



ANNO QUINTO

GEORGII V REGIS.

A.D. 1914.

No. 1161.

An Act to make better Provision for Regulating the Supply and Custody of Stores for the Public Service, and to make consequent amendments of the South Australian Railways Commissioners Acts, and for other purposes.

[Assented to, October 29th, 1914.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as "The Public Supply and Tender Act, 1914." Short title.

2. This Act shall come into force on a day to be fixed by the Governor by proclamation published in the *Government Gazette*; and such day is in this Act referred to as the commencement of this Act. Commencement of Act.

3. In this Act, except where some other meaning is clearly intended,— Interpretation.

"Board" means the Supply and Tender Board hereby constituted:

"Chairman" means Chairman of the Board:

"Member" means member of the Board:

"Minister" means the Minister of the Crown to whom, for the time being, the administration of this Act is committed by the Governor: "Prescribed"

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“Prescribed” means prescribed by this Act or by regulations made under this Act:

“Public Service” includes every department of the Government of the said State, and every person or department employed for the purposes of such Government, whether such person or department is or is not directly or indirectly under the control of the Governor or of any Minister of the Crown.

Amendments of Acts
414 of 1887 and 612
of 1894.

4. (1) Section 57 of “The South Australian Railways Commissioners Act, 1887,” and section 6 of “The South Australian Railways Commissioners Act Amendment Act, 1894,” are hereby repealed; and, from the commencement of this Act, section 58 of the first mentioned Act shall, in so far as it applies to materials, be read as applying only to engines and other power and rolling-stock, not including materials for making such engines, power, or stock.

No. 414 of 1887.

(2) All proclamations heretofore made under section 57 of “The South Australian Railways Commissioners Act, 1887,” are hereby revoked.

(3) Such amendments and revocation shall not affect anything done or suffered, or the effect of the doing, suffering, or omitting of anything, before the commencement of this Act; and anything begun by the Supply and Tender Board in existence before such commencement may be continued by the Board constituted by this Act.

Act to apply to all
stores except railway
engines and rolling
stock.

5. (1) This Act shall apply to and in respect of all stores, materials, and requisites for the Public Service, excepting engines and other power and rolling-stock required by the South Australian Railways Commissioner for the purposes of any powers or duties conferred or imposed upon him by any Act, and dredging, excavating, or pumping plant required by the South Australian Harbors Board, the Irrigation and Reclamation Works Department, or any other department of the Public Service, for the purposes of any of its powers or duties, but including materials for making such engines, power, stock, and plant.

No. 414 of 1887.

(2) Section 58 of “The South Australian Railways Commissioners Act, 1887,” shall continue to apply to and in respect of such engines, power, and stock.

Existing Supply and
Tender Board
abolished.

No. 612 of 1894.

6. The Supply and Tender Board constituted under “The South Australian Railways Commissioners Act Amendment Act, 1894,” is hereby abolished.

Constitution and
appointment of
Supply and Tender
Board.

7. (1) A Board, to be called “The Supply and Tender Board,” is hereby constituted.

(2) The Board shall consist of five members appointed by the Governor.

(3) Only officers employed in the Public Service shall be eligible for appointment on the Board.

8. (1) Each

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8. (1) Each member shall, subject to subsection (2) hereof, be appointed for a term of one year, and may, from time to time, at the expiration of his term of office, be reappointed for a further term of one year. Term of office of members of Board.

(2) Any member shall cease to hold office as a member upon—

- (a) his resigning such office by writing signed by him and delivered to the Governor or to the Clerk of the Executive Council,
- (b) his ceasing to be employed in the Public Service, or
- (c) his dismissal from such office by the Governor.

9. No act or proceeding of the Board shall be invalid or be prejudiced by reason only of the fact that at the time when it is done, taken, or commenced, there is a vacancy in the office of any member. Acts of Board not invalidated by vacancy.

10. In case of the illness or other incapacity or absence from the State of any member, the Governor may appoint some person to be the deputy of such member. The person so appointed shall, until his appointment is terminated by the Governor by notice in writing, carry out, exercise, and discharge all the functions, powers, and duties, and be entitled to all the privileges, of the member in whose place he is appointed. Deputy members of Board.

11. The Minister may fix such (if any) salaries or fees as he deems proper for the remuneration of members, in addition to any other salaries or fees received by them as officers in the Public Service. Remuneration of members.

12. (1) The Minister may appoint one of the members to be the Chairman of the Board. Chairman.

(2) The Chairman shall preside at all meetings of the Board when he is present, and in his absence another member chosen for the purpose by the majority of those present shall preside.

(3) The member presiding for the time being at any meeting of the Board shall have a casting as well as a deliberative vote.

13. At all meetings of the Board any three members shall constitute a quorum. Quorum.

14. (1) The Minister may appoint a Chief Storekeeper, and such (if any) other officers as he deems necessary for the purposes of this Act. Officers.

(2) The Chief Storekeeper shall be the chief executive officer of the Board, and may attend any meeting of the Board, and shall have, exercise, and discharge such (if any) other functions, rights, and duties as are prescribed.

15. The

*The Public Supply and Tender Act.—1914.***Functions of the Board.**

Cf. S.A. 414, 1887,
s. 57.

N.S.W., 31, 1902,
s. 20 (h).

15. The Board shall, subject to section 5 and to anything prescribed—

- I. control the purchase and procuring, and the care, custody, inspection, and stocktaking, and the issue, of all stores, materials, and requisites for the Public Service ;
- II. control the taking and keeping of the accounts relating to such stores, materials, and requisites ;
- III. investigate and examine all contracts, accounts, invoices, requisitions, orders, and vouchers in any way relating to such stores, materials, and requisites ; and
- IV. carry out, exercise, and discharge all such other functions, powers, and duties as are prescribed.

Regulations.

16. (1) The Governor may make all such regulations as are contemplated by this Act, or as may be necessary or convenient for giving effect to the provisions of this Act or more fully carrying out its objects, including (though without in any way limiting the operation of this section) regulations as to—

- I. the times and places when and where meetings of the Board are to be held :
- II. the calling, holding, and conduct of such meetings :
- III. the minutes and records to be kept by the Board :
- IV. the functions, powers, and duties to be carried out, exercised, and discharged by the Board, and by the Chief Storekeeper and any other officers appointed under this Act, and the manner in which they are to be carried out, exercised, and discharged.

Publication and effect.

(2) All such regulations—

(a) shall be published in the *Government Gazette* :

(b) from the date of such publication, or from a later date fixed by the order making the same, shall (subject as by subsection (3) hereof provided) be of the same effect as if they were contained in this Act :

(c) shall be laid before both Houses of Parliament within fourteen days after such publication, if Parliament is in Session, and if not, then within fourteen days after the commencement of the next Session.

Disallowance by Parliament.

(3) If either House of Parliament passes a resolution disallowing any such regulation, of which resolution notice has been given at any time within fourteen sitting days of such House after such regulation has been laid before it, such regulation shall thereupon cease to have effect, but without affecting the validity or curing the invalidity of anything done, or of the omission of anything, in the meantime.

This

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This subsection shall apply notwithstanding that the said fourteen days, or some of them, do not occur in the same Session or Parliament as that in which the regulation is laid before it.

17. The moneys required for the purposes of this Act shall be paid out of moneys from time to time provided by Parliament. How moneys for purposes of Act to be provided.

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

H. L. GALWAY, Governor.