

Cocos (Keeling) Islands Applied Laws Amendment (Residential Tenancies) Ordinance 2017

Ordinance

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Ordinance.

Dated 23 March 2017

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Fiona Nash

Minister for Local Government and Territories

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1 Name

This Ordinance is the *Cocos (Keeling) Islands Applied Laws Amendment (Residential Tenancies) Ordinance 2017*.

2 Commencement

(1) Each provision of this Ordinance specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this Ordinance | At the same time as the *Residential Tenancies Regulations 1989 (WA)(CKI) Amendment Regulations 2003 (No. 1)* are repealed under Part 4 (Sunsetting) of Chapter 3 of the *Legislation Act 2003*. | 1 April 2017 |

Note: This table relates only to the provisions of this Ordinance as originally made. It will not be amended to deal with any later amendments of this Ordinance.

(2) Any information in column 3 of the table is not part of this Ordinance. Information may be inserted in this column, or information in it may be edited, in any published version of this Ordinance.

3 Authority

This Ordinance is made under the *Cocos (Keeling) Islands Act 1955.*

4 Schedules

Each instrument that is specified in a Schedule to this Ordinance is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Ordinance has effect according to its terms.

Schedule 1—Amendments

Applied Laws (General) Ordinance 1992

1 After Part 32 of Schedule 1

Insert:

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.