

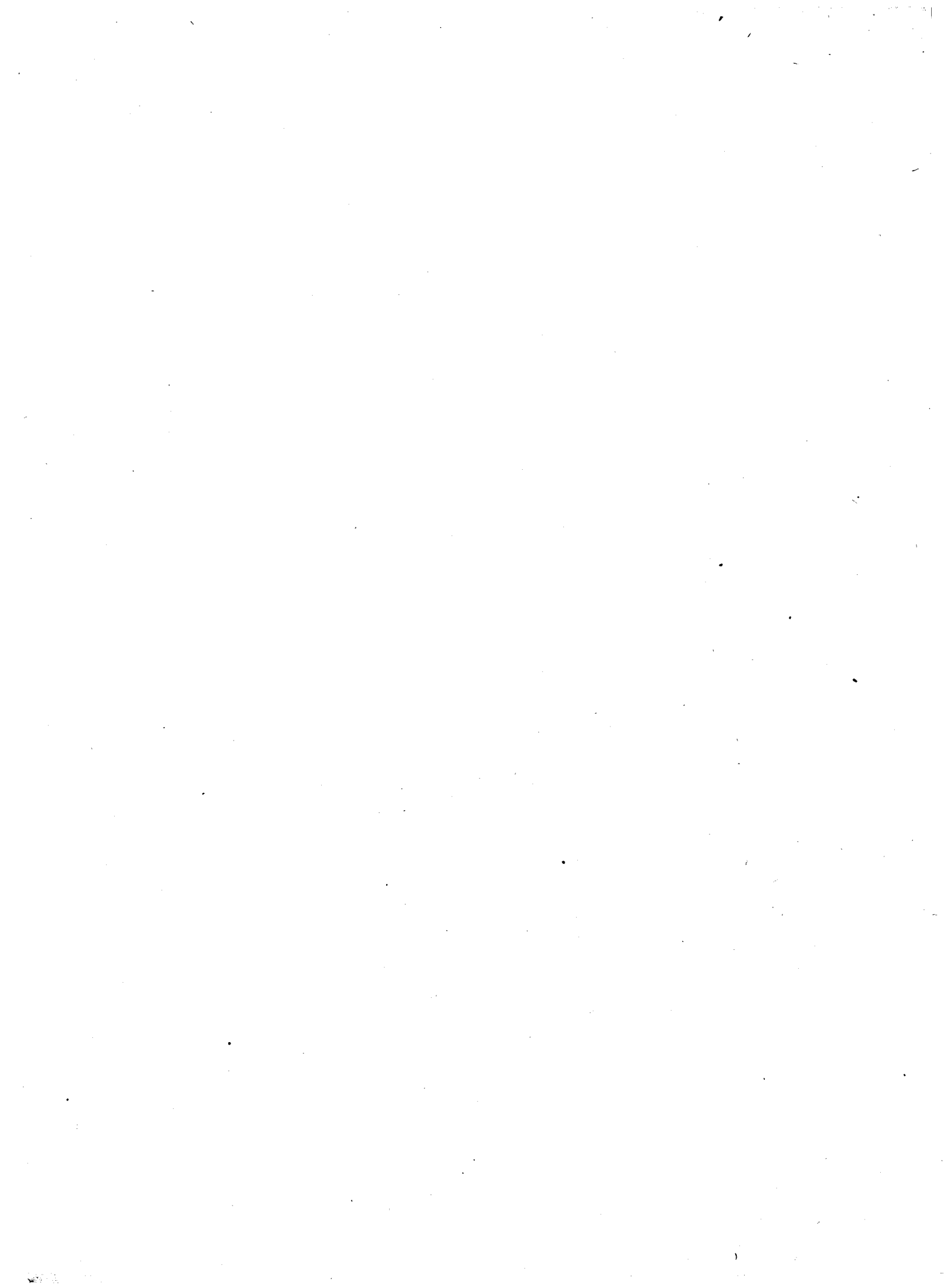
TASMANIA.

THE MINISTERS OF THE CROWN ACT, 1919.

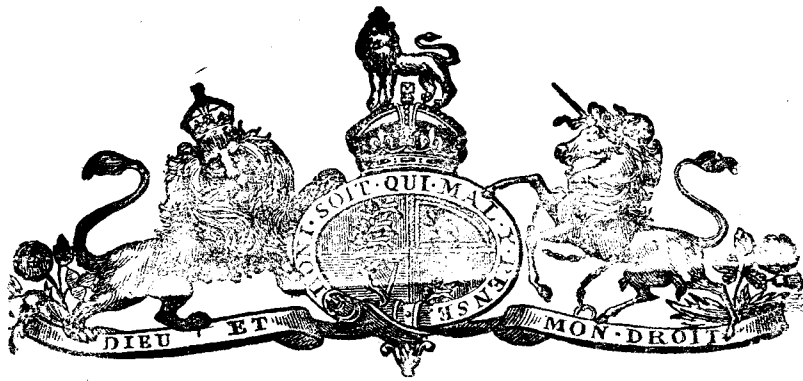
ANALYSIS.

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| <p>1. Short title.</p> <p>2. Repeal of 1 Geo. V. No. 38.</p> <p>3. Interpretation.</p> <p>4. Governor may appoint Minister for Lands and Minister for Works in place of Minister of Lands and Works.</p> <p> Upon such appointments being made, Act 33 Vict. No. 4 to be repealed. Amendment of Section 5 of 34 Vict. No. 42.</p> <p>5. Governor may divide duties of Minister of Lands and Works between Ministers so appointed.</p> <p> And by proclamation commit to each such Minister his allotted share of such duties.</p> <p> Upon publication of proclamation each such Minister may exercise his allotted powers, &c.</p> | <p>Substituting of reference to other Minister for words "Minister of Lands and Works" occurring in Acts, &c.</p> <p>New Minister substituted for Minister of Lands and Works in contracts, &c.</p> <p>6. Interpretation of expression "Minister of Agriculture" in Acts, &c.</p> <p>7. Power to change administrative duties generally.</p> <p>8. Where another office held by virtue of a ministerial office.</p> <p>9. Signature by one Minister in the absence of another.</p> <p>10. Saving.</p> <p>11. Ministers salaries.</p> |
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T A S M A N I A



1919.

ANNO DECIMO

GEORGII V. REGIS.

No. 5.

AN ACT to provide for the Appointment of a Minister for Lands and of a Minister for Works in place of a Minister of Lands and Works, to fix the Salaries of the Responsible Ministers of the Crown, and for other purposes. [2 August, 1919.]

A.D.
1919.

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 Ministers of the Crown Act, 1919.”

Short title.

2 “The Ministers’ Salaries Act, 1910,” is hereby repealed.

Repeal of 1 Geo.
V. No. 38.

3 In this Act—

Interpretation.

“Minister” means a Responsible Minister of the Crown for the time being for this State.

“Act” includes regulations, rules, by-laws, orders, notifications, and proclamations made under or by virtue of the Act.

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Governor may appoint Minister for Lands and Minister for Works in place of Minister of Lands and Works.

Upon such appointments being made, Act 33 Vict. No. 4 to be repealed.

Amendment of Section 5 of 34 Vict. No. 42.

Governor may divide duties of Minister of Lands and Works between Ministers so appointed.

And by proclamation commit to each such Minister his allotted share of such duties.

Upon publication of proclamation each such Minister may exercise his allotted powers, &c.

Substitution of reference to other Minister for words "Minister of Lands and Works" occurring in Acts, &c.

Power to appoint Minister for Lands and Minister for Works in place of Minister of Lands and Works, and to apportion duties

- 4** It shall be lawful for the Governor to appoint during pleasure—
- i. Such person as he sees fit as and to be Minister for Lands for this State: and also
 - ii. Such person as he sees fit as and to be Minister for Works for this State—
- and upon such appointments being made—
- iii. The existing office of Minister of Lands and Works shall be deemed to be abolished and superseded: and
 - iv. The Act intituled "An Act to provide for the appointment of a Minister of Lands and Works" shall be repealed.
 - v. Section Five of "The Constitution Amendment Act, 1870," shall be read and construed as if the words "Offices of Colonial Secretary, Colonial Treasurer, Attorney-General, and Minister of Lands and Works" were omitted therefrom, and the words "Office of a Minister of the Crown" were inserted in the said section in the place of the words so omitted.

- 5—(1)** It shall be lawful for the Governor—
- i. To apportion and divide between the Minister for Lands and the Minister for Works the powers, official duties, offices, functions, matters, and obligations previously exerciseable performed, or undertaken by the Minister of Lands and Works, or appertaining, annexed, or incident to the office or appointment of Minister of Lands and Works, as the Governor deems proper (whether such powers, duties, offices, functions, matters, or obligations were created by virtue of the terms, expressed or implied, of any Act or Order in Council, or are sanctioned by official or other custom or practice): and
 - ii. By proclamation, to commit to and authorise each of them, the said Minister for Lands and Minister for Works, to exercise, perform, and undertake his share thereof, so determined by the Governor as aforesaid, and such share may by the said proclamation be defined specifically or referred to in general terms.

(2) Upon the publication of any such proclamation as aforesaid, each of them, the said Minister for Lands and Minister for Works shall exercise, carry out, and perform the powers, official duties, offices, functions, and matters and be responsible for the obligations indicated in his case by the said proclamation, and all Acts and Orders-in-Council shall be read accordingly,

(3) Wherever the words "Minister of Lands and Works" or "Minister for Lands and Works" or any other designation by implication or otherwise of the Minister of Lands and Works, occur in any Act, or in any agreement or document made under or by virtue of or in relation to any Act, then there shall be deemed to be substituted for the said words or designation—

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- i. The words "Minister for Lands" if the administration of such Act shall have been committed to that Minister by virtue of a proclamation under this Act: A.D. 1919.
- ii. The words "Minister for Works" if the administration of such Act shall have been committed to that Minister by virtue of a proclamation under this Act.

(4) All contracts, bonds, and agreements entered into, given or made, before the passing of this Act, under or by virtue of or in relation to any Act, by or to a specified Minister of the Crown (whether by the title of his office or by any other designation by implication or otherwise referring to him), shall if the administration of such Act shall have been committed under or by virtue of a proclamation under this section to—

New Minister substituted for Minister of Lands and Works in contracts, &c.

- i. The Minister for Lands, be as binding and of as full force and effect respectively against or in favour of that Minister, and may be enforced as fully and effectually as if, instead of the said specified Minister, the Minister for Lands had been party thereto:
- ii. The Minister for Works, be as binding and of as full force and effect respectively against or in favour of that Minister, and may be enforced as fully and effectually as if, instead of the said specified Minister, the Minister for Works had been party thereto.

6 Wherever the expression "Minister of Agriculture" or "Minister for Agriculture" occurs in any Act or Order-in-Council, or in any deed, agreement, or document made under or by virtue of or in relation to any Act, such expression shall be deemed to refer to and mean the Responsible Minister of the Crown for the time being controlling the Department of Agriculture.

Interpretation of expression "Minister of Agriculture" in Acts, &c.

Such Responsible Minister when doing any act, matter, or thing in relation to or connected with the said Department, or under or in relation to any Act administered or carried out by that Department shall be styled or called "The Minister for Agriculture."

Power to Change Administrative Duties generally.

- 7—i. Whenever by this Act or any Proclamation under Section Five thereof or by any other Act, it is provided, expressly or impliedly, or the intention is otherwise shown, that any Act, or any matter or office, shall be administered by any specified Minister, or that anything shall be done or suffered by any specified Minister; or
- ii. Whenever it has been the practice for any Act, matter, or office to be administered, or for anything to be done or suffered by any Minister—

Power to change administrative duties generally.

it shall be lawful for the Governor, by proclamation, to commit the administration of such Act, matter, or office, or the doing or suffering of such thing, to such other Minister as he deems proper, and from time to time in like manner, to commit such administration doing or

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suffering to any other Minister. And in any such case such Act matter or thing shall be administered, or such thing shall be done or suffered, as provided by the proclamation for the time being in force, and all Acts shall be read accordingly: Provided that no authority shall be granted under this section empowering a Minister to exercise or perform the powers, duties, and obligations by law annexed or incident to the office of the Attorney-General.

Where another office held by virtue of a Ministerial office.

8 Whenever by any Act it is provided that any specified Minister shall hold any Ministerial or other office therein mentioned or referred to as or by virtue of his being such Minister, it shall be lawful for the Governor, by Proclamation, to declare that such office shall be held by such other Minister as he deems proper, and from time to time in like manner, to declare that such office shall be held by any other Minister: And in such case the said office shall be held accordingly, and such Act shall be deemed to provide that the said office shall be held as provided by the proclamation for the time being in force, and not as provided by such Act.

Signature by One Minister in the absence of another.

9 Subject to the proviso to Section Seven of this Act any official document, minute, instrument, or paper of what kind soever, which according to official custom or to the requirements of any Act, requires or appears to require the signature of any particular Minister, shall in the absence or disability of such Minister, or in the event of a vacancy in the office of such Minister, be valid and effectual to all intents and purposes if signed by any other Minister.

Saving.

Saving

10 Until otherwise provided by proclamation, and except so far and so long as otherwise provided by proclamation, every Act matter and office shall be administered, and everything shall be done and suffered as provided by any Act for the time being in force and making provision in that behalf, and in case there is no Act in force and making such provision then according to the usual practice in that behalf.

Ministers Salaries.

Ministers salaries.

11 From and after the First day of July, One thousand nine hundred and nineteen, there shall be annually paid and applied out of the Consolidated Revenue, as the salaries of the persons for the time being holding the ministerial offices named in the schedule to this Act the sums set opposite to such offices in the said schedule, and such salaries shall be in addition to any allowance to which such persons are entitled under "The Payment of Members Act, 1919."

10 Geo. V. No. 3.

Provided that if Two or more of such offices are held at any one time by the same person, he shall, nevertheless be paid the salary attached to one of the said offices only.

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SCHEDULE.

	£
Chief Secretary.....	700
Attorney-General	700
Treasurer	700
Minister for Lands	700
Minister for Works	700

Any person who shall, whether in conjunction with any ministerial office mentioned in the foregoing schedule or not, hold the position of Premier, shall be entitled to receive a sum at the rate of £200 per annum during the time he continues to hold such position of Premier in addition to the salary received by him in connection with such ministerial office (if any).

