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ELIZABETHAE II REGINAE

A.D. 1990

No. 18 of 1990

An Act to repeal the Remuneration Act, 1985; and to amend the Agent-General Act, 1901, the Constitution Act, 1934, the Electoral Act, 1985, the Government Management and Employment Act, 1985, the Highways Act, 1926, the Industrial and Commercial Training Act, 1981, the Industries Development Act, 1941, the Metropolitan Milk Supply Act, 1946, the Ombudsman Act, 1972, the Police Act, 1952, the Public Accounts Committee Act, 1972, the Public Finance and Audit Act, 1987, the Public Works Standing Committee Act, 1927, the Solicitor-General Act, 1972, the South Australian Health Commission Act, 1976, and the Valuation of Land Act, 1971.

[Assented to 19 April 1990]

The Parliament of South Australia enacts as follows:

PART I PRELIMINARY

Short title

1. This Act may be cited as the *Statutes Repeal and Amendment (Remuneration) Act, 1990*.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Interpretation

3. A reference in this Act to the principal Act is a reference to the Act referred to in the heading to the Part in which the reference occurs.

PART II REPEAL OF REMUNERATION ACT, 1985

Repeal of Remuneration Act, 1985

4. The *Remuneration Act, 1985*, is repealed.

PART III

AMENDMENT OF AGENT-GENERAL ACT, 1901

Salary and allowances of Agent-General

5. Section 5 of the principal Act is amended by striking out from subsection (1) "Remuneration Tribunal" and substituting "Governor".

PART IV

AMENDMENT OF CONSTITUTION ACT, 1934

Standing rules and orders

6. Section 55 of the principal Act is amended by striking out subsections (3), (3a), (3b) and (4) and substituting the following subsection:

(3) The Chairman of the Committee referred to in subsection (1) (g) and the other members of the Committee are entitled to such salaries as are fixed by or under the *Parliamentary Remuneration Act, 1990*, in relation to the respective offices.

PART V

AMENDMENT OF ELECTORAL ACT, 1985

Terms and conditions of office

7. Section 7 of the principal Act is amended—

(a) by striking out from subsection (1) "Subject to subsection (2), the terms and conditions" and substituting "The terms and conditions (including salaries and allowances)";

and

(b) by striking out subsection (2).

PART VI

AMENDMENT OF GOVERNMENT MANAGEMENT AND EMPLOYMENT ACT, 1985

Interpretation

8. Section 4 of the principal Act is amended by striking out from subsection (1) the definition of "the Remuneration Tribunal".

Conditions of appointment of the Commissioner

9. Section 24 of the principal Act is amended—

(a) by inserting in subsection (1) "(including salary and allowances)" after "conditions of appointment";

and

(b) by striking out subsection (2).

Special provisions with regard to appointment of Chief Executive Officer

10. Section 37 of the principal Act is amended by striking out from paragraph (b) of subsection (1) "fixed by the Remuneration Tribunal" and substituting "as determined by the Governor".

Amendment of schedule 2

11. Schedule 2 to the principal Act is amended—

(a) by striking out paragraph (g) of subclause (1);

and

(b) by inserting in paragraph (m) of subclause (1) “or who is appointed under any other Act on terms and conditions of appointment that are to be determined by the Governor, a Minister or any person or body other than the Commissioner” after “Public Service”.

PART VII**AMENDMENT OF HIGHWAYS ACT, 1926****Remuneration of the Commissioner**

12. Section 11 of the principal Act is amended by striking out from subsection (1) “Remuneration Tribunal” and substituting “Governor”.

PART VIII**AMENDMENT OF INDUSTRIAL AND COMMERCIAL TRAINING ACT, 1981****Substitution of s. 11**

13. Section 11 of the principal Act is repealed and the following section is substituted:

Remuneration and expenses

11. A member of the Commission is entitled to such remuneration and expenses as may be determined by the Governor.

PART IX**AMENDMENT OF INDUSTRIES DEVELOPMENT ACT, 1941****Substitution of s. 12**

14. Section 12 of the principal Act is repealed and the following section is substituted:

Remuneration of members

12. (1) The members of the Committee who are members of the Legislative Council or the House of Assembly are entitled to such remuneration and allowances for expenses as are fixed by or under the *Parliamentary Remuneration Act, 1990*.

(2) A member of the Committee who is not a member of the Legislative Council or the House of Assembly is entitled to such remuneration and allowances for expenses as may be determined by the Governor.

Payments not to disqualify

15. Section 12a of the principal Act is amended—

(a) by striking out from subsection (1) “pursuant to this Act or otherwise” and substituting “in respect of that office”;

and

(b) by striking out from subsection (2) “by holding office or receiving payment under this Act” and substituting “by holding that office or receiving payment in respect of that office”.

PART X

AMENDMENT OF METROPOLITAN MILK SUPPLY ACT, 1946

Remuneration, etc., of board

16. Section 12 of the principal Act is amended by striking from subsection (1) "Remuneration Tribunal" and substituting "Governor".

PART XI

AMENDMENT OF OMBUDSMAN ACT, 1972

Appointment of Ombudsman

17. Section 6 of the principal Act is amended—

(a) by striking out from subsection (2) "Subject to subsection (2a), the terms and conditions of appointment and employment" and substituting "The terms and conditions of appointment and employment (including salary and allowances)";

and

(b) by striking out subsection (2a).

PART XII

AMENDMENT OF POLICE ACT, 1952

Salary of Commissioner

18. Section 8 of the principal Act is amended by striking out from subsection (1) "Remuneration Tribunal" and substituting "Governor".

Deputy Commissioner

19. Section 9 of the principal Act is amended by striking out from subsection (4) "Remuneration Tribunal" and substituting "Governor".

PART XIII

AMENDMENT OF PUBLIC ACCOUNTS COMMITTEE ACT, 1972

Substitution of s. 8

20. Section 8 of the principal Act is repealed and the following section is substituted:

Remuneration of members

8. The Chairman of the Committee and the other members of the Committee are entitled to such salaries, allowances and expenses as are fixed by or under the *Parliamentary Remuneration Act, 1990*, in relation to the respective offices.

Certificate for payment

21. Section 9 of the principal Act is amended by striking out "pursuant to this Act" and substituting "in respect of that office".

PART XIV

AMENDMENT OF PUBLIC FINANCE AND AUDIT ACT, 1987

Appointment of Auditor-General

22. Section 24 of the principal Act is amended by striking out from subsection (4) "Remuneration Tribunal" and substituting "Governor".

PART XV

AMENDMENT OF PUBLIC WORKS STANDING COMMITTEE ACT, 1927

Substitution of ss. 11, 12 and 13

23. Sections 11, 12 and 13 of the principal Act are repealed and the following section is substituted:

Remuneration of members

11. The chairman of the committee and the other members of the committee are entitled to such salaries, allowances and expenses as are fixed by or under the *Parliamentary Remuneration Act, 1990*, in relation to the respective offices.

Amounts to be certified by chairman

24. Section 14 of the principal Act is amended by striking out "pursuant to this Act" and substituting "in respect of that office".

Payments not to disqualify

25. Section 15 of the principal Act is amended by striking out from paragraph (a) "pursuant to this Act" and substituting "in respect of that office".

PART XVI

AMENDMENT OF SOLICITOR-GENERAL ACT, 1972

Terms and conditions of appointment of Solicitor-General

26. Section 5 of the principal Act is amended by striking out from subsection (2) "Remuneration Tribunal" and substituting "Governor".

PART XVII

AMENDMENT OF SOUTH AUSTRALIAN HEALTH COMMISSION ACT, 1976

Salary, allowances and expenses

27. Section 10 of the principal Act is amended by striking out from subsection (1) "Remuneration Tribunal" and substituting "Governor".

PART XVIII

AMENDMENT OF VALUATION OF LAND ACT, 1971

Salary of Valuer-General

28. Section 8 of the principal Act is amended by striking out from subsection (1) "Remuneration Tribunal" and substituting "Governor".

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

D. B. DUNSTAN, Governor