

No. VI.

EXECUTIVE
COUNCILLORS
(FUNCTIONS
SUBSTITUTION.)

An Act to enable the Governor with the advice of the Executive Council to make certain arrangements for the administration of the Departments of Government. [*5th July, 1880.*]

Preamble.

WHEREAS it is expedient (in cases of emergency or necessity or for the despatch of urgent public business or for greater public convenience) that the assumption by a Member of the Executive Council of certain functions of Government which by the terms of the statute law or by implication thereof or by official practice appear to appertain or to be annexed to some other Member of the said Council by his official designation should for the future have the sanction of an Act of Parliament Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Short title and interpretation.

1. This Act may be cited for all purposes as the "Executive Councillors (Functions Substitution) Act" and in its construction the expression "Member of the Executive Council" includes any Member of
of

Volunteer Land Orders.

of such Council heretofore appointed or hereafter to be appointed and sworn in a Member thereof being also a Minister of the Crown but does not include the Governor or Officer administering the Government of this Colony.

2. It shall be lawful for the Governor with the advice of the Executive Council to authorize any Member of the said Council to exercise the powers and perform the official duties and be responsible for the obligations appertaining or annexed to any other member of the said Council in respect to the administration of any Department of the Public Service whether such powers duties or obligations shall have been or be created by virtue of the terms (express or implied) of any Act of Parliament or shall have been or be sanctioned by official or other custom Provided that no such authority shall be granted under this Act in respect of the powers duties and obligations now or hereafter to be by law annexed or incident to the office of Her Majesty's Attorney-General.

Governor in Council may change administrative duties.

3. Every such authority so to be granted shall be in such terms and subject to such conditions as the Governor with the advice aforesaid shall think fit and shall be duly recorded by the Officer in charge of the Records of the Executive Council.

Record of authorities granted under this Act.

4. Any official document minute instrument or paper of what kind soever (subject however to the proviso in the second section of this Act) which according to official custom or to the requirements of any Act of Parliament requires or appears to require the signature of any particular Member of the Executive Council shall in the absence or other disability of such Member be valid and effectual to all intents and purposes if signed by any other Member of the said Council.

Signatures by one Member of the Executive Council in the absence of another.

5. All acts whatsoever connected with the administration of any Department of the Public Service or Act of the Legislature done or commenced before the passing of this Act by any Member of the Executive Council having assumed to act in the place of any other Member of the said Council shall be as valid and effectual to all intents and purposes as if the same had been done or commenced by such last-mentioned Member of the said Council.

Validation of certain Ministerial acts.