

MINISTERS OF THE CROWN (STATUTORY DESIGNATIONS).

No. 62 of 1981.

AN ACT to amend the Ministers of the Crown
(Statutory Designations) and Acts Amendment
Act 1974-1979.

[Assented to 13 October 1981.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Ministers of the Crown (Statutory Designations) Amendment Act 1981*. Short title.

(2) In this Act the Ministers of the Crown (Statutory Designations) and Acts Amendment Act 1974 is referred to as the principal Act. Act No. 27 of 1974, amended by Act No. 111 of 1979.

Long title amended

2. The long title of the principal Act is amended by inserting after the word "Crown" the following—

" , offices and departments, " .

Section 1 amended.

3. Section 1 of the principal Act is amended by deleting the short title and substituting the following—

" Alteration of Statutory Designations Act 1974-1981 " .

Section 2A inserted.

4. After section 2 of the principal Act, the following section is inserted—

Interpretation.

" 2A. In this Act, unless the contrary intention appears—

"department" means any department or part of a department of the Government;

"Minister" means a principal executive office of the Government under the Constitution Acts Amendment Act 1899;

"office" includes any office in a department;

"reference" includes a reference otherwise than by designation, style or title. " .

Section 3 amended.

5. Section 3 of the principal Act is amended—

(a) by repealing subsection (1) and substituting the following subsection—

" (1) Whenever—

(a) the Governor—

(i) designates and declares a principal executive office of the Government for the purposes of the Constitution Acts

Amendment Act 1899
and thereby changes
the designation of a
Minister;

- (ii) establishes, amalgamates, divides, or abolishes a department or alters the designation of any department; or
- (b) an office has been abolished (whether by reason of the abolition of a department or otherwise) or the designation of an office has been altered,

the Governor may, by Order in Council, direct that a reference to—

- (c) a Minister;
- (d) an office;
- (e) a department,

as the case may be, contained in—

- (f) any law; or
- (g) any instrument, contract, or legal proceedings made or commenced before the coming into operation of the Order,

by a reference specified in the Order shall be read and construed as a reference to a Minister, office, or department by the reference specified in that Order, and effect shall be given to any such direction. ” ;

and

- (b) in subsection (2), by inserting after “Crown” the following—

“ , office, or department ” .

Section 4A
inserted.

6. After section 4 of the principal Act, the following sections are inserted—

Effect of
revocation
of Order.

“ 4A. Notwithstanding anything in the Interpretation Act 1918, an Order in Council under section 4 of this Act that revokes an Order in Council made pursuant to section 3 of this Act shall, unless the Order in Council made under section 4 of this Act otherwise directs, effect a revival of the reference altered by the Order in Council made pursuant to section 3 of this Act.

Governor
may rectify
omissions.

4B. Where through an accidental omission to alter a reference to a Minister, an office in a department, or a department anything done or required to be done by or under a law is done by or in relation to a Minister, office, or a department by a reference other than the reference then currently applicable in relation to that Minister, office, or department, the Governor may by Order in Council take such measures as are necessary for removing any doubt arising from the omission and may validate anything which has been done by or in relation to a Minister, office, or department otherwise than by reference to the reference then currently applicable to that Minister, office, or department. ” .

Parts II, III,
IV, VI and
VII repealed.

7. Parts II, III, IV, VI and VII of the principal Act are repealed.
