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2001B00396



# **Child Support (Assessment) (Overseas-related Maintenance Obligations) Amendment Regulations 2001 (No. / )<sup>1</sup>**

Statutory Rules 2001 No. <sup>2</sup>

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I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Child Support (Assessment) Act 1989*.

Dated ' 8 OCT 2001 2001

PETER HOLLINGWORTH

Governor-General

By His Excellency's Command

LARRY ANTHONY  
Minister for Community Services

## Regulation 1

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### 1 Name of Regulations

These Regulations are the *Child Support (Assessment) (Overseas-related Maintenance Obligations) Amendment Regulations 2001* (No. ✓). /

### 2 Commencement

These Regulations commence on gazettal.

### 3 Amendment of *Child Support (Assessment) (Overseas-related Maintenance Obligations) Regulations 2000*

Schedule 1 amends the *Child Support (Assessment) (Overseas-related Maintenance Obligations) Regulations 2000*.

## Schedule 1 Amendments

(regulation 3)

### [1] Regulation 6, including the notes

*substitute*

#### 6 Events that are not child support terminating events

- (1) In relation to Australia's international maintenance arrangements with a reciprocating jurisdiction, paragraph 12 (1) (f) of the Act does not apply.

*Note* Paragraph 12 (1) (f) of the Act states that a child support terminating event happens in relation to a child if none of the following paragraphs applies any longer in relation to the child:

- (a) the child is present in Australia;

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2001, ✓

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/

- (b) the child is an Australian citizen;
- (c) the child is ordinarily resident in Australia.

- (2) In relation to Australia's international maintenance arrangements with a reciprocating jurisdiction (other than a reciprocating jurisdiction mentioned in subregulation (3)), paragraph 12 (3) (b) of the Act does not apply.

*Note* Paragraph 12 (3) (b) of the Act states that a child support terminating event happens in relation to a person who is a liable parent in relation to a child if the person ceases to be a resident of Australia.

- (3) For subregulation (2), the following reciprocating jurisdictions are excluded:
- (a) Brunei;
  - (b) Cook Islands;
  - (c) Israel;
  - (d) Niue;
  - (e) Papua New Guinea;
  - (f) the Yukon Territory of Canada;
  - (g) Western Samoa.

**[2] Regulation 7**

*omit*

obligations

*insert*

arrangements

**[3] Regulations 8 and 9**

*omit*

(except Israel)

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**[4] Regulation 14***substitute***14 Persons from whom payment may be sought**

- (1) For section 25 of the Act, a person may seek payment of child support from a person who is:
- (a) a parent of the child; and
  - (b) a resident of a reciprocating jurisdiction (other than a reciprocating jurisdiction mentioned in subregulation (2)) on the day when the application is made.
- (2) For paragraph (1) (b), the following reciprocating jurisdictions are excluded:
- (a) Brunei;
  - (b) Cook Islands;
  - (c) Israel;
  - (d) Niue;
  - (e) Papua New Guinea;
  - (f) the Yukon Territory of Canada;
  - (g) Western Samoa.

**[5] Regulation 23***omit*

obligations,

*insert*

arrangements,

**Notes**

1. These Regulations amend Statutory Rules 2000 No. 79.
2. Notified in the *Commonwealth of Australia Gazette* on *L* 2001. *15 October*