

EMPLOYMENT AGENTS AMENDMENT ACT

No. 70 of 1990

AN ACT to amend the *Employment Agents Act 1976*.

[Assented to 22 December 1990.]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Employment Agents Amendment Act 1990*.

Commencement

2. This Act shall come into operation on such day as is, or days as are respectively, fixed by proclamation.

Principal Act

3. In this Act the *Employment Agents Act 1976** is referred to as the principal Act.

[*Act No. 10 of 1976 as amended by Act No. 98 of 1985.]

Section 4 amended

4. Section 4 of the principal Act is amended in subsection (1)—

(a) by inserting before the definition of “employment” the following definitions—

“ “authorized person” means a person authorized by the Commissioner;

“Commissioner” means the person holding or acting in the office of Commissioner for Consumer Affairs under section 15 of the *Consumer Affairs Act 1971*;

“Department” has the same meaning as it has in the *Consumer Affairs Act 1971*; ”;

(b) in the definition of “inspector” by deleting “appointed under section 11” and substituting the following—

“ designated under section 11B ”; and

(c) by repealing the definitions of “section” and “the Under Secretary”.

Section 11 repealed and sections 11, 11A, 11B, 11C, 11D and 11E substituted

5. Section 11 of the principal Act is repealed and the following sections are substituted—

Licensing officer

“ 11. For the purposes of this Act the functions of the licensing officer shall be performed by the person holding or acting in the office of Commercial Registrar under the *Commercial Tribunal Act 1984*.

Officers

11A. There shall be appointed under and subject to the *Public Service Act 1978* such officers and other persons as are necessary for the administration of this Act.

Inspectors

11B. The Commissioner may designate any person referred to in section 11A as an inspector.

Certificate of identity

11C. The Commissioner shall furnish an inspector with a certificate signed by the Commissioner certifying that that person has been designated an inspector.

Inspector subject to Commissioner

11D. In carrying out the functions conferred on an inspector by this Act the inspector shall give effect to any direction given by the Commissioner.

Conduct of proceedings

11E. Subject to the direction of the Commissioner, any proceedings for an offence against this Act may be instituted and conducted by the licensing officer or any inspector on his behalf. ”.

References to Under Secretary amended

6. The principal Act is amended by deleting “Under Secretary” wherever it occurs in the provisions referred to in the Table to this section and substituting in each case the following—

“ Commissioner ”.

TABLE

Section 10 (1)	Section 46 (1) and (2)
Section 20 (2)	Section 47 (2)
Section 24 (5) (b)	Section 49.
Section 31 (b)	
