



How to read a NSW law that applies in Norfolk Island

FACTSHEET

The *Norfolk Island Applied Laws Ordinance 2016* (the Applied Laws Ordinance) lists the NSW laws that have been applied in Norfolk Island. To understand the operation of the applied law in Norfolk Island, the Applied Laws Ordinance and the relevant NSW law are read together.

Step 1

You can find NSW laws at www.legislation.nsw.gov.au. Browse or search for the relevant NSW law.

Example *Public Health Act 2010*

The screenshot shows the NSW legislation website. The top navigation bar includes 'Search', 'Browse', 'Notification-Gazette', 'As Made', 'Bills', 'LegInfo', and 'Links'. The main content area displays 'Public Health Act 2010 No 127' with a 'Status information' section. A search bar at the top right shows a search for 'public health act' with 187 results. The NSW coat of arms is visible at the bottom right of the page.

Step 2

Find the Applied Laws Ordinance at www.legislation.gov.au. Go to 'Legislative Instruments in Force' and then 'No' for Norfolk Island. Then click on the link for the Applied Laws Ordinance.

The screenshot shows the Federal Register of Legislation website. The main content area displays a grid of legislative instruments categorized by 'Principal in force', 'Amending in force', and 'All in force'. The 'Principal in force' section is expanded, showing a list of instruments. The 'No' instrument is circled in red, indicating the selected instrument for Norfolk Island.

Principal in force	Amending in force	All in force
<p>1 11 19</p> <p>G Ga Ge Go Gr Gs Gu</p> <p>N Na Ne No Ni Nu</p> <p>U</p>	<p>A Aa Ab Ac Ad Ae Ag Ai Al Am An Ap Ar As Au Av</p> <p>H Ha He Hi Ho Hu</p> <p>O Oa Ob Oc Od Op Or Ot Ov Oz</p> <p>V</p>	<p>B Ba Bi Bo Br Bu</p> <p>I Ii Il Im In</p> <p>P Pa Pd Pe Pg Ph Pi Po Pr Pu</p> <p>W</p>

Step 3

Expand the Table of Contents by clicking on the + next to Text and then the + next to 8 Schedules.

Find the Schedule for the relevant NSW law in the expanded list.

The screenshot shows the 'Federal Register of Legislation' page for the 'Norfolk Island Applied Laws Ordinance 2016'. At the top, there are buttons for 'Text', 'Download', 'Enabled By', and 'Buy print copy'. Below the title, it indicates the ordinance number '- F2018C00740' and its status as 'In force - Latest Version'. A 'DETAILS' section is expanded to show a 'TABLE OF CONTENTS'. The table lists various schedules, with a red arrow pointing to 'Schedule 6—Amendment of the Public Health Act 2010 (NSW) and the Public Health Regulation 2012 (NSW)'. At the bottom of the table, there are 'TOC' and 'HIDE' buttons.

Step 4

Click on the Schedule for that law. This is where any amendments to the law for Norfolk Island are listed. For example:

This screenshot shows the detailed view of 'Schedule 6—Amendment of the Public Health Act 2010 (NSW) and the Public Health Regulation 2012 (NSW)'. The page header includes the Australian Government logo, 'Federal Register of Legislation', and navigation options like 'GET LEGISLATION UPDATES', 'MY ACCOUNT', and 'SEARCH'. A left-hand navigation menu lists categories like 'Home', 'What's new', 'Constitution', 'Acts', 'Legislative Instruments', 'Notifiable Instruments', 'Gazettes', 'Bills', and 'Other'. The main content area shows the schedule title with a red arrow pointing to it. Below the title, it lists 'Part 1—Amendment of the Public Health Act 2010 (NSW)' and 'Public Health Act 2010 (NSW)'. The schedule is divided into subsections: '1A Subsection 5(1)', '1B Subsection 5(1) (after paragraph (d) of the definition of hospital)', and '1C Subsection 5(1)'. Each subsection includes an 'Insert' section with the specific text of the amendment.

Step 5

To understand the amendments, match up the section number in the Applied Laws Ordinance with the same section number in the NSW law. For example:

Step 6

Take note of the instruction words in the text, for example omit, insert, repeal, add and substitute. This tells you how the NSW law has been changed for Norfolk Island. For example:

7G Section 53

Omit "Registrar of Births, Deaths and Marriages" **substitute** "Registrar (within the meaning of the *Registration of Births, Deaths and Marriages Act 1963* of Norfolk Island)".

Based on this, you would amend the NSW law for Norfolk Island as follows (the substituted text is shown in red).

Public Health Act 2010 No 127

Part 4 Division 2 Section 53

53 Notification of death arising from scheduled medical condition

Immediately after registering the death of a person where the apparent cause of death involves a scheduled medical condition, the ~~Registrar of Births, Deaths and Marriages~~ Registrar (within the meaning of the *Registration of Births, Deaths and Marriages Act 1963 of Norfolk Island*) is to arrange to have sent to the Secretary, in the approved form, a notice of the death stating:

- (a) the name, address and age of the deceased, and
- (b) the name of the scheduled medical condition, and
- (c) the name of the person who certified the cause of death, and
- (d) such other particulars as may be prescribed by the regulations.

The final text of the NSW law as it applies to Norfolk Island would be:

Public Health Act 2010 No 127

Part 4 Division 2 Section 53

53 Notification of death arising from scheduled medical condition

Immediately after registering the death of a person where the apparent cause of death involves a scheduled medical condition, the Registrar (within the meaning of the *Registration of Births, Deaths and Marriages Act 1963 of Norfolk Island*) is to arrange to have sent to the Secretary, in the approved form, a notice of the death stating:

- (a) the name, address and age of the deceased, and
- (b) the name of the scheduled medical condition, and
- (c) the name of the person who certified the cause of death, and
- (d) such other particulars as may be prescribed by the regulations.

Further information

When reading applied NSW laws, reference should also be made to the *Interpretation Act 1987* (NSW)(NI) as amended by Schedule 3 of the Ordinance.

The Interpretation Act contains standard definitions and other information to help understand applied NSW laws.

Disclaimer

This document should not be treated as a substitute for obtaining legal advice on the operation of the NSW applied law in Norfolk Island.