

1908.

## THE PARLIAMENT OF THE COMMONWEALTH.

## HOUSE OF REPRESENTATIVES.

Read 1° 3 June, 1908 (a.m.).

*(Brought in by the Prime Minister, the Honorable Alfred Deakin.)*

## A BILL

FOR

## AN ACT

To provide for the acceptance of Norfolk Island as a Territory under the authority of the Commonwealth, and for the Government thereof.

WHEREAS by an Act of the Parliament of the United Kingdom made and passed in the sixth and seventh years of the reign of Her late Majesty Queen Victoria, intituled "An Act to amend so much of an Act of last Session for the Government of New South  
5 Wales and Van Diemen's Land as relates to Norfolk Island," it was, amongst other things, enacted that it should be lawful for Her Majesty to sever Norfolk Island from the Government of New South Wales and to annex it to the Government and Colony of Van Diemen's Land :

- 10 And whereas Her late Majesty Queen Victoria, in exercise of the powers vested in Her by the said Act, by a Commission under the Great Seal of the United Kingdom bearing date the 24th October, 1843, appointed that from and after the 29th day of September, 1844, the said Island called Norfolk Island should be severed from  
15 the Government of New South Wales and annexed to the Government and Colony of Van Diemen's Land :

And whereas by an Act of the Parliament of the United Kingdom, called "the Australian Waste Lands Act 1855," it was, amongst other things, provided that it should be lawful for Her Majesty at any  
20 time, by Order in Council, to separate Norfolk Island from the Colony of Van Diemen's Land and to make such provision for the Government of Norfolk Island as might seem expedient : And

[C. 69]—780/3.6.1908.—F.4987.

And whereas by an Order in Council dated the 24th day of June, 1856, made by Her Majesty in pursuance of the last-mentioned Act, it was ordered and declared, amongst other things, that from and after the date of the proclamation of the Order in New South Wales the said Island called Norfolk Island should be thereby separated from the said colony of Van Diemen's Land (now called Tasmania) and that from that date all power, authority, and jurisdiction of the Governor, Legislature, Courts of Justice, and Magistrates of Tasmania over the said Island should cease and determine, and that from the said date the said Island should be a distinct and separate Settlement, the affairs of which should until further Order in that behalf by Her Majesty be administered by a Governor for that purpose appointed by Her Majesty with the advice and consent of Her Privy Council :

And whereas the said Order in Council was proclaimed in New South Wales on the 1st November, 1856 :

And whereas by an Order in Council dated the 15th day of January, 1897, made in pursuance of the said last-mentioned Act, Her late Majesty, after reciting that, in prospect of the future annexation of Norfolk Island to the Colony of New South Wales or to any Federal body of which that Colony might thereafter form part, it was expedient that in the meantime the affairs of Norfolk Island should be administered by the Governor of New South Wales as therein provided, was pleased to order that the affairs of Norfolk Island should thenceforth, and until further Order should be made in that behalf by Her Majesty, be administered by the Governor and Commander-in-Chief for the time being of the Colony of New South Wales and its Dependencies :

And whereas by an Order in Council dated the 18th day of October, 1900, made in pursuance of the said last-mentioned Act, Her late Majesty was pleased to order that the affairs of Norfolk Island should thenceforth, and until further Order should be made in that behalf by Her Majesty, be administered by the Governor for the time being of the State of New South Wales and its Dependencies :

And whereas the Parliament of the Commonwealth is willing that Norfolk Island should be placed under the authority of, and accepted as a Territory by, the Commonwealth :

And whereas by the Constitution it is enacted that the Parliament may make laws for the Government of any Territory placed by the King under the authority of and accepted by the Commonwealth :

Be it therefore enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title

1. This Act may be cited as the *Norfolk Island Act* 1908.

Commencement.

2.—(1.) This Act shall not come into operation until the King has been pleased to place Norfolk Island under the authority of the Commonwealth, and the Governor-General has been pleased, by proclamation, to fix a day for the commencement of this Act.

(2.) Subject