Section 23 of the *Christmas Island Act 1958* (‘the Act’) provides in part, that the Governor-General may make regulations not inconsistent with the Act, prescribing all matters which by the Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Section 14B of the Act provides in part, (subject to certain exceptions) that the courts and court officers of Western Australia have jurisdiction in the Territory of Christmas Island as if the Territory were part of Western Australia. Subsection 4(1) of the Act defines a ‘court of Western Australia’ to include ‘any other court or tribunal specified in the regulations’ and a ‘court officer of Western Australia’ to include ‘any other office in respect of a court of Western Australia being an office specified in the regulations’.

Section 8H of the Act enables the Commonwealth to enter into arrangements with Western Australia for the effective application and administration of the laws in force in the Territory. The Commonwealth has entered into an arrangement with the WA Department of Justice to administer the Western Australian laws in that portfolio which are applied in the Territory. The portfolio legislation includes the *State Administrative Tribunal Act 2004 (WA) (CI)* (‘the SAT Act’) and *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004 (WA) (CI)* (‘the Amendment and Repeal Act’) which commenced in January 2005. In order for this legislation to be effectively administered it is necessary for the jurisdiction of the Territory to be conferred on the State Administrative Tribunal.

The purpose of the Regulations is to amend the *Christmas Island (Courts) Regulations 1993* to:

- confer jurisdiction in the Territory on the State Administrative Tribunal; and
- to make minor and technical amendments to correct out of date names of relevant Acts and the description of courts, tribunals and court officers.

Details of the Regulations are as follows.

**Regulation 1 – Name of Regulations**

This regulation provides that the title of the Regulations is the *Christmas Island (Courts) Amendment Regulations 2006 (No. 1)*.

**Regulation 2 - Commencement**

This regulation provides for the Regulations to commence on the day after they are registered on the Federal Register of Legislative Instruments.
Regulation 3 - Amendments

This regulation provides that the Christmas Island (Courts) Regulations 1993 (‘the Principal Regulations’) are amended as set out in the Schedule.

Schedule 1 - Amendments

Item [1] - Paragraphs 4(b) and (c)

This item substitutes a new paragraph 4(b) to reflect the repeal of the Criminal Injuries Compensation Act 1985 (WA) (CI) by the Criminal Injuries Compensation Act 2003 (WA) (CI). The Chief Assessor of Criminal Injuries Compensation and the Assessor of Criminal Injuries Compensation under the latter Act are to be specified for the purposes of the Act as a "court or tribunal" to give them jurisdiction in Christmas Island.

This item also substitutes a new paragraph 4(c) to reflect that the Guardianship and Administration Board has been replaced by the State Administrative Tribunal and to provide that the latter is specified for the purposes of the CI Act as a "court or tribunal" to give it jurisdiction in Christmas Island.

Item [2] - Paragraphs 4(d), (e), (i), (j) and (k)

This item omits paragraphs:
- 4(d) - to reflect the repeal of the Land Valuation Tribunals Act 1978 (WA) (CI);
- 4(e) - to reflect the repeal of the Commercial Tribunal Act 1984 (WA) (CI);
- 4(i) - to reflect that the State Administrative Tribunal has replaced the Retirement Villages Disputes Tribunal;
- 4(j) - to reflect the repeal of the Small Claims Tribunal Act 1974 (WA) (CI); and
- 4(k) - to reflect that the Strata Titles Referee has been replaced by the executive officer of the State Administrative Tribunal.

Item [3] - Paragraph 4(m)

This item substitutes a new paragraph 4(m) to reflect the correct name of the Workers’ Compensation and Injury Management Act 1981 (WA) (CI) (formerly called the Workers’ Compensation and Rehabilitation Act 1981 (WA) (CI)) and to reflect the change in the name of the "court or tribunal" provided for in that Act, namely, "a dispute resolution body" so that this body is specified for the purposes of the CI Act as a "court or tribunal" to give it jurisdiction in Christmas Island.

Item [4] - Paragraphs 4(n) and (o)

This item omits paragraphs:
- 4(n) - to reflect that the State Administrative Tribunal has replaced the Town Planning Appeal Tribunal; and
- 4(o) - to reflect that the State Administrative Tribunal has replaced the Equal Opportunity Tribunal.
Item [5] - Paragraph 4(s)

This item substitutes a new paragraph 4(s) to reflect a change in the name of the "court or tribunal" provided for in the *Motor Vehicle Dealers Act 1973 (WA) (CI)*, which is now called "the Motor Vehicle Industry Board" so that this body is specified for the purposes of the CI Act as a "court or tribunal" to give it jurisdiction in Christmas Island.

Item [6] - Paragraph 5(b)

This item substitutes a new paragraph 5(b) to reflect that the Guardianship and Administration Board has been replaced by the State Administrative Tribunal and to provide that the relevant office holders of the latter are specified for the purposes of the CI Act as "court officers of Western Australia" to give those office holders jurisdiction in Christmas Island.

Item [7] - Paragraphs 5(c) to (h)

This item omits paragraphs:
- 5(c) - to reflect the repeal of the *Land Valuation Tribunals Act 1978 (WA) (CI)*;
- 5(d) - to reflect the repeal of the *Commercial Tribunal Act 1984 (WA) (CI)*;
- 5(e) – to reflect the repeal of the *Commercial Tribunal Act 1984 (WA) (CI)*;
- 5(f) - to reflect that the State Administrative Tribunal has replaced the Retirement Villages Disputes Tribunal;
- 5(g) - to reflect that the State Administrative Tribunal has replaced the Retirement Villages Disputes Tribunal; and
- 5(h) - to reflect the repeal of the *Small Claims Tribunal Act 1974 (WA) (CI)*.

Item [8] - Paragraph 5(l)

This item substitutes a new paragraph 5(l) to provide that all the relevant office holders under the *Coroners Act 1996 (WA) (CI)* are specified for the purposes of the CI Act as "court officers of Western Australia" to give those office holders jurisdiction in Christmas Island.

Item [9] - Paragraphs 5(m) and (n)

This item omits paragraphs:
- 5(m) - to reflect that the State Administrative Tribunal has replaced the Town Planning Appeal Tribunal; and
- 5(n) - to reflect that the State Administrative Tribunal has replaced the Equal Opportunity Tribunal.

Item [10] - Paragraph 5(r)

This item substitutes a new paragraph 5(r) to reflect the change in the name of the Motor Vehicle Industry Board which was formerly called the Motor Vehicle Dealers Licensing Board.