

Christmas Island Applied Laws Amendment (Heritage) Ordinance 2022

Ordinance No. 2, 2022

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Ordinance.

Dated 31 March 2022

David Hurley

Governor‑General

By His Excellency’s Command

Nola Marino

Assistant Minister for Regional Development and Territories
Parliamentary Secretary to the Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development

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1 Name

 This Ordinance is the *Christmas Island Applied Laws Amendment (Heritage) Ordinance 2022*.

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 | 1 July 2022. | 1 July 2022 |

Note: This table relates only to the provisions of this Ordinance as originally made.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 Each instrument that is specified in a Schedule to this Ordinance is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Ordinance has effect according to its terms.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

Christmas Island Applied Laws Ordinance 1992

1 Before Part 16 of Schedule 1

Insert:

Part 15B—Heritage Act 2018 (WA) (CI)

1 At the end of Part 10

Add:

113A Compensation for acquisition of property

 (1) If the operation of this Part would result in an acquisition of property (within the meaning of paragraph 51(xxxi) of the Constitution of the Commonwealth) from a person otherwise than on just terms (within the meaning of that paragraph), the Commonwealth is liable to pay a reasonable amount of compensation to the person.

 (2) If the Commonwealth and the person do not agree on the amount of the compensation, the person may institute proceedings in a court of competent jurisdiction for the recovery from the Commonwealth of such reasonable amount of compensation as the court determines.

2 Schedule 4

Omit “*Heritage of Western Australia Act 1990* (W.A.)(C.I.)”.