



ANNO TRICESIMO SEPTIMO

VICTORIÆ REGINÆ.

A.D. 1873.

No. 16.

An Act to enable His Excellency the Governor to appoint Acting Ministers of the Crown in certain cases.

[Assented to, 18th December, 1873.]

WHEREAS inconvenience from time to time arises by reason Preamble.
of the temporary absence from duty of Ministers of the Crown—Be it therefore Enacted by the Governor of the Province of South Australia, by and with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. Whenever any of the Ministers of the Crown for the Province of South Australia shall, through ill health, temporary absence from the seat of Government or from the said Province, or other like cause, be unable to perform the duties of his office, the Governor in Council may, from time to time, issue a Commission under his hand and the Public Seal of the said Province nominating and appointing one of such Ministers as Acting Minister in the place of the Minister so unable to perform the duties of his office as aforesaid during such inability: and from and after the issue of such Commission, and during the continuance thereof, the Minister therein nominated and appointed shall have, exercise, possess, and enjoy all the powers, authorities, and discretions, and shall do and fulfil the acts and functions of the Minister in whose place and office he shall have been so nominated and appointed in as full, complete, and effectual a manner as the Minister in whose place and office he may have been so appointed could have exercised, done, or fulfilled the same: Provided always, that any Minister who accepts the office conferred by any such commission shall not thereby accept, nor be Governor may appoint Acting Ministers.
deemed

The Acting Ministers Appointment Act.—1873.

deemed to have thereby accepted, a place of profit within the meaning of section 17 of "The Constitution Act."

Validation of past
acts.

2. All powers and authorities heretofore exercised and enforced, payments made, and acts done by any such Minister of the Crown acting, or assuming to act, in the place and stead of any other of such Ministers, shall be as valid, binding, and effectual as if such powers and authorities had been exercised and enforced, and as if such payments had been made, and as if such acts had been done by the duly authorized Minister, any law, usage, or custom to the contrary notwithstanding.

In the name and on behalf of Her Majesty I hereby assent to
this Act.

A. MUSGRAVE, Governor.