

COUNTRY HIGH SCHOOL HOSTELS AUTHORITY.

No. 75 of 1979.

AN ACT to amend the Country High School Hostels
Authority Act, 1960-1972.

[Assented to 6th December, 1979.]

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 *Country High School Hostels Authority Act Amendment Act, 1979.*

Short title
and citation.

(2) In this Act the Country High School Hostels Authority Act, 1960-1972 is referred to as the principal Act.

Reprinted as
approved for
reprint 7th
April, 1971
and amended
by Act No. 62
of 1972.

(3) The principal Act as amended by this Act may be cited as the Country High School Hostels Authority Act, 1960-1979.

Section 4
amended.

2. Section 4 of the principal Act is amended by repealing subsections (2), (3), (4), and (5) and substituting the following subsections—

(2) The Authority consists of seven members appointed by the Governor on the nomination of the Minister.

(3) In making any nomination under subsection (2) of this section or subsection (4) of section five of this Act the Minister shall ensure that at all times at least one member is “an officer of the Public Service” within the meaning of that expression in the Public Service Act, 1978.

(4) Subject to subsection (3) of this section, the Minister may nominate under subsection (2) of this section any person whom he considers qualified to act as a member by reason of his association with the conduct of hostels, his suitability to represent the parents of children accommodated in hostels, or his general capacity for community service.

(5) The tenure of office of a member holding office immediately before the passing of the Country High School Hostels Authority Act Amendment Act, 1979 shall not be affected by the passing of that Act but each such member shall—

- (a) subject to subsection (5) of section five of this Act, continue to hold office for the unexpired portion of the term of his office; and
- (b) be eligible for re-appointment if he is then otherwise qualified to be a member. .

3. Section 5 of the principal Act is amended— Section 5
amended.
- (a) in paragraph (a) of subsection (1) by deleting the passage “, subject to subsection (2) of this section,” in lines two and three;
 - (b) by repealing subsections (2) and (3); and
 - (c) in subsection (4) by deleting the words “appoint another person having the required qualification” in lines two and three and substituting the passage “, on the nomination of the Minister, appoint another person”.
4. Section 7 of the principal Act is amended— Section 7
amended.
- (a) by inserting after the section designation “7.” the subsection designation “(1)”;
 - (b) by inserting after paragraph (ba) of subsection (1) the following new paragraph—
 - (bb) to enter into agreements for payment to the Authority of charges for accommodation in any hostel, and for the payment to it of costs, expenses, and disbursements incidental to such accommodation; ;
and
 - (c) by inserting the following new subsection—
 - (2) Payments received by the Authority before the passing of the Country High School Hostels Authority Act Amendment Act, 1979 and contracts entered into therefor before the passing of that Act shall not be invalid or called in question by reason only of the fact that at the time the payment was made or the contract was entered into paragraph (bb) of subsection (1) of this section was not in force. .

Section 10
repealed and
re-enacted.

5. Section 10 of the principal Act is repealed and the following section is substituted therefor—

Officers and
employees of
Authority.

10. (1) For the purposes of this Act the Authority may appoint such officers and servants of the Authority as it thinks fit.

(2) The terms and conditions of service of the officers and servants of the Authority (including their remuneration) shall be as determined by the Authority, with the approval of the Public Service Board, subject to any relevant award or industrial agreement under the Industrial Arbitration Act, 1912 or to any award or agreement under the Public Service Arbitration Act, 1966.

(3) By agreement with the Public Service Board, the Authority may for the purposes of this Act co-opt the services of any officer within the meaning of the Public Service Act, 1978 as secretary or as an officer of the Authority but any such arrangement shall not prejudice or affect—

(a) the provisions of the Public Service Act, 1978 or of that Act or any other Act applying to the officer as an officer of the Public Service; or

(b) his rights or obligations as such under any of those Acts.

(4) Notwithstanding anything in subparagraph (iv) of paragraph (ba) of subsection (1) of section seven or in section nine of this Act, the Authority shall not delegate any of its powers and functions under subsection (2) of this section. .
