Date Introduced: 5 September 1984
House: House of Representatives
Presented by: Mr Tom Uren, M.P., Minister for Territories and Local Government

Purpose

To enable the people of Christmas Island to exercise the full rights, privileges and obligations of other Australian citizens.

Background

Christmas Island became an Australian Territory in 1958. The Government decided earlier this year that there was a need to bring the Island and its community into the mainstream of Australian life. The proposed changes follow the general thrust of the 1982 report by Mr W. Sweetland on the Island's long-term future. He recommended that the Island be opened up to a wide range of economic activities in view of the declining reserves of phosphate and that the Phosphate Mining Company of Christmas Island cease to be responsible for various non-mining functions. The normalisation process means that social security and health benefits will be introduced. Residents will be entitled to vote in Federal elections.

Main Provisions

Clause 4 inserts a new section 11A into the Christmas Island Act 1958 providing for the establishment and operation of registries of the Supreme Court of the Territory outside Christmas Island (the Territory). It also provides that where a power or duty is conferred on a person who holds office in relation to that Court, provision may be made for the exercise of that power outside the Territory.

By clause 5, the Bill proposes to insert into the Christmas Island Act a new section 21A. It will ensure that certain ordinances applying in the Territory are not inconsistent with the Lands Acquisition Act 1955. In the event of a conflict, it will save ordinances by virtue of which (a) lands in the Territory acquired by or vested in
the Commonwealth may be disposed of or dealt with; (b) instruments and other documents in relation to any such land may be executed; and (c) rights, duties and liabilities in relation to any such land are or may be acquired, conferred or imposed. Since the Lands Acquisition Act is expressed to extend to external territories (section 5A), this provision is necessary to prevent a conflict between a law of the Commonwealth and a law of the Territory.

Clause 8 will amend the Commonwealth Electoral Act 1918 making Christmas Island part of the Northern Territory for House of Representatives and Senate elections. Clause 26 would ensure that Christmas Islanders can vote in national referendums. However, clause 24 will amend the Northern Territory (Self-Government) Act 1978 so that voters enfranchised for Commonwealth elections by this provision are not thereby qualified to vote in elections in the Northern Territory Legislative Assembly.

By clause 11, the Health Insurance Act 1973 is to be amended by extending the definition of Australia to include the Territory. Clause 13 proposes to extend the operation of the Act to the Territory.

The Bill also proposes amendments to extend the Social Security Act 1947 to the Territory (clause 29).

By clause 33 the Bill proposes amendments to the Student Assistance Act 1973 which will enable courses in Technical and Further Education offered in the Territory to be approved for the purposes of the Tertiary Education Assistance Scheme provided they meet the normal criteria for the approval of courses.

For further information, if required, contact:

13 September 1984

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