

Western Australia

Solicitor-General Amendment Act 2006

As at 30 Jun 2006

No. 29 of 2006

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Solicitor-General Amendment Act 2006

CONTENTS

1.	Short title	1
2.	Commencement	1
3.	The Act amended	1
4.	Section 2 amended	2
5.	Section 3 amended	2
6.	Section 4 replaced by sections 4 and 4A	2
	4. Remuneration	2
	4A. Leave and other conditions of service	3
7.	Section 5 amended	3
8.	Section 8 amended	3
9.	Section 10 amended	4
10.	Sections 11 and 12 repealed	4
11.	Section 14 inserted	4
	14. Transitional matters for <i>Solicitor-General Amendment Act 2006</i>	4
12.	<i>Equal Opportunity Act 1984</i> amended	5
13.	<i>Salaries and Allowances Regulations 1975</i> amended	5

Western Australia

Solicitor-General Amendment Act 2006

No. 29 of 2006

An Act to amend the *Solicitor-General Act 1969*.

[Assented to 30 June 2006]

The Parliament of Western Australia enacts as follows:

1. Short title

This is the *Solicitor-General Amendment Act 2006*.

2. Commencement

This Act comes into operation on 18 July 2006.

3. The Act amended

The amendments in this Act (other than sections 12 and 13) are to the *Solicitor-General Act 1969**.

[* Reprinted as at 1 November 2002.
For subsequent amendments see *Western Australian
Legislation Information Tables for 2005, Table 1, p. 418.*]

4. Section 2 amended

Section 2(2) is amended by deleting “4,”.

5. Section 3 amended

Section 3(1) is repealed and the following subsections are inserted instead —

“

- (1) The Governor may appoint a person to be the Solicitor-General of the State of Western Australia.
- (1a) Subject to this Act, the Solicitor-General holds office for the term (not exceeding 7 years) fixed by the instrument of appointment and is eligible for reappointment.

”.

6. Section 4 replaced by sections 4 and 4A

Section 4 is repealed and the following sections are inserted instead —

“

4. Remuneration

- (1) In this section —
“**remuneration**” has the meaning given to that term in section 4(1) of the *Salaries and Allowances Act 1975*.
- (2) The remuneration of the Solicitor-General is to be determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975*.

4A. Leave and other conditions of service

The Governor may determine —

- (a) the leave of absence to which the Solicitor-General is entitled; and
- (b) other terms and conditions of service that apply to the Solicitor-General.

”.

7. Section 5 amended

Section 5(2) is repealed.

Note: The heading to amended section 5 is to read “**Resignation**”.

8. Section 8 amended

- (1) After section 8(1) the following subsection is inserted —

“

- (1a) Subject to this Act, a person appointed under subsection (1) holds office for the term (not exceeding 12 months) fixed by the instrument of appointment and is eligible for reappointment.

”.

- (2) Section 8(2) is amended as follows:

- (a) by deleting “so appointed holds office, subject to this Act on such terms and conditions as the Governor determines and” and inserting instead —
“ appointed under subsection (1) holds office ”;
- (b) by deleting paragraph (a) and inserting —

“

- (a) the appointment is revoked or expires; or
- (aa) the person resigns the office; or

”.

- (3) After section 8(2) the following subsection is inserted —

- “
- (3) The Governor may determine the terms and conditions of service that apply to a person appointed under subsection (1).
- ”.

9. Section 10 amended

Section 10(2) is repealed.

10. Sections 11 and 12 repealed

Sections 11 and 12 are repealed.

11. Section 14 inserted

After section 13 the following section is inserted —

“

14. Transitional matters for *Solicitor-General Amendment Act 2006*

- (1) In this section —
- “**amended Act**” means this Act as amended by the *Solicitor-General Amendment Act 2006*;
- “**current Solicitor-General**” means the Solicitor-General holding office immediately before 18 July 2006;
- “**former Act**” means this Act as in force immediately before 18 July 2006.
- (2) This section applies if the current Solicitor-General is appointed under section 3(1) of the amended Act and section 25 of the *Interpretation Act 1984*.
- (3) Despite section 2 of the *Solicitor-General Amendment Act 2006*, that Act is taken to have come into operation on 18 July 2006 immediately after the retirement of the current Solicitor-General.

- (4) Sections 4, 4A and 10 of the amended Act do not apply in relation to the current Solicitor-General in respect of any period for which he has held or holds office whenever occurring.
- (5) Sections 4, 10, 11 and 12 of the former Act continue to apply in relation to the current Solicitor-General in respect of all periods for which he has held or holds office whenever occurring as if the aggregate of those periods were one continuous period of service.
- (6) The retirement of the current Solicitor-General referred to in subsection (3) is not retirement for the purposes of section 11 of the former Act.

”.

12. *Equal Opportunity Act 1984* amended

- (1) The amendments in this section are to the *Equal Opportunity Act 1984*.

[* *Reprint 4 as at 1 April 2005.*

For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, p. 149 and Act No. 18 of 2005.]

- (2) Section 66ZN(2) is amended as follows:
 - (a) by deleting “the office of —” and inserting instead —
“ any of the following offices — ”;
 - (b) after paragraph (h) by deleting “; or” and inserting a comma;
 - (c) by deleting paragraph (i).

13. *Salaries and Allowances Regulations 1975* amended

- (1) The amendment in this section is to the *Salaries and Allowances Regulations 1975**.

[* *Reprint 2 as at 2 September 2005.*]

s. 13

- (2) The Schedule is amended by inserting in the appropriate alphabetical position —

“

*Solicitor-General
Act 1969*

Solicitor-General of the State of
Western Australia

”.

- (3) This section does not prevent the *Salaries and Allowances Regulations 1975* from being amended or repealed in accordance with the *Salaries and Allowances Act 1975*.

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