



New South Wales

Administrative Arrangements (Administrative Changes—Ministers) Order (No 2) 2019

under the

Constitution Act 1902

DAVID HURLEY, Governor

I, General The Honourable David Hurley AC DSC (Ret'd), Governor of New South Wales, with the advice of the Executive Council, and in pursuance of Part 7 of the *Constitution Act 1902*, make the following Order.

Dated, this 1st day of May 2019.

By His Excellency's Command,

GLADYS BEREJIKLIAN, MP
Premier

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Constitution Act 1902

1 Name of Order

This Order is the *Administrative Arrangements (Administrative Changes—Ministers) Order (No 2) 2019*.

2 Commencement

- (1) This Order commences on the day on which it is published on the NSW legislation website, except as provided by subclause (2).
- (2) Clause 4 is taken to have commenced on 2 April 2019.

3 Definitions

In this Order:

document means any Act or statutory or other instrument, or any contract or agreement.

previous Ministers order means the *Administrative Arrangements (Administrative Changes—Ministers) Order 2019*.

reference to a Minister includes a reference that (by or under any Act) is to be construed or treated as a reference to that Minister.

Note. Part 7 of the *Constitution Act 1902* and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Order.

4 Amendment of Administrative Arrangements (Administrative Changes—Ministers) Order 2019

- (1) **Clauses 18, 19, 21, 24–27, 32, 38, 41 and 42**
Omit “General,” wherever occurring. Insert instead “General, and”

- (2) **Clause 28**
Omit the clause. Insert instead:

28 Construction of references to Minister for the Environment

In any document, a reference to the Minister for the Environment is to be construed as a reference to the Minister for Planning and Public Spaces.

- (3) **Clause 37 Construction of references to Minister for Mental Health**
Omit “Mental” where secondly occurring.

5 Construction of certain interim references to cluster Ministers

(1) In this clause:

cluster Minister means a Minister to whom the administration of an Act was allocated by the *Administrative Arrangements (Administration of Acts—General) Order 2019*.

interim period means the period between 2 April 2019 and the commencement of this Order (except for clause 4).

(2) A reference to a cluster Minister in any document enacted, made or entered into during the interim period is, if the reference is used in or in relation to an Act administered by that Minister during the interim period, to be construed as a reference to the Minister to whom the administration of that Act is allocated by the *Administrative Arrangements (Administration of Acts—General) Order (No 2) 2019*.

6 Construction of references to Minister for Regional New South Wales

In any document, a reference to the Minister for Regional New South Wales (required by clause 4 of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed as a reference to the Deputy Premier, Minister for Regional New South Wales, Industry and Trade.

7 Construction of references to Minister for Skills

In any document, a reference to the Minister for Skills (required by clause 5 of the previous Ministers order to be construed as a reference to the Minister for Education and Early Childhood Learning) is to be construed as a reference to the Minister for Skills and Tertiary Education.

8 Construction of references to Minister for Small Business

In any document, a reference to the Minister for Small Business (required by clause 6 of the previous Ministers order to be construed as a reference to the Treasurer) is to be construed as a reference to the Minister for Finance and Small Business.

9 Construction of references to Minister for Industrial Relations

In any document, a reference to the Minister for Industrial Relations (required by clause 7 of the previous Ministers order to be construed as a reference to the Premier) is to be construed as a reference to the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts.

10 Construction of references to Minister for Primary Industries

In any document, a reference to the Minister for Primary Industries (required by clause 8 of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed:

- (a) as a reference to the Deputy Premier, Minister for Regional New South Wales, Industry and Trade if used in or in relation to legislation administered by that Minister, or
- (b) in any other case, as a reference to the Minister for Agriculture and Western New South Wales.

11 Construction of references to Minister for Regional Water

In any document, a reference to the Minister for Regional Water (required by clause 9 of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed as a reference to the Minister for Water, Property and Housing.

12 Construction of references to Minister for Resources

In any document, a reference to the Minister for Resources (required by clause 10 of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed as a reference to the Deputy Premier, Minister for Regional New South Wales, Industry and Trade.

13 Construction of references to Minister for Energy and Utilities

In any document, a reference to the Minister for Energy and Utilities (required by clause 11 of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed:

- (a) as a reference to the Minister for Water, Property and Housing if used in or in relation to legislation administered by that Minister, or
- (b) in any other case, as a reference to the Minister for Energy and Environment.

14 Construction of references to Minister for Arts

In any document, a reference to the Minister for Arts (required by clause 12 of the previous Ministers order to be construed as a reference to the Premier) is to be construed as a reference to the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts.

15 Construction of references to Minister for Education

In any document, a reference to the Minister for Education (required by clause 16 of the previous Ministers order to be construed as a reference to the Minister for Education and Early Childhood Learning) is to be construed:

- (a) as a reference to the Minister for Skills and Tertiary Education if used in or in relation to legislation administered by that Minister, or
- (b) in any other case, as a reference to the Minister for Education and Early Childhood Learning.

16 Construction of references to Minister for Police

In any document, a reference to the Minister for Police (required by clause 18 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Police and Emergency Services.

17 Construction of references to Minister for Emergency Services

In any document, a reference to the Minister for Emergency Services (required by clause 19 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Police and Emergency Services.

18 Construction of references to Minister for Finance, Services and Property

In any document, a reference to the Minister for Finance, Services and Property (required by clause 20 of the previous Ministers order to be construed as a reference to various specified Ministers) is to be construed:

- (a) as a reference to the Minister for Customer Service if used in or in relation to legislation administered by that Minister, or
- (b) as a reference to the Minister for Water, Property and Housing if used in or in relation to legislation administered by that Minister, or
- (c) in any other case, as a reference to the Minister for Finance and Small Business.

19 Construction of references to Minister for Family and Community Services

In any document, a reference to the Minister for Family and Community Services (required by clause 21 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Families, Communities and Disability Services.

20 Construction of references to Minister for Social Housing

In any document, a reference to the Minister for Social Housing (required by clause 22 of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed as a reference to the Minister for Water, Property and Housing.

21 Construction of references to Minister for Lands and Forestry

In any document, a reference to the Minister for Lands and Forestry (required by clause 23 of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed as a reference to the Deputy Premier, Minister for Regional New South Wales, Industry and Trade.

22 Construction of references to Minister for Racing

In any document, a reference to the Minister for Racing (required by clause 24 of the previous Ministers order to be construed as a reference to various specified Ministers) is to be construed:

- (a) as a reference to the Minister for Customer Service if used in or in relation to legislation administered by that Minister, or
- (b) in any other case, as a reference to the Minister for Better Regulation and Innovation.

23 Construction of references to Minister for Counter Terrorism

In any document, a reference to the Minister for Counter Terrorism (required by clause 25 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Counter Terrorism and Corrections.

24 Construction of references to Minister for Corrections

In any document, a reference to the Minister for Corrections (required by clause 26 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Counter Terrorism and Corrections.

25 Construction of references to Minister for Veterans Affairs

In any document, a reference to the Minister for Veterans Affairs (required by clause 27 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Sport, Multiculturalism, Seniors and Veterans.

26 Construction of references to Minister for the Environment

In any document, a reference to the Minister for the Environment (required by clause 28 of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed:

- (a) as a reference to the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts if used in or in relation to legislation administered by that Minister, or
- (b) in any other case, as a reference to the Minister for Energy and Environment.

27 Construction of references to Minister for Heritage

In any document, a reference to the Minister for Heritage (required by clause 29 of the previous Ministers order to be construed as a reference to the Premier) is to be construed as a reference to the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts.

28 Construction of references to Minister for Western Sydney

In any document, a reference to the Minister for Western Sydney (required by clause 30 of the previous Ministers order to be construed as a reference to the Treasurer) is to be construed as a reference to the Minister for Jobs, Investment, Tourism and Western Sydney.

29 Construction of references to Minister for Sport

In any document, a reference to the Minister for Sport (required by clause 32 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Sport, Multiculturalism, Seniors and Veterans.

30 Construction of references to Minister for Innovation and Better Regulation

In any document, a reference to the Minister for Innovation and Better Regulation (required by clause 34 of the previous Ministers order to be construed as a reference to the Minister for Customer Service) is to be construed as a reference to the Minister for Better Regulation and Innovation.

31 Construction of references to Minister for Tourism and Major Events

In any document, a reference to the Minister for Tourism and Major Events (required by clause 35 of the previous Ministers order to be construed as a reference to the Treasurer) is to be construed as a reference to the Minister for Jobs, Investment, Tourism and Western Sydney.

32 Construction of references to Assistant Minister for Skills

In any document, a reference to the Assistant Minister for Skills (required by clause 36 of the previous Ministers order to be construed as a reference to the Minister for Education and Early Childhood Learning) is to be construed as a reference to the Minister for Skills and Tertiary Education.

33 Construction of references to Minister for Mental Health

In any document, a reference to the Minister for Mental Health (required by clause 37 of the previous Ministers order to be construed as a reference to the Minister for Health and Medical Research) is to be construed as a reference to the Minister for Mental Health, Regional Youth and Women.

34 Construction of references to Minister for Ageing

In any document, a reference to the Minister for Ageing (required by clause 38 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Sport, Multiculturalism, Seniors and Veterans.

35 Construction of references to Minister for Aboriginal Affairs

In any document, a reference to the Minister for Aboriginal Affairs (required by clause 40 of the previous Ministers order to be construed as a reference to the Premier) is to be construed as a reference to the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts.

36 Construction of references to Minister for Multiculturalism

In any document, a reference to the Minister for Multiculturalism (required by clause 41 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Sport, Multiculturalism, Seniors and Veterans.

37 Construction of references to Minister for Disability Services

In any document, a reference to the Minister for Disability Services (required by clause 42 of the previous Ministers order to be construed as a reference to the Attorney General, and Minister for the Prevention of Domestic Violence) is to be construed as a reference to the Minister for Families, Communities and Disability Services.

38 Construction of certain references in legislation relating to local water utilities

- (1) A reference in sections 57–66 of the *Local Government Act 1993* (and in any instrument of any kind, or in any contract or agreement, made pursuant to any such provision) to the Minister for Primary Industries (required by clause 43 (1) of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed as a reference to the Minister for Water, Property and Housing.
- (2) A reference in clause 21, 138 or 147 of the *Local Government (General) Regulation 2005* (and in any instrument of any kind, or in any contract or agreement, made pursuant to any such provision) to the Minister for Utilities (required by clause 43 (2) of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed as a reference to the Minister for Water, Property and Housing.
- (3) The reference in section 409 (6) of the *Local Government Act 1993* to the Minister for Energy and Utilities (required by clause 43 (3) of the previous Ministers order to be construed as a reference to the Minister for Planning and Public Spaces) is to be construed as a reference to the Minister for Water, Property and Housing.