

High Commissioner (United Kingdom)

No. 56 of 1966

An Act to amend the *High Commissioner (United Kingdom) Act 1909–1957*, and for other purposes.

[Assented to 28 October 1966]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title
and citation.

1.—(1.) This Act may be cited as the *High Commissioner (United Kingdom) Act 1966*.

(2.) The *High Commissioner (United Kingdom) Act 1909–1957** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *High Commissioner (United Kingdom) Act 1909–1966*.

Commence-
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

* Act No. 22, 1909, as amended by No. 26, 1937; No. 52, 1940; No. 54, 1945; No. 9, 1952; and No. 14, 1957.

3. The title of the Principal Act is amended by omitting the words "of the Commonwealth" and inserting in their stead the words "for Australia". Title.

4. Section 2 of the Principal Act is amended by omitting the words "of the Commonwealth" and inserting in their stead the words "for Australia". High Commissioner.

5. After section 9 of the Principal Act the following section is inserted:—

"9AA.—(1.) The High Commissioner may, by instrument in writing, delegate to a person, either generally or otherwise as provided in the instrument of delegation, all or any of his powers and functions under the last preceding section or under regulations made for the purposes of that section. Delegation of power to appoint officers, &c.

"(2.) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.

"(3.) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the High Commissioner."

6.—(1.) The person holding office under the Principal Act, immediately before the commencement of this Act, as High Commissioner of the Commonwealth in the United Kingdom shall, after the commencement of this Act, continue to hold office under the Principal Act as amended by this Act as High Commissioner for Australia in the United Kingdom as if he had been appointed under section 2 of the Principal Act as so amended. High Commissioner to continue to hold office with new title.

(2.) A reference in a law of the Commonwealth in force immediately before the commencement of this Act, or in any other instrument executed or made before the commencement of this Act, to the High Commissioner of the Commonwealth in the United Kingdom shall, after the commencement of this Act, unless the context is such that it would be inappropriate or the contrary intention appears, be read as a reference to the High Commissioner for Australia in the United Kingdom holding office under the Principal Act as amended by this Act.

7. Where, before the commencement of this Act, a person acting with the authority or approval (whether express or implied) of— Validation of appointments &c.

- (a) a person holding the office of High Commissioner of the Commonwealth in the United Kingdom;
- (b) a person appointed to act in that office; or
- (c) a Minister holding a commission under section 9A of the *High Commissioner Act 1909-1945*, or that Act as amended and in force at any time,

purported to appoint a person as an officer, or to engage a person as a temporary employee, for the purposes of the *High Commissioner Act 1909*, or that Act as amended and in force at any time, that appointment or engagement shall be deemed to have been as validly made or effected as if it had been made or effected by the High Commissioner of the Commonwealth in the United Kingdom in accordance with section 9 of that Act, or that Act as amended and in force at the time of the purported appointment or engagement.

Validation of
payments of
salary, &c.

8. Where, in pursuance of the High Commissioner (Staff) Regulations notified in the *Gazette* on the twenty-seventh day of October, One thousand nine hundred and sixty, a new office was created with a particular classification, or the classification of an office was altered, any payment of salary or allowance made, in respect of any period before the first day of January, One thousand nine hundred and sixty-six, in accordance with or by reference to the classification or the classification as altered, as the case may be, shall not be deemed to have been invalidly made by reason only that the office was not specified in the Fourth Schedule to those Regulations, or, if the office was so specified, by reason only that the rate or the scale of rates of the salary allotted to the office by virtue of the classification as varied was not a rate, or was not within the scale of rates, specified in that Schedule in relation to that office.
