

EXPLANATORY STATEMENT

Ordinance No. , 2018

Issued by the authority of the Minister for Regional Development, Territories and Local Government

Norfolk Island Act 1979

Norfolk Island Applied Laws Amendment (Suspension) Ordinance 2018

Authority

The *Norfolk Island Act 1979* (the Act) provides for the Government of the Territory of Norfolk Island.

Section 19A of the *Norfolk Island Act 1979* provides that the Governor-General may make Ordinances for the peace, order and good government of the Territory of Norfolk Island.

The *Norfolk Island Applied Laws Amendment (Suspension) Ordinance 2018* (the Ordinance) is made under section 19A of the *Norfolk Island Act 1979*.

Purpose and operation

The purpose of the Ordinance is to amend the *Norfolk Island Applied Laws Amendment (Suspension) Ordinance 2016* (the Principal Ordinance) by omitting “1 July 2018” from paragraph 1(1)(b) of Schedule 1 to the Principal Ordinance and substituting “1 July 2021”.

The amendments to Schedule 1 of the Principal Ordinance provide additional time to settle arrangements for the provision of state type services in relation to Norfolk Island.

Consultation

As the outcomes of the Ordinance are machinery in nature and are a continuation of the arrangements introduced by the Principal Ordinance, public consultation was not undertaken.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Norfolk Island Applied Laws Amendment (Suspension) Ordinance 2018

This Disallowable Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Legislative Instrument

The *Norfolk Island Applied laws Amendment (Suspension) Ordinance 2018* amends the *Norfolk Island Applied laws Amendment (Suspension) Ordinance 2016* to continue the suspension of NSW legislation on Norfolk Island until 1 July 2021.

Human rights implications

This Disallowable Legislative Instrument does not engage any of the applicable rights or freedoms.

Conclusion

This Disallowable Legislative Instrument is compatible with human rights as it does not raise any human rights issues.

**Minister for Regional Development, Territories and Local Government,
The Hon Dr John McVeigh MP**

Norfolk Island Applied Laws Amendment (Suspension) Ordinance 2018

Section 1 – Name

This section provides that the title of the Ordinance is the *Norfolk Island Applied Laws Amendment (Suspension) Ordinance 2018*.

Section 2 – Commencement

This section provides the whole of the Ordinance commences on the day after it is registered on the Federal Register of Legislation.

Section 3 – Authority

This section provides that the Ordinance is made under section 19A of the *Norfolk Island Act 1979*.

Section 4 – Schedules

This section provides that 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 – Suspension

Schedule 1 sets out the period for which the operation of the legislation of New South Wales, other than an Act specified or legislation made under such an Act, is suspended. Schedule 1 does not prevent specific Acts or legislation under Acts from being unsuspended earlier than 1 July 2021 by subsequent changes to the Principal Ordinance.