

WESTERN AUSTRALIA

CHILD SUPPORT (ADOPTION) ACT

No. 35 of 1988

AN ACT to adopt the *Child Support Act 1988* of the Parliament of the Commonwealth insofar as that Act applies to or in relation to the maintenance of children and does not otherwise extend to Western Australia, to authorize the Governor to make certain arrangements for the purposes of section 20 of that Act and to provide for matters incidental to or connected with the foregoing.

[Assented to 24 November 1988]

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 Act 1988*;

AND WHEREAS it is desired to adopt the *Child Support Act 1988* aforesaid insofar as that Act applies to or in relation to the maintenance of children and does not otherwise extend to Western Australia and to authorize the Governor to make certain arrangements for the purposes of section 20 of that Act:

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Child Support (Adoption) Act 1988*.

Commencement

2. (1) Subject to subsection (2), this Act shall come into operation on the day on which it receives the Royal Assent.

(2) Sections 3, 4 and 6 shall come into operation on such day as is fixed by proclamation.

Construction of references to *Child Support Act 1988* of Parliament of Commonwealth

3. A reference in this Act to the *Child Support Act 1988* of the Parliament of the Commonwealth—

- (a) is a reference to that Act in the form in which that Act existed on the day referred to in section 2 (2); and
- (b) is not a reference to which section 16 (3) of the *Interpretation Act 1984* applies.

Adoption of *Child Support Act 1988* of Parliament of Commonwealth

4. (1) The State of Western Australia adopts the *Child Support Act 1988* of the Parliament of the Commonwealth insofar as that Act applies to or in relation to the maintenance of children and does 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 Act 1988* of Parliament of Commonwealth

5. (1) The Governor may for the purposes of section 20 of the *Child Support Act 1988* of the Parliament 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 Act 1988* of the Parliament of the Commonwealth.

Termination of adoption

6. 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 Act 1988* of the Parliament of the Commonwealth shall terminate.
