

TERRITORY OF COCOS (KEELING) ISLANDS

Applied Laws (Implementation) (Amendment) Ordinance 1994

No. 4 of 1994

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia,
acting with the advice of the Federal Executive Council, make the
following Ordinance under the *Cocos (Keeling) Islands Act 1955*.

Dated 20 December 1994.

BILL HAYDEN
Governor-General

By His Excellency's Command,

JOHN FAULKNER
Minister for the Environment, Sport and Territories

An Ordinance to amend the *Applied Laws (Implementation) Ordinance
1992* and for related purposes

1. Short title

1.1 This Ordinance may be cited as the *Applied Laws
(Implementation) (Amendment) Ordinance 1994*.¹

2. Commencement

2.1 This Ordinance commences on 1 January 1995.

3. Amendment

3.1 The *Applied Laws (Implementation) Ordinance 1992*² is amended as set out in this Ordinance.

4. Repeal

4.1 The *Applied Laws (Implementation) Ordinance 1993* is repealed.

5. Section 4 (Suspension of provisions of applied laws)

5.1 Omit “1 January 1995.”, substitute “1 January 1996.”.

6. Section 5 (Suspension of applied laws)

6.1 Omit “1 January 1995.”, substitute “1 January 1996.”.

7. Schedule 1 (Amendments of applied laws)

7.1 Insert in the Schedule:

“Motor Vehicle Dealers Act 1973 (W.A.)(C.K.I.)

1. Section 5 (Interpretation)

1.1 Definition of ‘dealer’:

Omit ‘a person whose business consists of or includes buying vehicles for wrecking.’.

2. Section 21 (Premises at which dealers may carry on business)

2.1 Omit the section, substitute:

Premises at which dealers may carry on business

‘21. An application for a dealer’s licence must specify the address at which the applicant proposes to carry on the business authorised by the licence.’.

3. Section 21B (Premises at which car markets may be conducted)

3.1 Omit the section, substitute:

Premises at which car markets may be conducted

‘21B. An application for a car market operator’s licence must specify the address at which the applicant proposes to operate the car market authorised by the licence.’.

4. Section 31 (Dealers not to carry on business except at registered premises)

4.1 Omit the section, substitute:

Dealers not to carry on business except at specified premises

‘31. A dealer must not carry on his or her business as a dealer except at the address specified in the application referred to in section 21.

Penalty: 5 penalty units.’.

5. New section 31B

5.1 After section 31A, insert:

Transitional arrangement

‘31B. If a person who, under this Act, is required to hold a licence, applies, in accordance with the Act, for a licence before the

end of 31 March 1995, the person is taken to be licensed under the Act until:

- (a) a licence is granted to the person; or
- (b) the application is refused.’.”.

7.2 Insert in the Schedule:

“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:

Gazettal of certain public or bank holidays

‘8A. 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

6 *Applied Laws (Implementation) (Amendment)*
No. 4, 1994

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’.”.

7.3 Insert in the Schedule:

“Transport Co-ordination Act 1966 (W.A.)(C.K.I.)

1. New section 20A

1.1 After section 20, insert:

Transitional arrangement

‘20A. 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.’.”.

8. Schedule 2 (Suspension of provisions of applied laws)

8.1 Omit the Schedule, substitute:

“SCHEDULE 2

Section 4

SUSPENDED PROVISIONS OF APPLIED LAWS

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

1. Part IIIA—Business Franchise (Petroleum Products) Licensing”.

9. Schedule 3 (Suspended applied laws)

9.1 Omit the Schedule, substitute:

“SCHEDULE 3

Section 5

SUSPENDED APPLIED LAWS

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.)
Building Societies Act 1976 (W.A.)(C.K.I.)
Casino Control Act 1984 (W.A.)(C.K.I.)
Chicken Meat Industry Act 1977 (W.A.)(C.K.I.)
Commercial Tenancy (Retail Shops) Agreements Act 1985 (W.A.)(C.K.I.)
Construction Industry Portable Paid Long Service Leave Act 1985 (W.A.)(C.K.I.)
Co-operative and Provident Societies Act 1903 (W.A.)(C.K.I.)
Corporations (Taxing) Act 1990 (W.A.)(C.K.I.)
Corporations (Western Australia) Act 1990 (W.A.)(C.K.I.)
Debits Tax Act 1990 (W.A.)(C.K.I.)
Debits Tax Assessment Act 1990 (W.A.)(C.K.I.)
Fertilizers Act 1977 (W.A.)(C.K.I.)
Friendly Societies Act 1894 (W.A.)(C.K.I.)
Gaming Commission Act 1987 (W.A.)(C.K.I.)
Government Employees' Housing Act 1964 (W.A.)(C.K.I.)
Government Employees Superannuation Act 1987 (W.A.)(C.K.I.)
Housing Act 1980 (W.A.)(C.K.I.)
Juries Act 1957 (W.A.)(C.K.I.)
Land Tax Act 1976 (W.A.)(C.K.I.)
Land Tax Assessment Act 1976 (W.A.)(C.K.I.)
Land Tax Relief Act 1991 (W.A.)(C.K.I.)
Mines Regulation Act 1946 (W.A.)(C.K.I.)
Mines Safety and Inspection Act 1994 (W.A.)(C.K.I.)
Minimum Conditions of Employment Act 1993 (W.A.)(C.K.I.)
Mining Act 1978 (W.A.)(C.K.I.)
Occupational Health, Safety and Welfare Act 1984 (W.A.)(C.K.I.)
Petroleum Products Subsidy Act 1965 (W.A.)(C.K.I.)
Residential Tenancies Act 1987 (W.A.)(C.K.I.)

State Employment and Skills Development Authority Act 1990
(W.A.)(C.K.I.)
Superannuation and Family Benefits Act 1938 (W.A.)(C.K.I.)
Totalisator Agency Board Betting Act 1960 (W.A.)(C.K.I.)
Totalisator Agency Board Betting Tax Act 1960 (W.A.)(C.K.I.)
Trustee Companies Act 1987 (W.A.)(C.K.I.)
Water Authority Act 1984 (W.A.)(C.K.I.)
Water Supply, Sewerage, and Drainage Act 1912 (W.A.)(C.K.I.)
Workplace Agreements Act 1993 (W.A.)(C.K.I.)”.

10. Schedule 4 (Repealed applied laws)

10.1 Insert in the Schedule:

“*Fish Resources Management Act 1994* (W.A.)(C.K.I.)”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 23 December 1994.
2. Statutory Rules No. 5, 1992 as amended by No. 10, 1992; Nos. 3, 8, 9, 10 and 11, 1993.