**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.