

No. , 1912.

# A BILL

To provide for the exercise by deputy of certain powers and authorities vested in the Governor.

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**W**HEREAS by certain letters patent passed under the great seal <sup>Preamble.</sup> of the United Kingdom of Great Britain and Ireland, bearing date the twenty-ninth day of October, one thousand nine hundred, permanent provision was made for the office of Governor in and over the State of New South Wales and its Dependencies, in the Commonwealth of Australia : And whereas by the said letters patent it is provided that in certain circumstances all the powers and authorities therein granted to the Governor shall be vested in the Lieutenant-Governor of the State, or, if there be no such officer in the State, then in such person or persons as may be appointed by royal sign manual and signet, to administer the government of the State : And whereas by the said letters patent it is further provided that in certain circumstances the Governor may, by an instrument under the public

*Deputy Governor's Powers.*

public seal of the State, constitute and appoint a deputy in the State to exercise, perform, and execute for and on behalf of the Governor, during his temporary absence from the seat of government, or from the State, all such powers and authorities vested in the Governor by the said letters patent, as shall in and by such instrument be specified and limited: And whereas doubts have arisen as to the extent of the powers and authorities which any such deputy, if and when appointed, may exercise, and it is desirable to set such doubts at rest: Be it therefore enacted by the King'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:—

**1.** This Act may be cited as the "Deputy Governor's Powers Act, 1912." Short title.

**2.** In this Act,—

"The said letters patent" means the letters patent mentioned in the preamble of this Act, or any letters patent at any time passed in lieu thereof, or in addition thereto.

*Interpretation.*

"The State" means the State of New South Wales.

**3.** During the temporary absence of the Governor from the seat of government or from the State all the powers and authorities conferred upon or vested in the Governor by any statutory or other law or usage of the State, as well as the powers and authorities conferred upon or vested in the Governor by the said letters patent, shall and may be exercised, performed, and executed by the person appointed by the Governor to be his deputy during such absence, subject nevertheless to anything expressed in the instrument appointing such deputy.

*Governor's statutory as well as other powers exercisable by deputy.*

**4.** During such time as the powers and authorities in the said letters patent granted to the Governor are vested in the said Lieutenant-Governor, or such other person as is appointed as aforesaid to administer the government of the State, the provisions of section three shall apply to the person appointed to be the deputy of the Lieutenant-Governor, or of such other person appointed to administer the Government as aforesaid, during his temporary absence from the seat of government or from the State, subject nevertheless to anything expressed in the instrument appointing such deputy.

*Save provision as to deputy of Lieutenant-Governor or Administrator.*

**5.** Any exercise, performance, or execution before the commencement of this Act, or any of the powers or authorities hereinbefore mentioned, shall be and be deemed to have been of the same validity, and shall have and be deemed to have had the same force and effect, as if this Act had been in force at the time of such exercise, performance, or execution.

*Act to be retrospective.*