

5D. Acting appointments

- (1) The Governor, on the recommendation of the Premier, may appoint an Acting Electoral Commissioner to act in the office of the Electoral Commissioner —
 - (a) when the Electoral Commissioner is absent from duty for any reason or is absent from the State;
 - (b) when the Electoral Commissioner has been suspended; or
 - (c) when the office of Electoral Commissioner is vacant.
- (2) Before making a recommendation under subsection (1) the Premier shall consult with the Parliamentary leader of each party in the Parliament.
- (3) While the Acting Electoral Commissioner is so acting —
 - (a) he may perform the functions of the Electoral Commissioner, and anything done by him in so performing those functions has the like effect as if it were done by the Electoral Commissioner;
 - (b) any act or thing that is required under a written law to be done to, by reference to or in relation to the Electoral Commissioner shall be regarded as effectually done if done to, by reference to or in relation to the Acting Electoral Commissioner.

[Section 5D inserted by No. 40 of 1987 s.20.]