valuer-General must not adopt a valuation of land under subsection (1) unless the land is rateable land.

Part 44—Weights and Measures Act 1915 (W.A.)(C.K.I.)

1 New section 51A

1.1 After section 51, insert:

51A Territory transition

If a person who is required to have a weight or measure or a weighing or measuring instrument stamped with a mark of verification under this Act:

- (a) was using the weight, measure or instrument for trade in the Territory in the period of 6 months ending immediately before 1 July 1992; and
- (b) applies for verification of the weight, measure or instrument within two months of the commencement of the *Territories Law Reform Act 1992*;

the weight, measure or instrument is taken to be verified and stamped under this Act until the weight, measure or instrument is inspected by an inspector under subsection 29(1) or is exempted from the operation of this Act by the Minister under subsection 29(2).

Part 45—Workers' Compensation and Rehabilitation Act 1981 (W.A.)(C.K.I.)

1 New section 160A

1.1 After section 160, insert:

160A Territory savings and transition

If an person who is required to obtain insurance under section 160 of this Act:

- (a) obtained and kept current a policy or policies of insurance or indemnity in respect of any liability the person may incur under the provisions of the Workers' Compensation Ordinance before 1 July 1992; and
- (b) the policy or policies expire on or after 1 July 1992; and
- (c) the person keeps the policy or policies current until the expiry date of the policies;

the policy or policies must be taken to satisfy the requirement to obtain insurance under section 160 of this Act.

Part 46—Young Offenders Act 1994 (W.A.)(C.K.I.)

1 Section 3 (Definitions)

- 1.1 Definition of *special order*:
Omit the definition.

2 Section 58 (Responsible adult may be made liable)

- 2.1 Omit the section.

3 Part 7, Division 9 (Dealing with young person who repeatedly commits serious offences)

- 3.1 Omit the Division.

Schedule 4—Repealed applied laws

(section 6)

Building and Construction Industry Training Fund and Levy Collection Act 1990 (W.A.)(C.K.I.)
Building and Construction Industry Training Levy Act 1990 (W.A.)(C.K.I.)
Casino Control Act 1984 (W.A.)(C.K.I.)
Companies (Acquisition of Shares) (Application of Laws) Act 1981 (W.A.)(C.K.I.)
Companies (Acquisition of Shares) (Western Australia) Code (W.A.)(C.K.I.)
Companies (Administration) Act 1982 (W.A.)(C.K.I.)
Companies (Application of Laws) Act 1981 (W.A.)(C.K.I.)
Companies (Co-operative) Act 1943-1959 (W.A.)(C.K.I.)
Companies (Western Australia) Code (W.A.)(C.K.I.)
Companies Act 1961 (W.A.)(C.K.I.)
Companies and Securities (Interpretation and Miscellaneous Provisions)(Application of Laws) Act 1981 (W.A.)(C.K.I.)
Companies and Securities (Interpretation and Miscellaneous Provisions) (Western Australia) Code (W.A.)(C.K.I.)
Company Takeovers Act 1979 (W.A.)(C.K.I.)
Crime (Serious and Repeat Offenders) Sentencing Act 1992 (W.A.)(C.K.I.)
Criminal Law Amendment Act 1992 (W.A.)(C.K.I.)
Daylight Saving Act 1991 (W.A.)(C.K.I.)
Death Duty Act 1973 (W.A.)(C.K.I.)
Death Duty Assessment Act 1973 (W.A.)(C.K.I.)
Domicile Act 1981 (W.A.)(C.K.I.)
Election of Senators Act 1903 (W.A.)(C.K.I.)
Electoral Act 1907 (W.A.)(C.K.I.)
Electoral Distribution Act 1947 (W.A.)(C.K.I.)
Employers' Indemnity Supplementation Fund Act 1980 (W.A.)(C.K.I.)
First Home Owner Grant Act 2000 (WA) (CKI)
Futures Industry (Application of Laws) Act 1986 (W.A.)(C.K.I.)
Heritage of Western Australia Act 1990 (W.A.)(C.K.I.)
Land (Titles and Traditional Usage) Act 1993 (W.A.)(C.K.I.)
Local Government Grants Act 1978 (W.A.)(C.K.I.)
Local Government Superannuation Act 1980 (W.A.)(C.K.I.)
Marketable Securities Transfer Act 1970 (W.A.)(C.K.I.)
National Companies and Securities Commission (State Provisions) Act 1980 (W.A.)(C.K.I.)
Referendums Act 1983 (W.A.)(C.K.I.)
Securities Industry (Application of Laws) Act 1981 (W.A.)(C.K.I.)
Securities Industry (Release of Sureties) Act 1977 (W.A.)(C.K.I.)
Securities Industry (Western Australia) Code (W.A.)(C.K.I.)
Securities Industry Act 1975 (W.A.)(C.K.I.)
State Supply Commission Act 1991 (W.A.)(C.K.I.)
Trade Unions Act 1902. (W.A.)(C.K.I.)
Waterfront Workers' (Compensation for Asbestos Related Diseases) Act 1986 (W.A.)(C.K.I.)
Wildlife Conservation Act 1950 (W.A.)(C.K.I.)
Workplace Agreements Act 1993 (W.A.)(C.K.I.)

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnotes

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s)
C[x] = Compilation No. x	/sub-subparagraph(s)
Ch = Chapter(s)	pres = present
def = definition(s)	prev = previous
Dict = Dictionary	(prev...) = previously
disallowed = disallowed by Parliament	Pt = Part(s)
Div = Division(s)	r = regulation(s)/rule(s)
ed = editorial change	reloc = relocated
exp = expires/expired or ceases/ceased to have effect	renum = renumbered
F = Federal Register of Legislation	rep = repealed
gaz = gazette	rs = repealed and substituted
LA = Legislation Act 2003	s = section(s)/subsection(s)
LIA = Legislative Instruments Act 2003	Sch = Schedule(s)
(md) = misdescribed amendment can be given effect	Sdiv = Subdivision(s)
(md not incorp) = misdescribed amendment cannot be given effect	SLI = Select Legislative Instrument
mod = modified/modification	SR = Statutory Rules
No. = Number(s)	Sub-Ch = Sub-Chapter(s)
	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
Applied Laws (Implementation) Ordinance 1992 (No. 5, 1992)	30 June 1992	1 July 1992 (s 2)	
Applied Laws (Implementation) (Amendment) Ordinance 1992 (No. 10, 1992)	24 Dec 1992	24 Dec 1992 (s 1)	—
Applied Laws (Implementation) (Amendment) Ordinance 1993 (No. 3, 1993)	30 June 1993	1 July 1993 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance (No. 2) 1993 (No. 8, 1993)	9 Sept 1993	9 Sept 1993 (s 1)	—
Applied Laws (Implementation) (Amendment) Ordinance (No. 4) 1993 (No. 10, 1993)	16 Dec 1993	16 Dec 1993 (s 1)	—
Applied Laws (Implementation) (Amendment) Ordinance (No. 3) 1993 (No. 11, 1993)	23 Dec 1993	1 Jan 1994 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance 1994 (No. 4, 1994)	23 Dec 1994	1 Jan 1995 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance 1995 (No. 1, 1995)	11 Apr 1995	1 Jan 1995 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance (No. 2) 1995 (No. 4, 1995)	19 Dec 1995	1 Jan 1996 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance 1996 (No. 6, 1996)	13 Nov 1996	13 Nov 1996 (s 1)	—
Applied Laws (Implementation) (Amendment) Ordinance (No. 2) 1996 (No. 9, 1996)	24 Dec 1996	1 Jan 1997 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance 1997 (No. 4, 1997)	24 Dec 1997	ss 9.1, 9.2 and 13: 1 July 1998 (s 2.1) Remainder: 1 Jan 1998 (s 2.2)	—
Land Laws Amendment Ordinance 1998 (No. 2, 1998)	5 May 1998	30 Mar 1998 (s 2.1)	—

Endnotes

Endnote 3—Legislation history

Name	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
Applied Laws (Implementation) (Amendment) Ordinance 1998 (No. 3, 1998)	30 June 1998	1 July 1998 (s 2)	—
Applied Laws (Implementation) Amendment Ordinance 1999 (No. 1) (No. 3, 1999)	15 Dec 1999	1 Jan 2000 (s 2)	—
Motor Vehicle (Third Party Insurance) Legislation Amendment Ordinance 2001 (No. 1) (No. 3, 2001)	15 Oct 2001	Sch 3: 15 Oct 2001 (s 2)	—
Applied Laws (Implementation) Amendment Ordinance 2005 (No. 1)	22 Aug 2005 (F2005L02299)	23 Aug 2005 (s 2)	—
Applied Laws (Implementation) Amendment Ordinance 2006 (No. 1)	5 Oct 2006 (F2006L03262)	6 Oct 2006 (s 2)	s 4 and 5
Applied Laws (Implementation) Amendment Ordinance 2008 (No. 1)	25 June 2008 (F2008L02045)	1 July 2008 (s 2)	—
Territories Legislation (Applied Laws) Amendment Ordinance 2013 (No. 1) (No. 1, 2013)	17 June 2013 (F2013L01017)	18 June 2013 (s 2)	—
Cocos (Keeling) Islands Legislation Amendment (2014 Measures No. 1) Ordinance 2014 (No. 3, 2014)	17 Oct 2014 (F2014L01363)	Sch 1 (items 1–3): 18 Oct 2014 (s 2)	—
Spent and Redundant Instruments Repeal Regulation 2015 (No. 1) (No. 21, 2015)	16 Mar 2015 (F2015L00297)	Sch 4 (items 3, 4): 17 Mar 2015 (s 2)	—
Cocos (Keeling) Islands Applied Laws Amendment (Residential Tenancies) Ordinance 2017 (No. 1, 2017)	24 Mar 2017 (F2017L00305)	1 Apr 2017 (s 2(1) item 1)	—
Cocos (Keeling) Islands Legislation Amendment (2017 Measures No. 1) Ordinance 2017 (No. 2, 2017)	5 Sept 2017 (F2017L01133)	Sch 1 (item 1): 6 Sept 2017 (s 2(1) item 1)	—
Cocos (Keeling) Islands Applied Laws Amendment (Industrial Relations) Ordinance 2018 (No. 1, 2018)	9 Mar 2018 (F2018L00231)	1 May 2018 (s 2(1) item 1)	—
Cocos (Keeling) Islands Applied Laws Amendment (Fish Resources Management) Ordinance 2022 (No. 1, 2022)	5 Apr 2022 (F2022L00542)	6 Apr 2022 (s 2(1) item 1)	—
Cocos (Keeling) Islands Applied Laws Amendment (Fish Resources Management) Rules 2023	22 Sept 2023 (F2023L01282)	23 Sept 2023 (s 2)	—

Endnote 4—Amendment history

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Provision affected	How affected
Title	rep F2014L01363
s 1	rs F2014L01363 am F2017L01133
s 2	rep LA s 48D
s 4	am No 10, 1992 rs No 3, 1993 am No 11, 1993; No 4, 1994; No 4, 1995; No 9, 1996 rep No 4, 1997 ad F2022L00542
s 5	am No 10, 1992; No 3, 1993; No 11, 1993; No 4, 1994; No 4, 1995; No 9, 1996; No 4, 1997; No 3, 1999 rep F2015L00297
s 7	ad No 4, 1997
Schedule 1	
Schedule 1	am No 4, 1994; No 6, 1996; No 9, 1996; No 4, 1997; No 2, 1998; No 3, 1998; No 3, 2001; F2006L03262; F2008L02045; F2014L01363; F2017L00305; F2022L00542; F2023L01282
Schedule 2	rs No 3, 1993; No 4, 1994 rep No 4, 1997
Schedule 3	rs No 3, 1993 am No 8, 1993 rs No 11, 1993; No 4, 1994 am No 1, 1995 rs No 4, 1995 am No 6, 1996 rs No 9, 1996 am No 4, 1997; No 3, 1999 rep F2015L00297
Schedule 4	
Schedule 4	am No 3, 1993; No 10, 1993; No 4, 1994; No 4, 1995; No 9, 1996; No 4, 1997; F2005L02299; F2008L02045; F2013L01017; F2018L00231; F2022L00542