

Western Australia

Alteration of Statutory Designations Act 1974

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Western Australia

Alteration of Statutory Designations Act 1974

An Act to facilitate the alteration of the style and title of Ministers of the Crown, offices and departments, and for purposes incidental thereto.

[Long title amended by No. 62 of 1981 s.2.]

Part I — General

1. Citation

This Act may be cited as the *Alteration of Statutory Designations Act 1974*¹.

[Section 1 amended by No. 62 of 1981 s.3.]

2. Commencement

This Act, or any Part thereof, shall come into operation on such date as is fixed by proclamation in relation thereto¹.

2A. Interpretation

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 2A inserted by No. 62 of 1981 s.4.]

3. Change of reference

(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.

- (2) An Order under this section shall not affect the validity of anything done by or in relation to any Minister of the Crown, office, or department before the coming into operation of the Order.
- (3) An Order under this section shall come into operation on the date on which it is published in the *Government Gazette*, or on such later date as may be specified in the Order.

[Section 3 amended by No. 62 of 1981 s.5.]

4. Variation or revocation of Orders

An Order in Council made pursuant to this Act may be varied or revoked by a subsequent Order in Council made thereunder.

s. 4A

4A. Effect of revocation of Order

Notwithstanding anything in the *Interpretation Act 1918*², an Order in Council under section 4 that revokes an Order in Council made pursuant to section 3 shall, unless the Order in Council made under section 4 otherwise directs, effect a revival of the reference altered by the Order in Council made pursuant to section 3.

[Section 4A inserted by No. 62 of 1981 s.6.]

4B. Governor may rectify omissions

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.

[Section 4B inserted by No. 62 of 1981 s.6.]

5. Saving of prerogative powers

Nothing in this Act shall prejudice any power exercisable by virtue of the prerogative of the Crown in relation to functions of Ministers of the Crown.

[Parts II, III, IV deleted by No. 62 of 1981 s. 7.]

[Part V deleted by No. 111 of 1979 s. 3.]

[Parts VI, VII deleted by No. 62 of 1981 s. 7.]

Notes

- ¹ This is a compilation of the *Alteration of Statutory Designations Act 1974* and includes all amendments effected by the other Acts referred to in the following Table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Ministers of the Crown (Statutory Designations) and Acts Amendment Act 1974</i> ³	27 of 1974	29 Oct 1974	6 Dec 1974 (see s. 2 and <i>Gazette</i> 6 Dec 1974 p. 5204)
<i>State Energy Commission Act 1979</i> , section 3(2)	111 of 1979	21 Dec 1979	1 Feb 1980 (see s. 2 and <i>Gazette</i> 1 Feb 1980 p. 284)
<i>Ministers of the Crown (Statutory Designations) Amendment Act 1981</i>	62 of 1981	13 Oct 1981	13 Oct 1981

- ² Now see the *Interpretation Act 1984* (No. 12 of 1984).

- ³ Short title subsequently amended (see footnote to section 1)/