



**PUBLIC SERVICE AMENDMENT ACT 1985**

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**No. 47 of 1985**

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**AN ACT to amend the Public Service Act 1973.**

**[Royal Assent 8 May 1985]**

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—This Act may be cited as the *Public Service Amendment Act* Short title.  
1985.

**2**—This Act shall commence on the day on which it receives the Commence-  
royal assent. ment.

Principal Act.

**3**—In this Act, the *Public Service Act 1973*\* is referred to as the Principal Act.

Insertion of  
new section  
67A in  
Principal Act.

**4**—After section 67 of the Principal Act, the following section is inserted:—

Delegation by  
Arbitrator.

67A—(1) The Arbitrator may, by instrument in writing, delegate to—

- (a) any person or persons specified in the instrument of delegation;
- (b) a board of appeal; or
- (c) a prescribed body,

the performance or exercise of such of his functions and powers (other than this power of delegation) as are specified in the instrument of delegation.

(2) The Arbitrator may, by instrument in writing, revoke wholly or in part or vary a delegation made under this section.

(3) A function or power, the performance or exercise of which has been delegated under this section, may, while the delegation remains unrevoked, be performed or exercised from time to time in accordance with the terms of the delegation.

(4) A delegation under this section may be made subject to such conditions or limitations as to the performance or exercise of any of the functions or powers delegated, or as to time or circumstance, as are specified in the instrument of delegation.

(5) Notwithstanding any delegation under this section, the Arbitrator may continue to perform or exercise all or any of the functions or powers delegated.

(6) Any act or thing done by or to a delegate while acting in the exercise of a delegation under this section shall have the same force and effect as if the act or thing had been done by or to the Arbitrator and shall be deemed to have been done by or to the Arbitrator.

\* No. 18 of 1973. Amended by No. 50 of 1974, No. 68 of 1976, Nos. 9, 24, 30, and 40 of 1977, No. 85 of 1979, Nos. 55 and 57 of 1980, No. 10 of 1982, No. 74 of 1983, Nos. 20, 21, and 23 of 1984, and by S.R. 1981, Nos. 76 and 218, S.R. 1982, No. 134, S.R. 1983, No. 146, and S.R. 1984, Nos. 50 and 84.

(7) An instrument purporting to be signed by a delegate of the Arbitrator in his capacity as such a delegate shall in all courts and before all persons acting judicially be received in evidence as if it were an instrument executed by the Arbitrator and, until the contrary is proved, shall be deemed to be an instrument signed by a delegate of the Arbitrator under this section.

(8) If the Arbitrator by whom a delegation is made dies, or ceases to hold, or is suspended from, office, that delegation shall be deemed to continue in force according to its tenor until it is revoked or varied under this section.

