

NORFOLK



ISLAND

Administration Act 1936

No. 14 of 1936

Compilation No. 1

Compilation date: 29 September 2018

Includes amendments up to: Norfolk Island Continued Laws Ordinance 2015
(No. 2, 2015)



ADMINISTRATION ACT 1936

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ADMINISTRATION ACT 1936

An Act relating to the Administration of Norfolk Island.

Citation

1. This Act may be cited as the *Administration Act 1936*.

Repeal

2. The Law and Acts specified in the First Schedule are repealed.

Amendments of Acts

3. The Laws and Acts specified in the first column of the Second Schedule are amended as respectively specified in the second column of that Schedule, and as so amended may be cited as specified in the third column of that Schedule.

Saving

4. Any person appointed to and holding any office under any Law or Act repealed by this Act shall continue in that office as if he had been appointed under this Act.

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Establishment of gaols

8. (1) The Administrator may, by notice published in the Gazette —
 - (a) subject to subsection 8(2), declare a building (including a part of a building) or any other place to be a gaol, prison or house of detention;
 - (b) declare that a building (including a part of a building) or any other place shall cease to be a gaol, prison or house of detention, as the case may be, on a date specified in the notice;
 - (c) appoint such gaolers or other officers as are necessary to ensure the security and well-being of the persons confined in a gaol, prison or house of detention;
 - (d) suspend or remove a gaoler or other officer appointed under paragraph (c);
or
 - (e) determine, in relation to a specified gaol, prison or house of detention, the class or classes of persons, being persons who may lawfully be confined in a gaol, prison or house of detention, as the case may be, who may be confined in that gaol, prison or house of detention or in a specified part of that gaol, prison or house of detention.

(2) The Administrator shall not declare a building (including a part of a building) or any other place to be a gaol, prison or house of detention under subsection 8(1) without first obtaining the consent in writing of the owner of the building or place.

(2A) In addition to persons appointed as gaolers under paragraph (1)(c), a person who is a member of the police force, for the purposes of the *Police Act 1931*, is also a gaoler for the purposes of this Act.

(3) For the purposes of this section, “owner” includes —

- (a) holder of the freehold title;
- (b) mortgagor under a legal mortgage; or
- (c) lessee under a lease from the Crown,

but does not include the Commonwealth.

Regulations

9. The Commonwealth Minister may make regulations, not inconsistent with this Act, prescribing all matters which are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out, or giving effect to, this Act, and in particular for —

- (a) prescribing the duties of gaolers, bailiffs, and other officers; and
- (b) prescribing penalties not exceeding \$4 for any offence against the regulations.

FIRST SCHEDULE

Section 2

Administration Law, 1913

Administration Act 1922

Administration Act 1923

Administration Act 1935

Administration Act (No. 2) 1935

SECOND SCHEDULE

Section 3

[The amendments made by this Schedule have been incorporated in the consolidated texts of the enactments affected]

NOTES

The *Administration Act 1936* as shown in this reprint comprises Act No. 14 of 1936 and amendments as indicated in the Tables below.

Enactment	Number and year	Date of commencement	Application saving or transitional provision
<i>Administration Act 1936</i>	14, 1936	16.12.36	4
<i>Printers and Newspapers Act 1936</i>	19, 1936	22.12.36	
<i>Plant and Fruit Diseases Act 1959</i>	5, 1959	1.10.59	
<i>Administration Act 1960</i>	13, 1960	14.4.60	
<i>Amendments Incorporation Act 1963</i>	2, 1963	28.3.63	
<i>Ordinances Revision Act 1964</i>	6, 1964	30.6.64	
<i>Administration Act 1975</i>	5, 1975	2.10.75	3
<i>Administration Act 1976</i>	7, 1976	22.7.76	
<i>Ordinances Citation Act 1976</i>	11, 1976	25.11.76	
<i>Ordinances Revision Act 1979</i>	13, 1979	7.8.79	5
<i>Ordinances Revision (Decimal Currency) Act 1980</i>	31, 1980	15.1.81	
<i>[Previously consolidated as at 1 March 1985]</i>			
<i>Interpretation (Amendment) Act 2012</i> <i>[to substitute throughout — Commonwealth Minister for Minister; and to substitute Minister for executive member]</i>	14, 2012	28.12.12	

Ordinance	Registration	Commencement	Application, saving and transitional provision
Norfolk Island Continued Laws Amendment Ordinance 2015 (No. 2, 2015) (now cited as Norfolk Island Continued Laws Ordinance 2015 (see F2015L01491))	17 June 2015 (F2015L00835)	18 June 2015 (s 2(1) item 1)	Sch 1 (items 344, 345, 382–390)
as amended by			
Norfolk Island Continued Laws Amendment (Statutory Appointments and Other Matters) Ordinance 2018	28 Sept 2018 (F2018L01378)	Sch 1 (item 1): 29 Sept 2018 (s 2(1) items 1)	—

Table of Amendments

ad = added or inserted am = amended rep = repealed rs = repealed and substituted

Provisions affected	How affected	Amending legislation
1	am	2, 1963; 5, 1975; 7, 1976; 11, 1976
5, 6, 7	rep	13, 1960
8	am	Ord No 2, 2015 (as am by F2018L01378)
8(1)	rs	5, 1975
	am	7, 1976
8(2)	rs	5, 1975; 7, 1976
8(3)	ad	7, 1976
8(4)	ad	7, 1976
	rep	13, 1979
9(1)	am	31, 1980
9(2)(3)	rep	13, 1960
Second Schedule	am	19, 1936; 5, 1959; 6, 1964