



Christmas Island Legislation Amendment (2017 Measures No. 1) Ordinance 2017

Ordinance No. 1, 2017

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 24 August 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 *Christmas Island Legislation Amendment (2017 Measures No. 1) 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	The day after this Ordinance is registered.	31 August 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Note: This table relates only to the provisions of this Ordinance as originally made.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 *Christmas Island Act 1958*.

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Each instrument that is specified in a Schedule to this Ordinance is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Ordinance has effect according to its terms.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 Section 1

Omit “*Applied Laws (General)*”, substitute “*Christmas Island Applied Laws*”.

2 After Part 17 of Schedule 1

Insert:

Part 18—Mining Rehabilitation Fund Act 2012 (WA) (CI)

1 At the end of section 11

Add:

- (4) Subsections (1) to (3) do not apply in relation to a mining authorisation if:
- (a) the holder of the authorisation is the holder because of a lease or other agreement to which the holder and the Commonwealth are parties; and
 - (b) under the terms of the lease or agreement, the holder is required to pay to the Commonwealth a conservation levy.

Gambling (Clubs) Ordinance 1978

3 Section 1

After “cited as the”, insert “*Christmas Island*”.

4 Subsection 2(1) (definition of club)

Omit “*Associations Incorporation Act 1987 (W.A.)(C.I.)*”, substitute “*Associations Incorporation Act 2015 (WA) (CI)*”.

5 Subsection 2(1) (definition of Court)

Omit “Magistrate’s Court”, substitute “District Court of Western Australia”.

6 Subparagraph 3(1)(d)(i)

Omit “*Associations Incorporation Act 1987 (W.A.)(C.I.)*”, substitute “*Associations Incorporation Act 2015 (WA) (CI)*”.

7 Subsection 12(1)

Omit “in accordance with Form 2 in the Schedule,”.

8 Section 28

Repeal the section.

9 Schedule (Form 1)

Omit “*Gambling (Clubs) Ordinance 1978*” (wherever occurring), substitute “*Christmas Island Gambling (Clubs) Ordinance 1978*”.

10 Schedule (Form 1)

Omit “19 .” (wherever occurring), substitute “20 .”

11 Schedule (Form 2)

Repeal the form.

Interpretation Act 1984 (W.A.)(C.I.) (Amendment) Ordinance 1992**12 Subsection 5(5) (after definition of Crown)**

Insert:

notifiable instrument has the same meaning as in the *Legislation Act 2003* of the Commonwealth.

13 Subsection 7(1) (section 74A)

Repeal the section, substitute:

74A Requirements for publication in Gazette or newspaper

- (1) If an applied law requires or permits a person to publish an instrument in the *Gazette* or the *Government Gazette* or in a newspaper circulating in Western Australia, then the requirement must be met, or the permission may only be exercised, by registration of the instrument as a notifiable instrument.
- (2) However, subsection (1) does not apply in relation to an instrument published by or on behalf of Western Australia.