



WESTERN AUSTRALIA.

ANNO QUADRAGESIMO TERTIO

VICTORIÆ REGINÆ.

No. I.

AN ACT to regulate the appointment of certain Public Officers.

[Assented to, 8th August, 1879.]

WHEREAS by divers Ordinances and Acts of the Legislative Council of Western Australia, powers and authorities, rights and privileges are conferred, and duties, restrictions, and liabilities are imposed on Public Officers; And whereas such Public Officers are often unable in person to exercise and discharge the powers and duties of their respective offices: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

Preamble.

1 WHENEVER any Public Officer shall by reason of temporary incapacity or by absence from the place where his functions are and ought to be discharged, be unable in person to exercise and discharge the powers and duties of his office, it shall be lawful for the

Governor may appoint a *locum tenens*.

The Public Officers Act, 1879.

the Governor of the Colony, by writing under his hand and seal notified in the *Government Gazette*, to appoint a person to fill such office temporarily or to exercise and discharge, during such incapacity or absence, such powers and duties to such extent and with such title or designation as may be mentioned in such writing.

Liabilities, &c., of such
locum tenens.

2 THE person so appointed shall thereupon during his tenure of such office be subject to all the penalties, disqualifications, and liabilities to which he would be subject in case he were the permanent holder of such office.

Persons to whom this Act
shall not apply.

3 THIS Act shall not apply to persons who may be elected by vote of any public body, nor to the Chief Justice of Western Australia.

As to Police Magistrates,
Resident Magistrates, and
Government Residents.

4 AND whereas by certain Ordinances and Acts of the Legislature, certain functions are directed or empowered to be exercised by a Police Magistrate, or by a Resident Magistrate, or by a Government Resident, and whereas in some parts of the Colony there are officers designated with one only of such titles; Be it therefore further enacted, as follows:—

From and after the passing of this Act the functions prescribed to be discharged by a Police Magistrate, or by a Resident Magistrate, or by a Government Resident exclusively, shall be exercisable by any officer being a Police Magistrate, Government Resident, or Resident Magistrate within the Colony of Western Australia.

Short Title.

5 THIS Act may be cited for all purposes as “The Public Officers’ Act, 1879.”

In the name and on behalf of the Queen I hereby assent to
this Act.

H. ST. GEORGE ORD, Governor.