

COCOS (KEELING) ISLANDS.

No. 67 of 1958.

An Act to amend the *Cocos (Keeling) Islands Act*
1955-1956.

[Assented to 8th October, 1958.]

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

Short title
and citation.

1.—(1.) This Act may be cited as the *Cocos (Keeling) Islands Act* 1958.

(2.) The *Cocos (Keeling) Islands Act* 1955-1956* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Cocos (Keeling) Islands Act* 1955-1958.

Commence-
ment.

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

Parts.

3. Section three of the Principal Act is amended by omitting the words and figures—

“ Part V.—Miscellaneous (Sections 16-20).”
and inserting in their stead the words and figures—

“ Part V.—Miscellaneous (Sections 15A-20).”.

Right of
certain
residents to
elect to become
Australian
citizens.

4. Section fourteen of the Principal Act is amended by adding at the end thereof the following sub-section:—

“ (4.) For the purposes of sub-section (1.) of this section, ‘ the prescribed time ’, in relation to a person, means—

(a) the period of three years and six months from and including the proclaimed date; or

(b) the period of two years after that person attained or attains the age of twenty-one years,

whichever period last terminates.”.

5.—(1.) Before section sixteen of the Principal Act the following section is inserted in Part V. of that Act:—

Appointment
of officers.

“ 15A.—(1.) Notwithstanding the *Public Service Act* 1922-1958, provision may be made by Ordinance for and in relation to the appointment and employment of persons for the purposes of the government of the Territory.

* Act No. 34, 1955, as amended by No. 89, 1956.

“(2.) Where a person appointed or employed under an Ordinance was, immediately before his appointment or employment, an officer of the Public Service of the Commonwealth—

- (a) he retains his existing and accruing rights;
- (b) for the purpose of determining those rights, his service under the Ordinance shall be taken into account as if it were service in the Public Service of the Commonwealth; and
- (c) the *Officers' Rights Declaration Act* 1928–1953 applies as if this Act and this section had been specified in the Schedule to that Act and he were an officer employed by an authority created by this Act.

“(3.) Nothing in this section shall be deemed to prevent the appointment or employment of persons under the *Public Service Act* 1922–1958 in its application to the Territory.”

(2.) The enactment of section five of the *Public Service Act* 1957 shall be deemed not to have affected the validity of any Ordinance made under the *Cocos (Keeling) Islands Act* 1955, or that Act as amended, before the commencement of that section.

6. Section seventeen of the Principal Act is amended—

- (a) by inserting after the word “Governor-General” the words “, acting with the advice of the Minister,”; and
- (b) by adding at the end thereof the following sub-section:—

“(2.) Where an offence has been committed in the Territory, or where an offence has been committed outside the Territory for which the offender may be tried in the Territory, the Governor-General, acting with the advice of the Minister, may, by warrant under his hand, grant a pardon to an accomplice who gives evidence that leads to the conviction of the principal offender, or of any of the principal offenders.”

Grant of
pardon,
remission, &c.