

INTERPRETATION (BRITISH SUBJECT) ACT.

New South Wales



ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

Act No. 41, 1970.

An Act to amend the Interpretation Act, 1897, in relation to the meaning of the expression “British subject” and like expressions; and for purposes connected therewith. [Assented to, 30th September, 1970.]

BE it enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows : —

Short title
and com-
mencement.

1. (1) This Act may be cited as the “Interpretation (British Subject) Act, 1970”.

(2)

Interpretation (British Subject).

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Interpretation Act, 1897, is amended by omitting section 21A and by inserting in lieu thereof the following section :—

Amendment
of Act No.
4, 1897.
Subst.
sec. 21A.

21A. (1) In this section—

“Commonwealth Act” means the Citizenship Act 1948–1969 of the Commonwealth and includes that Act as amended, or the provisions of that Act as re-enacted, from time to time;

References
in New
South Wales
laws to
British
subjects.

“law of New South Wales” means—

- (a) an Act;
- (b) an instrument (including a proclamation, regulation, rule, by-law or ordinance) having effect by virtue of an Act; and
- (c) an instrument having effect by virtue of any such instrument as is mentioned in paragraph (b) of this definition.

(2) A reference in any law of New South Wales—

- (a) to a British subject or to a natural born or naturalized subject of Her Majesty or to any other similar expression shall be read as a reference to an Australian citizen and to any other person who, under the Commonwealth Act, has the status of a British subject or has the status of a British subject without citizenship; and
- (b) to an alien shall be read as a reference to a person who is an alien within the meaning of the Commonwealth Act.

(3)

Interpretation (British Subject).

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(3) Where a rule of law applies to or in relation to or has effect with respect to—

- (a) a British subject that rule of law shall apply to or in relation to or shall have effect with respect to an Australian citizen and any other person who, under the Commonwealth Act, has the status of a British subject or has the status of a British subject without citizenship, as if that Australian citizen or other person were a British subject; or
- (b) an alien that rule of law shall apply to or in relation to or shall have effect with respect to a person who is an alien within the meaning of the Commonwealth Act.

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