



TRIPLICAT

Administering Department 2000B00235

copy with documents sent to the
Council Secretariat in connection with the
making of this legislation.

ExCo Secretariat: Please complete this copy by
inserting signatures, date of making and instrument
No. and send to:

Legislative Services Unit
Office of Legislative Drafting
Attorney-General's Department



Child Support Legislation (Transitional — Western Australia) Regulations 2000

Statutory Rules 2000 No.

223

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Child Support Legislation Amendment Act 1998*.

Dated 10 AUG 2000 2000

WILLIAM DEANE
Governor-General

By His Excellency's Command

LARRY ANTHONY
Minister for Community Services



Child Support Legislation (Transitional — Western Australia) Regulations 2000

Statutory Rules 2000 No. 1¹

223

made under the

Child Support Legislation Amendment Act 1998

Contents

	Page
1 Name of Regulations	2
2 Commencement	2
3 Application	2
4 Definition	2
5 Transitional — certain items not to apply	2
6 Transitional — child support period commencing on 1 January 2001	2
7 Transitional — new assessment when 1999–2000 taxable income figure becomes available	3

2000, 1

*Child Support Legislation (Transitional — Western
Australia) Regulations 2000*

1

223

1 Name of Regulations

These Regulations are the *Child Support Legislation (Transitional — Western Australia) Regulations 2000*.

2 Commencement

These Regulations commence on gazettal.

3 Application

These Regulations apply to the adoption of the *Child Support (Assessment) Act 1989* by the *Child Support (Adoption of Laws) Act 1990 (WA)* as amended by the *Child Support (Adoption of Laws) Amendment Act 2000 (WA)*.

4 Definition

In these Regulations:

Commonwealth Amending Act means the *Child Support Legislation Amendment Act 1998*.

5 Transitional — certain items not to apply

The amendments made to the *Child Support (Assessment) Act 1989* as set out in Schedules 1, 3, 15, 16, 23 and 24 to the Commonwealth Amending Act do not apply to an administrative assessment for a child support period commencing before 1 January 2001.

6 Transitional — child support period commencing on 1 January 2001

Item 79 of Schedule 16 to the Commonwealth Amending Act is taken to apply in relation to a child support period commencing on 1 January 2001 if:

- (a) child support was payable by the liable parent to the carer for the child for 31 December 2000; and

- (b) child support would have been payable by the liable parent to the carer for the child for a day on or after 1 January 2001 apart from the amendments made by Schedule 16 to the Commonwealth Amending Act.

7 Transitional — new assessment when 1999–2000 taxable income figure becomes available

- (1) Item 80 of Schedule 16 to the Commonwealth Amending Act is taken to apply in relation to child support periods and assessments of child support for the situation where:
- (a) child support is payable by the liable parent to a carer entitled to child support for a child for a day in a child support period that commences on 1 January 2001; and
 - (b) an assessment (the *tax assessment*) of the taxable income of the liable parent or carer for the 1999–2000 year of income is or was made under the *Income Tax Assessment Act 1936* or the *Income Tax Assessment Act 1997* before 1 June 2001; and
 - (c) the amount of the taxable income of the liable parent or carer as shown in the tax assessment was not used in making the assessment of child support payable for a day in the child support period.
- (2) Section 34A of the *Child Support (Assessment) Act 1989* applies as if the child support period had commenced before the end of the 1999–2000 year of income.

Notes

1. Made by the Governor-General on the *Commonwealth of Australia Gazette* on 2000, and notified in 2000.

10 August
17 August