



New South Wales

Administrative Arrangements (Administrative Changes—Miscellaneous) Order 2020

under the

Constitution Act 1902

MARGARET BEAZLEY, Governor

I, the Honourable Margaret Beazley AC QC, 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 July 2020.

By Her Excellency's Command,

GLADYS BEREJIKLIAN, MP
Premier

Contents

	Page
1 Name of Order	3
2 Commencement	3
3 Definition	3
4 Transfer of Aboriginal Cultural Heritage Regulation Branch from DPIE to DPC	3
5 Construction of certain references relating to protection of Aboriginal objects and places	3
6 Construction of certain references in Retail Leases Act 1994	4
7 Amendment of Administrative Arrangements (Administrative Changes—Public Service Agencies) Order 2019	4
8 Amendment of Administrative Arrangements (Administrative Changes—Miscellaneous) Order 2019	4

Administrative Arrangements (Administrative Changes—Miscellaneous) Order 2020

under the

Constitution Act 1902

1 Name of Order

This Order is the *Administrative Arrangements (Administrative Changes—Miscellaneous) Order 2020*.

2 Commencement

- (1) This Order commences on 1 July 2020 (except as provided by subclause (2)) and is required to be published on the NSW legislation website.
- (2) Clause 7 is taken to have commenced on 1 July 2019.

3 Definition

In this Order—

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

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 Transfer of Aboriginal Cultural Heritage Regulation Branch from DPIE to DPC

- (1) The Aboriginal Cultural Heritage Regulation Branch is transferred from the Department of Planning, Industry and Environment to the Department of Premier and Cabinet.
- (2) In any document, a reference to the Aboriginal Cultural Heritage Regulation Branch of the Department of Planning, Industry and Environment is to be construed as a reference to the Aboriginal Cultural Heritage Regulation Branch of the Department of Premier and Cabinet.

5 Construction of certain references relating to protection of Aboriginal objects and places

- (1) In any document—
 - (a) a reference to the Office of Environment and Heritage or the Department of Planning, Industry and Environment is to be construed as a reference to the Department of Premier and Cabinet, and
 - (b) a reference to the Chief Executive of the Office of Environment and Heritage is to be construed as a reference to the Secretary of the Department of Premier and Cabinet,to the extent that the reference relates to the protection of Aboriginal objects and Aboriginal places under Part 6 of the *National Parks and Wildlife Act 1974*.
- (2) Without limiting subclause (1), a reference in sections 87A(a), 156C(1)(c) and 188A(b) of the *National Parks and Wildlife Act 1974* to an officer of the Service is to be construed as a reference to a person employed in the Department of Planning,

Industry and Environment or the Department of Premier and Cabinet who is principally involved in the administration of the national parks legislation within the meaning of that Act.

- (3) This clause does not apply in relation to sections 9, 23 and 191 of the *National Parks and Wildlife Act 1974* or to Part 2 of the *National Parks and Wildlife Regulation 2019*.

6 Construction of certain references in Retail Leases Act 1994

A reference in any of the following provisions of the *Retail Leases Act 1994* to the Department of Industry, Skills and Regional Development (required by previous orders to be construed as a reference to the Department of Planning, Industry and Environment) is to be construed as a reference to the Treasury—

- (a) the definition of *Secretary* in section 3(1),
- (b) sections 16Z, 16ZA(1)(a), 82B(1)(a) and 83A(6).

7 Amendment of Administrative Arrangements (Administrative Changes—Public Service Agencies) Order 2019

(1) Clause 17 Transfer of certain OEH staff to DPC

Omit clause 17(2). Insert instead—

- (2) In any document—
 - (a) a reference to the Office of Environment and Heritage is, if used in relation to a part of that Office referred to in subclause (1), to be construed as a reference to the Department of Premier and Cabinet, and
 - (b) a reference to the Chief Executive of the Office of Environment and Heritage is, if used in relation to a part of that Office referred to in subclause (1), to be construed as a reference to the Secretary of the Department of Premier and Cabinet.

(2) Clause 17A Transfer of Historic Houses staff to DPC

Omit clause 17A(2). Insert instead—

- (2) In any document—
 - (a) a reference to the Office of Environment and Heritage or the Department of Planning and Environment is, if used in relation to a part of that Office or Department referred to in subclause (1), to be construed as a reference to the Department of Premier and Cabinet, and
 - (b) a reference to the Chief Executive of the Office of Environment and Heritage is, if used in relation to a part of that Office referred to in subclause (1), to be construed as a reference to the Secretary of the Department of Premier and Cabinet.

8 Amendment of Administrative Arrangements (Administrative Changes—Miscellaneous) Order 2019

Clause 8 Construction of certain references in Sydney Olympic Park Authority Act 2001

Omit clause 8(2).