



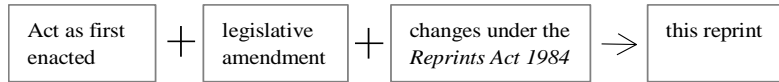
Western Australia

# **Child Support (Adoption of Laws) Act 1990**

**Reprint 1: The Act as at 2 May 2003**

## Guide for using this reprint

### What the reprint includes



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the  
*Reprints Act 1984* as  
at 2 May 2003

Western Australia

## Child Support (Adoption of Laws) Act 1990

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Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 2 May 2003

## **Child Support (Adoption of Laws) Act 1990**

**An Act to adopt the *Child Support (Registration and Collection) Act 1988*, and the *Child Support (Assessment) Act 1989*, of the Commonwealth insofar as those Acts apply to or in relation to the maintenance of children and do not otherwise extend to Western Australia, to authorise the Governor to make certain arrangements for the purposes of section 20 of the *Child Support (Registration and Collection) Act 1988* of the Commonwealth, to repeal the *Child Support (Adoption) Act 1988* and to provide for matters incidental to or connected with the foregoing.**

WHEREAS the Parliaments of the States of New South Wales, Victoria, South Australia and Tasmania have referred to the Parliament of the Commonwealth the matter of the maintenance of children to the extent that that matter is not otherwise included in the legislative powers of the Parliament of the Commonwealth;

AND WHEREAS the Parliament of the Commonwealth has subsequently enacted the *Child Support (Registration and Collection) Act 1988* (formerly known as the *Child Support Act 1988*) and the *Child Support (Assessment) Act 1989*;

AND WHEREAS it is desired to adopt the *Child Support (Registration and Collection) Act 1988*, and the *Child Support (Assessment) Act 1989*, of the Commonwealth insofar as those Acts apply to or in relation to the

maintenance of children and do not otherwise extend to Western Australia and to authorise the Governor to make certain arrangements for the purposes of section 20 of the *Child Support (Registration and Collection) Act 1988* of the Commonwealth;

The Parliament of Western Australia enacts as follows:

**1. Short title**

This Act may be cited as the *Child Support (Adoption of Laws) Act 1990*<sup>1</sup>.

**2. Commencement**

This Act shall come into operation on the 28th day after the day on which it receives the Royal Assent<sup>1</sup>.

**3. Construction of references to *Child Support (Registration and Collection) Act 1988* of the Commonwealth**

A reference in this Act to the *Child Support (Registration and Collection) Act 1988* of the Commonwealth —

- (a) is a reference to that Act in the form in which that Act existed on 1 July 2002; and
- (b) is not a reference to which section 16(3) of the *Interpretation Act 1984* applies.

[Section 3 amended by No. 72 of 1994 s. 5; No 21 of 2000 s. 5; No. 41 of 2002 s. 4.]

**4. Construction of references to *Child Support (Assessment) Act 1989* of the Commonwealth**

A reference in this Act to the *Child Support (Assessment) Act 1989* of the Commonwealth —

- (a) does not include a reference to Parts 11, 12 and 13 of that Act;
- (b) is a reference to that Act in the form in which that Act existed on 1 July 2002; and

- (c) is not a reference to which section 16(3) of the *Interpretation Act 1984* applies.

[Section 4 amended by No. 72 of 1994 s. 6; No 21 of 2000 s. 6; No. 41 of 2002 s. 4.]

**5. Adoption of *Child Support (Registration and Collection) Act 1988*, and *Child Support (Assessment) Act 1989*, of the Commonwealth**

- (1) The State of Western Australia adopts the *Child Support (Registration and Collection) Act 1988*, and the *Child Support (Assessment) Act 1989*, of the Commonwealth insofar as those Acts apply to or in relation to the maintenance of children and do not otherwise extend to Western Australia.
- (2) In subsection (1) —  
“**adopts**” shall be construed in accordance with the meaning attributed to “adopt” in section 51(xxxvii) of the Constitution of the Commonwealth.

**6. Governor authorised to make certain arrangements for purposes of section 20 of *Child Support (Registration and Collection) Act 1988* of the Commonwealth**

- (1) The Governor may for the purposes of section 20 of the *Child Support (Registration and Collection) Act 1988* of the Commonwealth make arrangements with the Governor-General of the Commonwealth for the transfer to the Child Support Register of collection agency maintenance liabilities of the State.
- (2) In subsection (1) —  
“**Child Support Register**” and “**collection agency maintenance liabilities**” have the respective meanings given to them by the *Child Support (Registration and Collection) Act 1988* of the Commonwealth.

**7. Termination of adoption**

The Governor may, at any time, by proclamation published in the *Gazette* fix a day as the day on which the adoption by this Act of the *Child Support (Registration and Collection) Act 1988*, and the *Child Support (Assessment) Act 1989*, of the Commonwealth shall terminate.

**8. Repeal**

The *Child Support (Adoption) Act 1988* is repealed.

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**Notes**

<sup>1</sup> This reprint is a compilation as at 2 May 2003 of the *Child Support (Adoption of Laws) Act 1990* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Child Support (Adoption of Laws) Act 1990</i>	98 of 1990	22 Dec 1990	19 Jan 1991 (see s. 2)
<i>Child Support (Adoption of Laws) Amendment Act 1994</i>	72 of 1994	9 Dec 1994	9 Dec 1994 (see s. 2)
<i>Child Support (Adoption of Laws) Amendment Act 2000</i>	21 of 2000	30 Jun 2000	30 Jun 2000 (see s. 2)
<i>Child Support (Adoption of Laws) Amendment Act 2002</i> <sup>2</sup>	41 of 2002	9 Dec 2002	9 Dec 2002 (see s. 2)

**Reprint 1: The *Child Support (Adoption of Laws) Act 1990* as at 2 May 2003**  
(includes amendments listed above)

<sup>2</sup> The *Child Support (Adoption of Laws) Amendment Act 2002* s. 3 reads as follows:

“

**3. Purpose of Act**

The purpose of this Act is to provide that the adoption by the *Child Support (Adoption of Laws) Act 1990* of —

- (a) the *Child Support (Registration and Collection) Act 1988* of the Commonwealth extends to that Act as amended by —
- (i) the *Public Employment (Consequential and Transitional) Amendment Act 1999*;
  - (ii) the *A New Tax System (Tax Administration) Act 1999*;
  - (iii) the *Federal Magistrates (Consequential Amendments) Act 1999*;
  - (iv) the *Child Support Legislation Amendment Act 2000*;
  - (v) the *Family Law Amendment Act 2000*;
  - (vi) the *Child Support Legislation Amendment Act 2001*; and

- (vii) the *Family and Community Services Legislation Amendment (Application of Criminal Code) Act 2001*,  
of the Commonwealth; and
- (b) the *Child Support (Assessment) Act 1989* of the Commonwealth extends to that Act as amended by —
  - (i) the *Public Employment (Consequential and Transitional) Amendment Act 1999*;
  - (ii) the *A New Tax System (Family Assistance) (Consequential and Related Measures) Act (No. 2) 1999*;
  - (iii) the *Federal Magistrates (Consequential Amendments) Act 1999*;
  - (iv) the *A New Tax System (Family Assistance and Related Measures) Act 2000*;
  - (v) the *Child Support Legislation Amendment Act 2000*;
  - (vi) the *Family Law Amendment Act 2000*;
  - (vii) the *Child Support Legislation Amendment Act 2001*; and
  - (viii) the *Family and Community Services Legislation Amendment (Application of Criminal Code) Act 2001*,  
of the Commonwealth.

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