

PRICES REGULATION (AMENDMENT) ACT 1986 No. 33

NEW SOUTH WALES



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PRICES REGULATION (AMENDMENT) ACT 1986 No. 33

NEW SOUTH WALES



Act No. 33, 1986

An Act to amend the Prices Regulation Act 1948 with respect to the office of Chairperson of the Prices Commission. [Assented to 6 May 1986.]

See also Statutory and Other Offices Remuneration (Prices Commission) Amendment Act 1986.

Prices Regulation (Amendment) 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Prices Regulation (Amendment) Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor and notified by proclamation published in the Gazette.

Principal Act

3. The Prices Regulation Act 1948 is referred to in this Act as the Principal Act.

Amendment of Act No. 26, 1948

4. The Principal Act is amended in the manner set forth in Schedule 1.

Savings and transitional provisions

5. (1) A person who, immediately before the commencement of this Act, held office as a commissioner of the Prices Commission shall be deemed to have been duly appointed as a part-time commissioner and, in the case of the Chairman of that Commission, as Chairperson of that Commission.

(2) A person referred to in subsection (1) —

- (a) shall be deemed to have been so appointed for the residue of the term of office for which the person was appointed; and
- (b) is eligible for re-appointment (if otherwise qualified).

(3) Notwithstanding subsection (1), the Chairperson of the Prices Commission shall be deemed to have been appointed as a full-time commissioner instead of a part-time commissioner, pursuant to that subsection, if the Chairperson is not also appointed on the commencement

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of this Act to an office specified in Schedule 2 to the Statutory and Other Offices Remuneration Act 1975.

SCHEDULE 1

(Sec. 4)

AMENDMENTS TO THE PRINCIPAL ACT

(1) (a) Section 3 (1), definition of “Chairperson”—

Omit the definition of “Chairman”, insert instead:

“Chairperson” means the Chairperson of the Commission;

(b) Section 3 (1), definition of “commissioner”—

Omit “Chairman”, insert instead “Chairperson”.

(2) (a) Section 4A (1), (1A)—

Omit section 4A (1), insert instead:

(1) The Commission shall consist of 3 commissioners who shall be appointed by the Governor.

(1A) Of the commissioners—

(a) I shall, in and by the instrument by which the commissioner is appointed, be appointed as—

(i) a full-time commissioner or a part-time commissioner; and

SCHEDULE 1—*continued*AMENDMENTS TO THE PRINCIPAL ACT—*continued*

- (ii) the Chairperson of the Commission; and
- (b) 2 shall, in and by the instruments by which the commissioners are appointed, be appointed as part-time commissioners.
- (b) Section 4A (2)—
After “commissioners”, insert “referred to in subsection (1A) (b)”.
- (c) Section 4A (4)—
After section 4A (3), insert:
 - (4) Where by or under any other Act provision is made requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office, or prohibiting the person from engaging in employment outside the duties of that office, that provision shall not operate to disqualify the person from holding that office and also the office of a part-time commissioner or from accepting and retaining any remuneration payable to the person under this Act as a part-time commissioner.
- (3) Section 4B—
Omit the section, insert instead:
 - Chairperson**
 - 4B. (1) The Chairperson (being a full-time commissioner) shall devote the whole of his or her time to the duties of the office of Chairperson, except as permitted by this Act or except with the consent of the Minister.
 - (2) The Chairperson (being a full-time commissioner) is entitled to be paid—
 - (a) remuneration in accordance with the Statutory and Other Offices Remuneration Act 1975; and
 - (b) such travelling and subsistence allowances as the Minister may from time to time determine in respect of the Chairperson.

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PRINCIPAL ACT—*continued*

- (3) The Chairperson may be referred to as the Chairman or Chairwoman, as the case requires.
- (4) Section 4F (2)—
Omit “The Chairman”, insert instead “A full-time commissioner”.
- (5) (a) Section 4H (b), (c), (i)—
Omit “the Chairman” wherever occurring, insert instead “a full-time commissioner”.
- (b) Section 4H (d)—
Omit “being a commissioner other than the Chairman”, insert instead “being a part-time commissioner”.
- (6) Sections 4I, 4K (1)—
After “part-time commissioner” wherever occurring, insert “(other than the Chairperson)”.
- (7) Sections 4J, 4L, 7, 8A, 15, 30, 53—
Omit “Chairman” wherever occurring, insert instead “Chairperson”.
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