



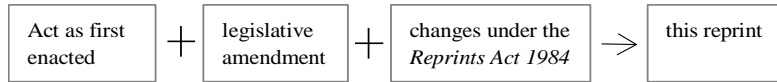
Western Australia

Governor's Establishment Act 1992

Reprint 1: The Act as at 2 May 2003

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

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Western Australia

**Reprinted under the
Reprints Act 1984 as
at 2 May 2003**

Governor's Establishment Act 1992

**An Act to make the Governor the employer of the staff of the
Governor's Establishment and for related matters.**

Part 1 — Preliminary

1. Short title

This Act may be cited as the *Governor's Establishment Act 1992*¹.

2. Commencement

This Act shall come into operation on the day on which section 7(1) of the *Industrial Relations Amendment Act (No. 4) 1987* comes into operation¹.

3. Interpretation

In this Act, unless the contrary intention appears —

“Government House, Perth” includes the grounds appurtenant thereto;

“member of the Governor's Establishment” means person who is employed as a member of the staff at Government House, Perth;

“the Director-General” means the person for the time being holding or acting in the office of chief executive officer of the department of the Public Service principally assisting the Minister administering the *Constitution Act 1889* in that administration;

“the Official Secretary” means the person for the time being holding or acting in the office of Official Secretary, Government House.

Part 2 — Governor as employer

4. Governor as employer of members of Governor's Establishment

- (1) The Governor is the employer of each member of the Governor's Establishment.
- (2) The Governor, when exercising the powers or performing the duties conferred or imposed on the Governor by this Act (other than the power conferred on the Governor by section 10), is not obliged to do so with the advice and consent of the Executive Council.

5. Power of Governor to appoint, dismiss, etc. members of Governor's Establishment, and transitional

- (1) The Governor may —
 - (a) appoint persons to be members of the Governor's Establishment; and
 - (b) subject to any award, order or industrial agreement in force under the *Industrial Relations Act 1979* and without limiting the application to this Act of the *Interpretation Act 1984*, at any time exercise in respect of a member of the Governor's Establishment any of the powers conferred by sections 52 and 53 of the *Interpretation Act 1984*.
- (2) Subject to subsection (3), a person who was immediately before the day referred to in section 2 a member of the Governor's Establishment shall on and after that day be deemed to have been appointed under subsection (1) to be a member of the Governor's Establishment.
- (3) Subsection (2) does not apply to or in relation to a person who was immediately before the day referred to in section 2 a member of the Governor's Establishment and whose services are on that day the subject of an arrangement made under section 6.

s. 6

6. Use of other government staff, etc.

- (1) The Governor may by arrangement between the Governor and the Minister concerned make use, either full-time or part-time, of —
- (a) the services of any officer or employee in the Public Service or in a State agency or instrumentality or otherwise in the service of the Crown in right of the State; or
 - (b) any facilities of a department of the Public Service or of a State agency or instrumentality.
- (2) An arrangement under subsection (1) is to be made on such terms as the Governor and the Minister concerned and the relevant employing authority within the meaning of the *Public Sector Management Act 1994* agree.

[Section 6 amended by No. 32 of 1994 s. 19.]

7. Saving in respect of public service officer

If a person appointed under section 5 was, immediately before being so appointed, a public service officer within the meaning of the *Public Sector Management Act 1994* —

- (a) he or she retains his or her existing and any accruing rights; and
- (b) for the purpose of determining those rights his or her service as such an officer is to be taken into account as if it were service as a member of the Governor's Establishment.

[Section 7 amended by No. 32 of 1994 s. 19.]

8. Payment of moneys payable by Governor as employer

Any moneys payable by the Governor in his or her capacity as an employer under this Act shall be paid on behalf of the Governor by the Treasurer and charged to the Consolidated Fund, which to the extent necessary is appropriated accordingly.

[Section 8 amended by No. 6 of 1993 s. 11; No. 49 of 1996 s. 64.]

9. Delegation

The Governor may, either generally or as otherwise provided by the instrument of delegation, by writing signed by the Governor delegate to the Official Secretary any of his or her powers or duties under this Act, other than this power of delegation and the power conferred on the Governor by section 10.

Part 3 — General

10. Regulations

The Governor may make regulations prescribing all matters that are required or permitted by this Act to be prescribed, or are necessary or convenient to be prescribed for giving effect to the purposes of this Act.



Notes

- ¹ This reprint is a compilation as at 2 May 2003 of the *Governor's Establishment Act 1992* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Governor's Establishment Act 1992</i>	39 of 1992	2 Oct 1992	3 Nov 1992 (see s. 2 and <i>Gazette</i> 3 Nov 1992 p. 5389)
<i>Financial Administration Legislation Amendment Act 1993</i> s. 11	6 of 1993	27 Aug 1993	1 Jul 1993 (see s. 2(1))
<i>Acts Amendment (Public Sector Management) Act 1994</i> s. 19	32 of 1994	29 Jun 1994	1 Oct 1994 (see s. 2 and <i>Gazette</i> 30 Sep 1994 p. 4948)
<i>Financial Legislation Amendment Act 1996</i> s. 64	49 of 1996	25 Oct 1996	25 Oct 1996 (see s. 2(1))
Reprint 1: The Governor's Establishment Act 1992 as at 2 May 2003 (includes amendments listed above)			

Governor's Establishment Act 1992

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