

**ACTS AMENDMENT
(PARLIAMENTARY SECRETARIES)
ACT**

No. 38 of 1990

AN ACT to amend the *Constitution Acts Amendment Act 1899* and the *Salaries and Allowances Act 1975* for the purpose of abolishing the office of “Honorary Minister”, providing for the appointment of Parliamentary Secretaries and making related provisions.

[Assented to 8 November 1990.]

The Parliament of Western Australia enacts as follows:

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Acts Amendment (Parliamentary Secretaries) Act 1990*.

Commencement

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

PART 2—*CONSTITUTION ACTS AMENDMENT ACT 1899***Principal Act**

3. In this Part, the *Constitution Acts Amendment Act 1899** is referred to as the principal Act.

[**Reprinted as at 16 March 1989 and amended by Acts Nos. 75 of 1988 and 19 and 28 of 1989.*]

**Section 44A repealed and
a section substituted**

4. Section 44A of the principal Act is repealed and the following section is substituted—

Parliamentary Secretaries

“ 44A. (1) The Governor in Council may—

- (a) appoint a person who is a member of the Legislature to be the Parliamentary Secretary to a Minister, that is to the holder of a principal executive office referred to in section 43; and
- (b) at any time revoke such an appointment.

(2) An office of Parliamentary Secretary under this section is not one to which section 43 applies but is liable to be vacated on political grounds in the same manner as a principal executive office referred to in that section.

(3) The functions of a Parliamentary Secretary appointed under this section are such as the Governor in Council may specify in the instrument of appointment.

(4) If the Premier so approves, a Parliamentary Secretary appointed under this section shall be paid an allowance under subsection (5) but otherwise shall not receive any remuneration in respect of that office.

(5) The allowance referred to in subsection (4)—

- (a) is an allowance for and in respect of expenses necessarily or reasonably incurred in connection with the office of Parliamentary Secretary; and
- (b) shall be determined under section 6 of the *Salaries and Allowances Act 1975*. ”.

Schedule V amended

5. Schedule V to the principal Act is amended, in Division 2 of Part 2, in the penultimate item, by deleting “or who holds an office with the designation “Honorary Minister””.

PART 3—SALARIES AND ALLOWANCES ACT 1975

Principal Act

6. In this Part the *Salaries and Allowances Act 1975** is referred to as the principal Act.

[*Reprinted as at 16 November 1988 and amended by Acts Nos. 19 and 31 of 1989.]

Section 4 amended

7. Section 4 of the principal Act is amended in subsection (1) in the definition of “remuneration” by inserting after “Ministers of the Crown,” the following—

- “ a Parliamentary Secretary appointed under section 44A (1) of the *Constitution Acts Amendment Act 1899*, ”.

Section 6 amended

8. Section 6 of the principal Act is amended—

- (a) in subsection (1) by inserting after paragraph (a) the following paragraph—

“ (ab) subject to section 44A (4) and (5) of the *Constitution Acts Amendment Act 1899*, a Parliamentary Secretary appointed under section 44A (1) of that Act; ”;

and

- (b) in subsection (7) by deleting “the holder of an office with the designation “Honorary Minister”” and substituting the following—

“ a Parliamentary Secretary appointed under section 44A (1) of the *Constitution Acts Amendment Act 1899* ”.

Section 10 amended

9. Section 10 of the principal Act is amended in subsection (4) (a) by inserting after “Ministers of the Crown,” the following—

“ a Parliamentary Secretary appointed under section 44A (1) of the *Constitution Acts Amendment Act 1899*, ”.
