THE TERRITORY OF COCOS (KEELING) ISLANDS.

**No. 1 of 1958.**

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AN ORDINANCE

**To amend the *Interpretation Ordinance* 1955.**

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Cocos* (*Keeling*) *Islands Act* 1955-1958.

Dated this tenth day of November, 1958.

W. J. SLIM

Governor-General.

By His Excellency’s Command,

PAUL HASLUCK

Minister of State for Territories.

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INTERPRETATION ORDINANCE 1958.

**Short title and citation.**

**1.**—(1.) This Ordinance may be cited as the *Interpretation Ordinance* 1958.[[1]](#footnote-1)\*

(2.) The *Interpretation Ordinance* 1955[[2]](#footnote-2)† is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Interpretation Ordinance* 1955-1958.

**Application of Ordinance.**

**2.** Section four of the Principal Ordinance is amended—

(*a*) by inserting in sub-section (3.), after the word “regulations”, the words “, rules or rules of court”; and

(*b*) by inserting in that sub-section, after the word “to” (last occurring), the words “and in relation to”.

**Interpretation of terms.**

**3.** Section five of the Principal Ordinance is amended—

(*a*) by omitting from sub-section (1.) the definition of “regulations” and inserting in its stead the following definitions:—

“‘regulations’ means regulations made under the Ordinance;

“‘rules’ means rules made under the Ordinance;”; and

(*b*) by inserting in sub-section (2.), after the word “regulations”, the words “, rules or rules of court”.

**Judicial notice to be taken of Ordinances, &c.**

**4.** Section nine of the Principal Ordinance is amended by inserting in paragraph (d), after the word “regulations,”, the word “rules,”.

**5.** Section fifteen of the Principal Ordinance is repealed and the following section inserted in its stead:—

**Regulations and rules.**

“15.—(1.) Where an Ordinance confers power to make regulations, then, unless the contrary intention appears—

(*a*) notice of the making of regulations made accordingly and of the place where copies of those regulations may be purchased shall be published in the *Gazette;* and

(*b*) subject to this section, regulations made accordingly take effect from the date of publication of the notice referred to in the last preceding paragraph or, where another date is specified in the regulations, from the date so specified.

“(2.) All regulations made under an Ordinance shall be laid before each House of the Parliament within fifteen sitting days of that House after the making of the regulations.

“(3.) Regulations shall not be expressed to take effect from a date before the date of publication of the notice referred to in sub-section (1.) of this section in a case where, if the regulations so took effect—

(*a*) the rights of a person (other than the Commonwealth or an authority of the Commonwealth) existing at that date would be affected in a manner prejudicial to that person; or

(*b*) liabilities would be imposed on a person (other than the Commonwealth or an authority of the Commonwealth) in respect of anything done or omitted to be done before that date,

and where, in any regulations, a provision is made in contravention of this sub-section, that provision is void and of no effect.

“(4.) If any regulations are not laid before each House in accordance with this section, they are, and shall be deemed to have been, void and of no effect.

“(5.) If either House of the Parliament passes a resolution (of which notice has been given at any time within fifteen sitting days after the day on which the regulations have been laid before that House) disallowing any of those regulations, the regulations so disallowed shall thereupon cease to have effect.

“(6.) If, at the expiration of fifteen sitting days after the day on which notice of a resolution to disallow any regulations has been given in either House of the Parliament in accordance with the last preceding sub-section, the resolution has not been withdrawn or otherwise disposed of, the regulations specified in the resolution shall thereupon be deemed to have been disallowed.

“(7.) Where regulations are disallowed, or are deemed to be disallowed, under this section, the disallowance has the same effect as a repeal of the regulations, except that, if the regulations amended or repealed a law in force immediately before the regulations took effect, the disallowance revives the previous law from and including the date of the disallowance, as if the disallowed regulations had not been made.

“(8.) In this section, ‘regulations’ includes rules and rules of court.”.

**Numbering of regulations and rules.**

**6.** Section sixteen of the Principal Ordinance is amended by adding at the end thereof the following sub-section:—

“(3.) In this section, ‘regulations’ includes rules and rules of court.”.

**References to certain expressions in laws of Singapore.**

**7.** Section eighteen of the Principal Ordinance is amended—

(*a*) by omitting the words “Subject to sub-section (2.) of section eight of the Act, in relation to anything done “and inserting in their stead the words “In relation to anything done or to be done”;

(*b*) by omitting from the table the words—

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| --- | --- |
| “‘the Legislative Council’ .. | The Governor-General in Council” |

and inserting in their stead the words—

|  |  |
| --- | --- |
| “‘the Legislative Council’ or ‘the Legislative Assembly’ | The Governor-General in Council”; |

and

(*c*) by adding at the end thereof the following subsection:—

“(2.) In relation to anything done or to be done after the commencement of this sub-section, a reference in a law continued in force in the

Territory by the Act to a Minister of the Colony of Singapore shall be read as a reference to the Minister of State for the Commonwealth administering the Act.”.

**8.** After section nineteen of the Principal Ordinance the following sections are inserted:—

**Power to make regulations, &c.**

“19a. Where—

(*a*) an Ordinance of the Colony of Singapore continued in force in the Territory by the Act confers power to make regulations, rules or rules of court; and

(*b*) that power is expressed to be conferred on the Governor in Council of that Colony,

that power shall be deemed to be conferred on, and is exercisable by, the Minister of State for the Commonwealth administering the Act.

**Notification and commencement of regulations, &c.**

“19b.—(1.) The provisions of section fifteen of this Ordinance apply in relation to regulations made, after the commencement of this section, under an Ordinance of the Colony of Singapore continued in force in the Territory by the Act, notwithstanding any contrary intention in that Ordinance as in force at the commencement of this section, and to the exclusion of any provision in that Ordinance relating to the publication, or the disallowance or disapproval, of regulations made under that Ordinance, or the date on which such regulations take effect or come into force.

“(2.) A reference in an Ordinance of the Colony of Singapore continued in force in the Territory by the Act to regulations published, or made and published, under the Ordinance or a provision of the Ordinance shall, in relation to regulations made after the commencement of this section, be read as a reference to regulations made under that Ordinance or that provision of that Ordinance, being regulations in respect of which a notice has been published in the *Gazette* in accordance with paragraph (a) of sub-section (1.) of section fifteen of this Ordinance.

“(3.) A provision in an Ordinance of the Colony of Singapore continued in force in the Territory by the Act requiring regulations to be laid or tabled before any person or authority shall, upon the commencement of this section, cease to have effect.

“(4.) In this section, ‘regulations’ includes rules and rules of court.”.

1. \* Notified in the *Commonwealth Gazette* on 20th November, 1958. [↑](#footnote-ref-1)
2. † Ordinance. No. 1, 1955. [↑](#footnote-ref-2)