



Immigration (Consequential Amendments) Act 1983

Act No. 3 of 1984

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Immigration (Consequential Amendments) Act 1983

Act No. 3 of 1984

AN ACT

To amend certain enactments.

[Reserved for assent 4 November 1983]

[Assented to 1 March 1984]

BE IT ENACTED by the Legislative Assembly of Norfolk Island as follows—

Short title

1. This Act may be cited as the *Immigration (Consequential Amendments) Act 1983**.

Commencement

2. This Act shall commence on the same date as the *Immigration Act 1980*†.

Amendment of the Absentee Landowners Levy Ordinance 1976

3. (1) In this section the *Absentee Landowners Levy Ordinance 1976* is referred to as the Principal Ordinance.

(2) Subsection 5A(1) of the Principal Ordinance is amended by omitting the words and figures '*Immigration Ordinance 1968*' and substituting '*Immigration Act 1980*'.

(3) Subsection 5A(2) of the Principal Ordinance is omitted and the following substituted—

(2) Notwithstanding section 5, where an absentee is a resident, the amount of the annual levy payable by that absentee in respect of a parcel of land is, subject to subsection (3), 25 per cent of the amount that, but for this subsection, would be payable under section 5 by that absentee in respect of that parcel of land'.

*Notified in *Norfolk Island Government Gazette* of 8 March 1984.

†Commenced on 27 March 1984.

Amendment of the Justices of the Peace Ordinance 1972

4. (1) In this section the *Justices of the Peace Ordinance* 1972 is referred to as the Principal Ordinance.

(2) Section 3 of the Principal Ordinance is amended by omitting the definition of 'resident' and substituting —

‘ “resident” has the same meaning as in the *Immigration Act* 1980;’.

(3) Section 8 of the Principal Ordinance is amended —

(a) by omitting subsection (2) and substituting —

‘ (2) Without limiting the application of subsection (1), where a person who is a Justice of the Peace appointed, or deemed to be appointed, under subsection 4(1) —

(a) has been declared by the executive member pursuant to subsection 35(1) of the *Immigration Act* 1980 to have ceased to be a resident; or

(b) has ceased to be a resident by virtue of the operation of section 36 of the *Immigration Act* 1980,

the Minister shall terminate his appointment as a Justice of the Peace; and

(b) by inserting after subsection (2) the following new subsection —

‘ (2A) In subsection (2), “executive member” means the executive member for the time being administering the *Immigration Act* 1980’.

Amendment of the Land (Sub-division) Ordinance 1967

5. (1) In this section the *Land (Sub-division) Ordinance* 1967 is referred to as the Principal Ordinance.

(2) Paragraph 11(4)(b) of the Principal Ordinance is omitted and the following substituted —

‘(b) both the applicant and the relative —

(i) are residents within the meaning of the *Immigration Act* 1980; and

(ii) are ordinarily resident in Norfolk Island;’.

(3) Paragraph 19(1)(d) of the Principal Ordinance is omitted and the following substituted —

‘(d) a relative of the mortgagor, being a relative who —

(i) is a resident within the meaning of the *Immigration Act* 1980; and

(ii) is ordinarily resident in Norfolk Island’.

Amendment of the Legislative Assembly Ordinance 1979

6. (1) In this section the *Legislative Assembly Ordinance 1979* is referred to as the Principal Ordinance.

(2) Paragraph 6(1)(c) of the Principal Ordinance is omitted and the following substituted —

‘(c) is a resident or the holder of a general entry permit; and’.

(3) Subsection 6(3) of the Principal Ordinance is omitted and the following substituted —

‘(3) In paragraph (1)(c), “resident” and “general entry permit” have the same meanings respectively as in the *Immigration Act 1980*.’

Amendment of the Social Services Act 1980

7. Section 3 of the *Social Services Act 1980* is amended by omitting the definition of ‘resident’ and substituting —

‘ “resident” means a resident within the meaning of the *Immigration Act 1980*.’

Amendment of the Boarding-houses Ordinance 1955

8. Section 2 of the *Boarding-houses Ordinance 1955* is amended by omitting the definition of ‘visitor’ and substituting —

‘ “visitor” means a person who is permitted to enter and remain in Norfolk Island pursuant to a permit granted or deemed to have been granted under section 15 of the *Immigration Act 1980*.’