



## PUBLIC WORKS CONSTRUCTION

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No. 30 of 1977

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### ANALYSIS

1. Short title and citation.
2. Interpretation.
3. Regulations.
4. Functions of Director of Public Works to be performed by other persons.
5. Consequential amendments.

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**AN ACT to amend the Public Works Construction Act 1880 and certain other Acts.**

[19 May 1977]

**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—(1)** This Act may be cited as the *Public Works Construction Act 1977*. Short title and citation.

(2) The *Public Works Construction Act 1880\**, as subsequently amended, is in this Act referred to as the Principal Act.

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\* 44 Vict. No. 32. For this Act as amended to 1959, see Reprint of Statutes (1826-1959), Vol. 4, page 1077. Subsequently amended by No. 55 of 1965 and by No. 5 of 1974.

**2** Section 1 of the Principal Act is repealed and the following section is substituted:—

Interpre-  
tation.

“ 1 In relation to any public work, references in this Act to the Minister shall be construed as including, as well as a reference to the Minister for the time being administering this Act, references to the Minister authorized to carry out that work or administering the Act by which it is authorized.”.

Regulations.

**3** Section 8A of the Principal Act is amended by omitting subsection (3) and substituting the following subsection:—

“(3) Regulations under this section may authorize the Minister to delegate, with or without restrictions or conditions, any of the powers and duties conferred on him by the regulations.”.

Functions of  
Director of  
Public Works  
to be performed  
by other  
persons.

**4** Subject to this Act where by any Act any functions are conferred on the Director of Public Works those functions may be performed by the holder of such office in the Public Service as the Minister administering the Principal Act may, by order, declare.

Consequential  
amendments.

**5** The Acts that are specified in the Schedule are amended as respectively specified in the Schedule.

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## SCHEDULE

(Section 5)

*Local Government Act 1962*

(No. 67 of 1962)

1. Section 143 is amended—

(a) by omitting the words “Director of Public Works” (wherever occurring) and substituting the words “appropriate authority” in each case; and

(b) by adding at the end of that section the following subsection:—

“(6) In this section ‘appropriate authority’ means a person holding such office in the Public Service as may be prescribed and different authorities may be prescribed in relation to certificates of competency of different kinds.”.

2. Section 361 is amended—

(a) by omitting from paragraph (c) of subsection (6) the words “Director of Public Works” and substituting the words “appropriate authority”; and

(b) by inserting after that subsection the following subsection:—

“(6A) For the purposes of subsection (6) ‘appropriate authority’ means a person holding such office in the Public Service as may be prescribed.”.

*Public Service Act 1973*

(No. 18 of 1973)

The Third Schedule is amended by omitting the item relating to “Employees employed in the Department of Public Works under the *Public Works Construction Act 1880*” and substituting the following item:—

<p>“Employees employed under the <i>Public Works Construction Act 1880</i> whose salaries or conditions of service are not prescribed in an industrial award or determination of a wages board.</p>	<p>The permanent head of the department in which he is employed.”.</p>
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*Roads and Jetties Act 1935*

(26 Geo. V No. 82)

Section 3 is amended by omitting the definition of “Minister”.

