

CHILD SUPPORT (ADOPTION OF LAWS) ACT

No. 98 of 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 authorize 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.

[Assented to 22 December 1990.]

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 authorize 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:

Short title

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

Commencement

2. This Act shall come into operation on the 28th day after the day on which it receives the Royal Assent.

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

3. 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 immediately after the provisions of Part 3 of the *Social Security and Veterans' Affairs Legislation Amendment Act (No. 3) 1989* of the Commonwealth came into operation; and
- (b) is not a reference to which section 16 (3) of the *Interpretation Act 1984* applies.

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

4. 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 immediately after the provisions of Part 2 of the *Social Security and Veterans' Affairs Legislation Amendment Act (No. 3) 1989* of the Commonwealth came into operation; and
- (c) is not a reference to which section 16 (3) of the *Interpretation Act 1984* applies.

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

5. (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.

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

6. (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.

Termination of adoption

7. 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.

Repeal

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 The *Child Support (Adoption) Act 1988** is repealed.

[*Act No. 35 of 1988.]
