

No. 39 of 1973

AN ORDINANCE

To amend the *Agents Ordinance 1968-1972*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Ordinance 1910-1972*.

Dated this eleventh day of September, 1973.

PAUL HASLUCK
Governor-General.

By His Excellency's Command,

KEP ENDERBY
Minister of State for the Capital Territory.

AGENTS ORDINANCE 1973

1. (1) This Ordinance may be cited as the *Agents Ordinance 1973*.^{*} Short title and citation.

(2) The *Agents Ordinance 1968-1972*† is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Agents Ordinance 1968-1973*.

2. (1) This section and sections 1 and 9 shall come into operation on the date on which this Ordinance is notified in the *Gazette*. Commencement.

(2) The remaining sections of this Ordinance shall come into operation on 1st October, 1973.

3. Section 5 of the Principal Ordinance is amended by omitting from sub-section (1) the definition of "the departmental member" and substituting the following definition:— Interpretation.

" 'the departmental member' means the member of the Board who is an officer or employee of the Department of the Capital Territory or, where a person has been appointed to act in the place of that member, that person; ".

4. Section 6 of the Principal Ordinance is amended—

(a) by omitting from sub-section (1) the words "Department of the Interior" and substituting the words "Department of the Capital Territory"; and Registrar, Deputy Registrar, inspectors.

* Notified in the *Australian Government Gazette* on 20 September 1973.

† Ordinance No. 26, 1968, as amended by Nos. 8 and 18, 1970; No. 22, 1971; and No. 33, 1972.

- (b) by omitting from sub-section (3) the words "Department of the Interior" and substituting the words "Department of the Capital Territory".

5. Section 9 of the Principal Ordinance is repealed and the following section substituted:—

Constitution
of the Board.

"9. (1) The Board shall consist of five members, of whom—

- (a) one shall be an officer or employee of the Department of the Capital Territory; and
(b) one at least shall be a person whose name is on the Roll of Barristers and Solicitors kept in pursuance of section 13 of the *Legal Practitioners Ordinance* 1970-1973.

"(2) The members of the Board shall be appointed by the Minister.

"(3) A member other than the departmental member holds office for such period, not exceeding three years, as is specified in the instrument of his appointment.

"(4) The departmental member holds office during the pleasure of the Minister.

"(5) Where the office of a member other than the departmental member becomes vacant before the expiration of his term of office, the Minister may appoint a person to hold the office for the unexpired part of that term.

"(6) A member is eligible for re-appointment."

6. Section 11 of the Principal Ordinance is repealed and the following section substituted:—

Fees and
allowances.

"11. A member (other than the departmental member) shall be paid such fees and allowances (if any) as are prescribed."

Vacation
of office.

7. Section 13 of the Principal Ordinance is amended by omitting paragraphs (c), (d) and (e) and substituting the following paragraphs:—

"(c) is convicted in Australia of an offence punishable by imprisonment for one year or longer; or

"(d) is absent, except on leave granted by the Minister, from three consecutive meetings of the Board,".

Acting
appoint-
ments.

8. Section 15 of the Principal Ordinance is amended by omitting sub-sections (2), (3), (4) and (5) and substituting the following sub-sections:—

"(2) A person shall not be appointed to act in the place of the departmental member unless he is an officer or employee of the Department of the Capital Territory.

"(3) A person appointed under this section (other than a person referred to in sub-section (2)) shall be paid such fees and allowances (if any) as are prescribed."

9. (1) Notwithstanding section 2, the Minister may, at any time before 1st October, 1973, make appointments under sub-section 9 (2) of the Principal Ordinance as amended by this Ordinance as if section 5 of this Ordinance had come into operation on the date referred to in sub-section 2 (1). Transitional provision.

(2) An appointment made in pursuance of sub-section (1) shall take effect on 1st October, 1973.