

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 19 October, 1976.*

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. , 1976.

An Act to amend the Prices Regulation Act, 1948, for the purpose of constituting a Prices Commission; and to amend the Statutory and Other Offices Remuneration Act, 1975, for the purpose of determining the remuneration and allowances payable to the Chairman of the Commission.

BE

Prices Regulation (Amendment).

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 :—

1. This Act may be cited as the "Prices Regulation Short title. (Amendment) Act, 1976".

2. (1) This section and section 1 shall commence on Commence-
the date of assent to this Act. ment.

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

3. This Act contains the following Schedules :— Schedules.

15 SCHEDULE 1.—AMENDMENTS TO THE PRICES
REGULATION ACT, 1948.

SCHEDULE 2.—CONSEQUENTIAL AMENDMENTS TO
THE PRICES REGULATION ACT, 1948.

20 SCHEDULE 3.—AMENDMENTS TO THE PRICES
REGULATION ACT, 1948, BY WAY OF STATUTE
LAW REVISION.

SCHEDULE 4.—AMENDMENT TO THE STATUTORY AND
OTHER OFFICES REMUNERATION ACT, 1975.

4. (1) The Prices Regulation Act, 1948, is amended in
25 the manner set forth in Schedules 1 and 3. Amend-
ment of
Act No. 26,
1948.

(2)

Prices Regulation (Amendment).

(2) The Prices Regulation Act, 1948, is further amended by omitting from a provision of that Act specified in Column 1 of Schedule 2 the matter specified opposite that provision in the column headed "Matter to be omitted." in Column 2 of Schedule 2, other than such matter, if any, as appears in brackets and is printed in italics, and by inserting instead the matter specified opposite that provision in the column headed "Matter to be inserted." in Column 2 of Schedule 2.

10 5. The Statutory and Other Offices Remuneration Act, 1975, is amended in the manner set forth in Schedule 4. Amendment of Act No. 4, 1976.

6. An order made under section 20 of the Prices Regulation Act, 1948, in force immediately before the day appointed and notified under section 2 (2), shall be deemed to be an Saving—prices regulation orders.
15 order made under section 20 of the Prices Regulation Act, 1948, as amended by this Act, in respect of declared goods.

SCHEDULE 1.

Sec. 4 (1).

AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

20 (1) (a) Section 3 (1), definitions of "Assistant Commissioner", "authorized officer"—

Omit the definitions.

(b) Section 3 (1), definitions of "authorised officer", "Chairman", "Commission", "commissioner"—

25 Before the definition of "Commonwealth Regulations", insert :—

"authorised officer" means a person appointed by the Commission to be an authorised officer for the purposes of this Act;

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 “Chairman” means the Chairman of the
 Commission;

 “Commission” means the Prices Commission
 constituted by this Act;

10 “commissioner” means a person appointed
 under this Act as a commissioner and
 includes the Chairman;

(c) Section 3 (1), definitions of “inquiry”,
 “meeting”—

 After the definition of “declared service”,
 insert :—

15 “inquiry”, in relation to the Commission,
 means an inquiry held by the Commission
 pursuant to—

 (a) a direction of the Minister
 under section 8A (1) (b);

20 (b) Section 8B; or

 (c) a decision of the Commission
 under section 8C (2);

 “meeting”, in relation to the Commission,
 includes an inquiry;

25 (d) Section 3 (1), definition of “public utility
 undertaking”—

 Before “municipality”, insert “city,”.

(e) Section 3 (1), definition of “the Commissioner”—

 Omit the definition.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(f) Section 3 (5)—

5 After section 3 (4), insert :—

(5) Nothing in this Act entitles the Commission to make an order under section 20 (5) with respect to the rental of any land or premises.

(2) Sections 4–4M—

10 Omit section 4, insert instead :—

4. There is hereby constituted a Prices Commission. Constitution of Commission.

4A. (1) The Commission shall consist of one full-time commissioner and 2 part-time commissioners appointed by the Governor. Appointment of commissioners.

15 (2) Of the part-time commissioners, one shall be a person who is appointed to represent consumers and the other shall be a person who, in the opinion of the Governor, is experienced in business or commerce.

20 (3) The provisions of the Public Service Act, 1902, shall not apply to or in respect of the appointment of a commissioner, and a commissioner shall not be subject to the provisions of that Act during his term of office.

25 4B. (1) The full-time commissioner shall be the Chairman.
Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (2) The Chairman shall devote the whole of his time to the duties of his office and shall be entitled to be paid—

(a) remuneration in accordance with the Statutory and Other Offices Remuneration Act, 1975; and

10 (b) such travelling and subsistence allowances as the Minister may from time to time determine in respect of him.

15 4c. (1) In this section, “superannuation scheme” means a scheme, fund or arrangement under which any superannuation or retirement benefits are provided and which is established by or under any Act.

Preservation of rights of full-time commissioner previously public servant, etc.

20 (2) Subject to subsection (3) and to the terms of his appointment, where a full-time commissioner was, immediately before his appointment as a full-time commissioner—

(a) an officer of the Public Service; or

(b) a contributor to a superannuation scheme,

he—

25 (c) shall retain any rights accrued or accruing to him as such an officer or contributor;

(d) may continue to contribute to any superannuation scheme to which he was a contributor immediately before his appointment as a full-time commissioner; and

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (e) shall be entitled to receive any deferred or
extended leave and any payment, pension or
gratuity,

as if he had continued to be such an officer or
contributor during his service as a full-time commis-
sioner, and—

10 (f) his service as a full-time commissioner shall
be deemed to be service as an officer or
employee for the purpose of any law under
which those rights accrued or were accruing,
15 under which he continues to contribute or
by which that entitlement is conferred; and

(g) he shall be deemed to be an officer or
employee, and the Commission shall be
deemed to be his employer, for the purpose
of the superannuation scheme to which he
20 is entitled to contribute under this sub-
section.

(3) A full-time commissioner who, but for
this subsection, would be entitled under subsection
25 (2) to contribute to a superannuation scheme or to
receive any payment, pension or gratuity under that
scheme shall not be so entitled upon his becoming
(whether upon his appointment as a full-time com-
missioner or at any later time while he holds office as
a full-time commissioner) a contributor to any other
30 superannuation scheme, and the provisions of sub-
section (2) (g) cease to apply to or in respect of him
and the Commission in any case where he becomes a
contributor to such another superannuation scheme.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (4) Subsection (3) does not prevent the payment to a full-time commissioner upon his ceasing to be a contributor to a superannuation scheme of such amount as would have been payable to him if he had ceased, by reason of resignation, to be an officer or employee for the purposes of that scheme.

10 (5) A full-time commissioner shall not, in respect of the same period of service, be entitled to claim a benefit under this Act and another Act.

15 4D. A commissioner shall, subject to this Act, hold office for a period of 3 years and is eligible for re-appointment as a commissioner. Term of office.

4E. A person who is of or above the age of 70 years is not eligible for appointment as a commissioner. Ineligibility by reason of age.

4F. A commissioner shall cease to hold office on the day on which he attains the age of 70 years. Commissioner attaining 70 years of age.

20 4G. (1) The Governor may for any cause which to him seems sufficient remove any commissioner from office. Removal from office.

25 (2) Without affecting the generality of subsection (1) the Governor shall be deemed to have cause as referred to in that subsection if—

(a) a commissioner has any direct or indirect pecuniary interest in any declared goods or declared service or any goods or service the subject of investigation or inquiry by the

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 Commission, other than an interest which he has in the like manner applicable, and subject to the like conditions applicable, in the case of persons who are not commissioners; or

10 (b) a commissioner, by virtue of his office as a commissioner, accepts or acquires any personal profit or advantage other than under this Act.

4H. A commissioner shall be deemed to have vacated his office—
Vacation
of
office.

15 (a) if he dies;

(b) if, being the Chairman, he engages in any paid employment outside the duties of his office;

20 (c) if, being the Chairman, he absents himself from duty for a period exceeding 14 consecutive days except on leave granted by the Minister (which leave the Minister is hereby authorised to grant), unless his absence is occasioned by illness or other unavoidable cause;

25 (d) if, being a commissioner other than the Chairman, he is unavailable for duty for a period exceeding 28 days except on leave granted by the Minister (which leave the Minister is hereby authorised to grant),
30 unless his unavailability is occasioned by illness or other unavoidable cause;

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- 5 (e) if he becomes bankrupt, applies to take
the benefit of any law for the relief of
bankrupt or insolvent debtors, compounds
with his creditors or makes any assignment
of his remuneration or allowances as a
10 commissioner, or of his estate, for their
benefit;
- (f) if he becomes a temporary patient, a con-
tinued treatment patient, a protected person
or an incapable person within the meaning
of the Mental Health Act, 1958, or a person
15 under detention under Part VII of that Act;
- (g) if he resigns his office by writing under his
hand addressed to the Governor; or
- (h) if he is removed from office by the
Governor.
- 20 4I. On the occurrence of a vacancy in the office of a commissioner, otherwise than by the expiration
of the term for which he was appointed, the Governor may appoint a person to hold that office for the
balance of his predecessor's term of office, being,
25 where the vacancy occurs in the office of a part-time
commissioner, a person of the same description
referred to in section 4A (2) as that predecessor.
- 30 4J. (1) During the absence or illness of the Chairman, the permanent head of a Government
Department under the administration of the Minister
nominated by the Minister shall act as Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (2) The permanent head referred to in sub-
section (1) shall have and may exercise, while acting
as Chairman, the powers, authorities, duties and
functions of the Chairman.

10 4K. (1) The Minister may at any time appoint, ^{Alternate} as an alternate commissioner to act during the absence ^{commis-}
or illness of a part-time commissioner, a person of ^{sioners.}
the same description referred to in section 4A (2) as
the person for whom he is the alternate commissioner.

15 (2) An alternate commissioner shall have and
may exercise, while acting as a commissioner, the
powers, authorities, duties and functions of the person
for whom he is the alternate commissioner.

20 4L. (1) The procedure for the calling of meetings ^{Meetings}
of the Commission and for the conduct of business ^{of the}
at those meetings, including the procedure to be ^{Commission.}
followed in an inquiry, shall, subject to this Act, be
as determined by the Commission.

(2) The Chairman shall preside at all
meetings of the Commission at which he is present.

25 (3) Three commissioners shall form a quorum
at any meeting of the Commission and any duly
convened meeting at which a quorum is present shall
be competent to transact any business of the
Commission.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (4) A decision of a majority of the commissioners present at a meeting of the Commission at which a quorum is present shall be the decision of the Commission.

10 4M. A part-time commissioner shall be entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of him. Remuneration.

(3) Sections 5, 6—
Omit the sections.

(4) Sections 8A–8F—
15 After section 8, insert :—

8A. (1) The Minister, for the purpose of determining whether he should exercise any power conferred on him under section 19, may direct— Furnishing of reports, etc., at Minister's direction.

20 (a) the Chairman to furnish a report to him; or
(b) the Commission to hold an inquiry and furnish a report to him,
with respect to such goods or services or goods and services as are specified in the direction.

25 (2) The Chairman or the Commission shall comply with any direction given to him or it, as the case may be, by the Minister under subsection (1).

30 8B. The Commission, for the purpose of determining whether it should exercise any power conferred on it under section 20, shall hold an inquiry unless it obtains the consent of the Minister to dispense with the holding of an inquiry. Inquiry by Commission.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

8C. (1) A person—

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(a) who is a seller of goods; or

(b) who supplies or carries on a service,

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to which an order made under section 20 relates, may make application to the Commission, in the prescribed manner, for an order under that section in relation to those goods or that service, as the case may be.

(2) On receipt of an application made under subsection (1), the Commission may decide to refuse the application or to hold an inquiry.

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(3) The Commission shall notify a person who makes an application under subsection (1) of its decision with respect to that application.

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(4) Where the Commission decides to hold an inquiry pursuant to an application made under subsection (1), the person who made the application shall be a party to the inquiry.

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8D. The Commission shall, before commencing to hold an inquiry, by advertisement published, on such day or days as the Commission determines, in the Gazette and in a daily newspaper circulating throughout the State, give notice of the inquiry, the matter that is to be the subject of the inquiry and the time and place at which the inquiry is to be commenced.

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8E. (1) At an inquiry, any person may apply to the Commission to be made a party to the inquiry.

Application by person to Commission to hold inquiry.

Notice of inquiry by Commission.

Parties to inquiries.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (2) If, on the making of an application referred to in subsection (1), the Commission is of the opinion that the applicant has a substantial interest in the matter that is the subject of the inquiry, the Commission shall grant the application but, if the Commission is not so satisfied, it shall refuse the application.

10 (3) A party to an inquiry may appear in person or by his agent, counsel or solicitor.

15 (4) A party to an inquiry is entitled to give evidence, or call witnesses to give evidence, and to make submissions to the Commission, in relation to the matter that is the subject of the inquiry.

8F. (1) An inquiry shall be held in public and, subject to this section—

Procedure
at
inquiries.

20 (a) evidence in the inquiry shall be taken in public on oath or affirmation; and

(b) submissions in the inquiry shall be made in public.

25 (2) If any witness objects to giving any evidence in public that the Commission is satisfied is of a confidential nature, the Commission may take that evidence in private if it considers it desirable to do so.

30 (3) In an inquiry, the Commission may, if it thinks fit, permit a person appearing as a witness at the inquiry to give evidence by tendering, and verifying by oath or affirmation, a written statement and, where evidence is so given, the Commission shall make available to the public in such manner as the Commission thinks fit the contents of the statement other than any matter that the person who gave the evidence objects to being made public and that the Commission is satisfied is of a confidential nature.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (4) In an inquiry, the Commission may, if it
thinks fit, require or permit a party to the inquiry
desiring to make submissions to the Commission to
make those submissions in writing and, where submis-
sions are so made, the Commission shall make
10 available to the public in such manner as it thinks fit
the contents of the submissions.

(5) The Commission is not bound by the rules
of evidence.

(5) Section 20 (1A)—

After section 20 (1), insert :—

15 (1A) Notwithstanding subsection (1), the Com-
mission shall, before causing an order referred to in
subsection (1) to be published in the Gazette, serve
a copy of the proposed order on the Minister and
shall not cause the proposed order to be so published—

20 (a) unless the Minister has informed the Com-
mission that he does not propose to give
it a direction under paragraph (b); or

(b) if the Minister, in the public interest, has
25 directed the Commission not to publish
the proposed order.

(6) (a) Section 28 (1) (a)—

Omit “(by way of broadcast by wireless trans-
mission)” wherever occurring.

(b) Section 28 (1)—

30 Omit “Commonwealth”, insert instead “State”.

(7) Section 40—

Omit the section.

(8) Section 48—

Omit the section.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(9) Section 51 (3) (d)—

5 After “wireless”, insert “or television”.

(10) Section 55—

Omit the section, insert instead :—

10 55. (1) The Commission may, by instrument in ^{Delegation.} writing, delegate to the holder of an office specified in the instrument of delegation the exercise or performance of such of the powers (other than this power of delegation), authorities, duties or functions conferred or imposed on the Commission by or under this Act as may be specified in the instrument of delegation
15 and may in like manner revoke wholly or in part any such delegation.

20 (2) A power, authority, duty or function, the exercise or performance of which has been delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time in accordance with the terms of the delegation.

25 (3) A delegation under this section may be made subject to such conditions or such limitations as to the exercise or performance of any of the powers, authorities, duties or functions delegated, or as to time or circumstances, as may be specified in the instrument of delegation.

30 (4) Notwithstanding any delegation made under this section, the Commission may continue to exercise or perform all or any of the powers, authorities, duties or functions delegated.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- 5 (5) Any act or thing done or suffered by a delegate while acting in the exercise of a delegation under this section shall have the same force or effect as if the act or thing done or suffered had been done or suffered by the Commission and shall be deemed to have been done or suffered by the Commission.
- 10 (6) This section does not authorise the delegation of the power or duty of the Commission to hold an inquiry.
- (11) Section 56—
- 15 Omit “the Milk Act, 1931, the Gas and Electricity Act, 1935, the Industrial Arbitration Act, 1940, the Coal Industry Act, 1946, or any Act amending those Acts,”; insert instead “any other Act”.
- (12) (a) Section 58 (a)—
- Omit “services;”, insert instead “services; and”.
- 20 (b) Section 58 (b)—
- Omit “community and of goods and services in general use which are in short supply;”, insert instead “community.”.
- (c) Section 58 (c)—
- 25 Omit the paragraph.
- (13) (a) Section 59 (2)—
- After “Minister”, insert “or of such commissioner or authorised officer as may be authorised by the Minister for the purposes of this subsection”.

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(b) Section 59 (3) (a)—

5 Omit “two thousand dollars”, insert instead
“\$10,000”.

(c) Section 59 (3) (b)—

Omit “one thousand dollars”, insert instead
“\$5,000”.

10 (14) Section 61—

Omit the section, insert instead :—

15 61. (1) Proceedings for an offence against this Act may be taken before a court of petty sessions held before a stipendiary magistrate sitting alone or before the Supreme Court in its summary jurisdiction. **Proceed-
ings for
offences.**

(2) Proceedings for an offence against this Act shall not be instituted in the Supreme Court in its summary jurisdiction without the written consent of the Minister.

20 (3) If proceedings for an offence against this Act are brought in a court of petty sessions held before a stipendiary magistrate, the maximum penalty that the court may impose in respect of the offence is, notwithstanding any other provisions of this Act—

25 (a) where the offence is committed by a body corporate—\$2,000; or

(b) where the offence is committed by any other person—\$1,000 or imprisonment for a term not exceeding 6 months, or both.

SCHEDULE

*Prices Regulation (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—*continued.*

5 (4) If proceedings for an offence against this Act are brought in the Supreme Court in its summary jurisdiction, the Supreme Court may impose a penalty not exceeding the maximum penalty provided by this Act in respect of the offence.

10 (5) Proceedings in the Supreme Court in its summary jurisdiction for an offence against this Act may be commenced not later than 6 months after the offence was committed.

SCHEDULE 2.

Sec. 4 (2).

15 CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

Column 1.		Column 2.	
Provision of Prices Regulation Act, 1948.		Matter to be omitted.	Matter to be inserted.
20	Section 7 (1) ..	The Commissioner, and each Assistant Commissioner, adviser Commissioner (wherever occurring)	Each commissioner
	Section 7 (2) ..		Chairman
25	Sections 7 (4) (a); 18 (1), (2); 20 (2), (3), (4), (5), (6), (7), (8), (9), (10), (13); 21 (1); 22 (1), (2); 23 (1), (2), (3); 24 (1), (4); 26 (3), (5), (8); 27 (2), (4), (6); 28 (1), (2); 29; 30 (1) (b); 31 (1) (b); 34; 37, definition of "landed cost"; 38 (2) (c); 39 (2) (b); 43; 47; 49 (1), (4), (5) (b); 50 (1); 51 (1); 52; 57 (2).		Commission
30			
35			

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 2—continued.

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.

Column 1.		Column 2.	
5	Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
20	Sections 7 (4) (a); 20	he (<i>wherever occurring</i>)	it
23	(2) (h), (6) (g); 23		
10	(1).		
15	Section 7 (4) (a) (i) ..	his (<i>where firstly occurring</i>) his official position	its the exercise or performance of any of the powers, authorities, duties and functions conferred or imposed on it by or under this Act
20	Section 7 (4) (c) ..	Commissioner, any Assist- ant Commissioner the Commissioner (<i>where secondly occurring</i>)	Commission it
25	Section 7 (4) (d) ..	Commissioner, any Assist- ant Commissioner, the Commissioner (<i>where secondly occurring</i>)	Commission it
30	Section 8 ..	or the Commissioner or an Assistant Commissioner or an adviser or a person who has been a Commissioner, Assistant Commissioner or adviser	, a commissioner or a person who, pursuant to an appointment made under this Act before or after the date of assent to the Prices Regulation (Amendment) Act, 1976, has been a Prices Commissioner, Assistant Prices Commissioner, adviser or commissioner
35	Section 9 (1) ..	The Commissioner, any Assistant Commissioner and any officer thereto authorized in writing by the Commissioner shall severally have power to—	For the purposes of an inquiry, the Commission may—
40	Section 11 ..	Commissioner or an Assistant Commissioner or an officer authorized in writing by the Com- missioner,	Commission,
45			

*Prices Regulation (Amendment).*SCHEDULE 2—*continued.*CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—*continued.*

Column 1.	Column 2.	
5 Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
10 Section 12 (1) ..	by the Commissioner, an Assistant Commissioner or an officer authorised in writing by the Commissioner	before the Commission
15 Sections 13 (1) (a); 50 (3).	The Commissioner, an Assistant Commissioner him (<i>wherever occurring</i>)	For the purposes of an inquiry, the Commission it or him
20 Sections 13 (1) (a); 50 (2).	he (<i>wherever occurring</i>)	it or he
20 Section 13 (2) ..	Commissioner, Assistant Commissioner,	Commission
20 Section 13 (3) ..	Commissioner, Assistant Commissioner	Commission
25 Section 13 (5) ..	Commissioner, or the Assistant Commissioner,	Commission
25 Sections 14 (1); 17 (1), (2), (3); 25; 44 (b); 45 (1).	Commissioner or an Assistant Commissioner (<i>wherever occurring</i>)	Commission
30 Section 14 (1) ..	the Commissioner or Assistant Commissioner, as the case may be (<i>where firstly occurring</i>)	it
35 Section 14 (1), (2), (3)	Commissioner or Assistant Commissioner, as the case may be, (<i>wherever occurring</i>)	Commission
35 Sections 14 (1); 17 (1), (2); 18 (1).	him (<i>wherever occurring</i>)	it
40 Section 14 (2) ..	Commissioner or to an Assistant Commissioner, as the case may be,	Commission
40 Section 14 (3) ..	Commissioner or to an Assistant Commissioner,	Commission
45 Section 15 (1) ..	The Commissioner, an Assistant Commissioner or any	For the purposes of an inquiry, an
50 Section 15 (2) ..	The Commissioner or an Assistant Commissioner or any	An
50	Commissioner or Assistant Commissioner	Chairman

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 2—continued.

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.

Column 1.		Column 2.	
		Matter to be omitted.	Matter to be inserted.
5	Provision of Prices Regulation Act, 1948.		
	Section 16	the Commissioner, an Assistant Commissioner, or an authorised officer,	an authorised officer
10	Section 17 (1) (e) ..	the thirty-first day of August, one thousand nine hundred and thirty-nine, or on such other date as the Commissioner or Assistant Commissioner	such date as the Commission
15			
	Section 20 (1) ..	The Commissioner may, with respect to any declared goods, from time to time, in his absolute discretion,	The Commission may, with respect to any declared goods, from time to time,
20			
	Sections 20 (2), (5), (6); 24 (4) (b).	his	its
25	Section 20 (12) ..	Commissioner (<i>where firstly and secondly occurring</i>)	Commission
	Section 25	Commissioner or Assistant Commissioner (<i>wherever occurring</i>)	Commission
30	Section 30 (4) ..	Commissioner or an Assistant Commissioner	Chairman
	Section 44	authorised	authorised
	Section 50 (2) ..	Commissioner, or an Assistant Commissioner,	Commission
35		his	its or his
	Section 50 (3) ..	The Commissioner, or an Assistant Commissioner, or an authorised officer,	The Commission or an authorised officer
40	Section 53 (2) ..	Commissioner, an Assistant Commissioner or any person to whom the Commissioner has made a delegation under section fifty-five of this Act	Chairman
45		the Commissioner, Assistant Commissioner, or such person as the case may be,	or on behalf of the Commission
50		person by whom it purports to have been signed	Chairman

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 2—continued.

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT
1948—continued.

Column 1.		Column 2.	
5	Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
	Section 57 (1) ..	until their destruction is authorized by the Commissioner	for a period of at least 6 years after their making
10	Section 57 (3) ..	until their destruction is authorised by the Commissioner	for a period of at least 6 years after the direction is given

SCHEDULE 3.

Sec. 4 (1)

15 AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION.

(1) Section 1 (3)—

Omit the subsection.

(2) Section 2—

20 Omit the section.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

- 5 (3) Section 3 (1), definition of “Commonwealth Regulations”—

Omit the definition.

- (4) Section 15 (3)—

Omit the subsection.

- (5) Section 17 (1) (d)—

10 Omit “the Commonwealth Regulations or”.

- (6) Section 20 (12)—

15 Omit “This subsection shall extend and apply to and in
respect of an order of the character described in this
subsection published in the Commonwealth Gazette
before the commencement of this Act in pursuance
of Regulation twenty-three of the Commonwealth
Regulations, and having force or effect immediately
before such commencement, and for the purposes of
such application, a reference in this subsection to the
20 Gazette shall be construed as a reference to the Commonwealth Gazette, a reference to the Government
Printer shall be construed as a reference to the Commonwealth Government Printer, and a reference to the
Commissioner shall be construed as a reference to the
25 Prices Commissioner appointed under the Commonwealth Regulations.”.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

(7) Section 60 (2)—

5 Omit the subsection, insert instead :—

(2) Section 41 of the Interpretation Act, 1897,
applies in respect of a regulation as if this Act had
been passed after the commencement of the Interpre-
tation (Amendment) Act, 1969.

10

SCHEDULE 4.

Sec. 5.

AMENDMENT TO THE STATUTORY AND OTHER OFFICES
REMUNERATION ACT, 1975.

Schedule 2, Part 1—

At the end of Part 1, insert :—

15 Chairman of the Prices Commission.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976
[32c]

No. , 1976.

BILL

To amend the Prices Regulation Act, 1948, for the purpose of constituting a Prices Commission; and to amend the Statutory and Other Offices Remuneration Act, 1975, for the purpose of determining the remuneration and allowances payable to the Chairman of the Commission.

[Mr EINFELD—8 *September*, 1976.]

BE

Prices Regulation (Amendment).

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
5 follows :—

1. This Act may be cited as the "Prices Regulation Short title.
(Amendment) Act, 1976".

2. (1) This section and section 1 shall commence on Commence-
the date of assent to this Act. ment.

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

3. This Act contains the following Schedules :— Schedules.

15 SCHEDULE 1.—AMENDMENTS TO THE PRICES
REGULATION ACT, 1948.

SCHEDULE 2.—CONSEQUENTIAL AMENDMENTS TO
THE PRICES REGULATION ACT, 1948.

20 SCHEDULE 3.—AMENDMENTS TO THE PRICES
REGULATION ACT, 1948, BY WAY OF STATUTE
LAW REVISION.

SCHEDULE 4.—AMENDMENT TO THE STATUTORY AND
OTHER OFFICES REMUNERATION ACT, 1975.

4. (1) The Prices Regulation Act, 1948, is amended in Amend-
25 the manner set forth in Schedules 1 and 3. ment of
Act No. 26,
1948.

(2)

Prices Regulation (Amendment).

(2) The Prices Regulation Act, 1948, is further amended by omitting from a provision of that Act specified in Column 1 of Schedule 2 the matter specified opposite that provision in the column headed "Matter to be omitted." in Column 2 of Schedule 2, other than such matter, if any, as appears in brackets and is printed in italics, and by inserting instead the matter specified opposite that provision in the column headed "Matter to be inserted." in Column 2 of Schedule 2.

10 5. The Statutory and Other Offices Remuneration Act, 1975, is amended in the manner set forth in Schedule 4. Amendment of Act No. 4, 1976.

6. An order made under section 20 of the Prices Regulation Act, 1948, in force immediately before the day appointed and notified under section 2 (2), shall be deemed to be an order made under section 20 of the Prices Regulation Act, 1948, as amended by this Act. Saving—prices regulation orders.

SCHEDULE 1.

Sec. 4 (1).

AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

20 (1) (a) Section 3 (1), definitions of "Assistant Commissioner", "authorized officer"—

Omit the definitions.

(b) Section 3 (1), definitions of "authorised officer", "Chairman", "Commission", "Commissioner"—

25 Before the definition of "Commonwealth Regulations", insert :—

"authorised officer" means a person appointed by the Commission to be an authorised officer for the purposes of this Act;

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 “Chairman” means the Chairman of the
 Commission;

 “Commission” means the Prices Commission
 constituted by this Act;

10 “commissioner” means a person appointed
 under this Act as a commissioner and
 includes the Chairman;

(c) Section 3 (1), definitions of “inquiry”,
“meeting”—

 After the definition of “declared service”,
 insert :—

15 “inquiry”, in relation to the Commission,
 means an inquiry held by the Commission
 pursuant to—

- 20 (a) a direction of the Minister
 under section 8A (1) (b);
 (b) Section 8B; or
 (c) a decision of the Commission
 under section 8C (2);

 “meeting”, in relation to the Commission,
 includes an inquiry;

25 (d) Section 3 (1), definition of “public utility
 undertaking”—

 Before “municipality”, insert “city,”.

(e) Section 3 (1), definition of “the Commissioner”—

 Omit the definition.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(f) Section 3 (5)—

5 After section 3 (4), insert :—

(5) Nothing in this Act entitles the Commission to make an order under section 20 (5) with respect to the rental of any land or premises.

(2) Sections 4—4M—

10 Omit section 4, insert instead :—

4. There is hereby constituted a Prices Commission. Constitution of Commission.

4A. (1) The Commission shall consist of one full-time commissioner and 2 part-time commissioners appointed by the Governor. Appointment of commissioners.

15 (2) Of the part-time commissioners, one shall be a person who is appointed to represent consumers and the other shall be a person who, in the opinion of the Governor, is experienced in business or commerce.

20 (3) The provisions of the Public Service Act, 1902, shall not apply to or in respect of the appointment of a commissioner, and a commissioner shall not be subject to the provisions of that Act during his term of office.

25 4B. (1) The full-time commissioner shall be the Chairman.
Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (2) The Chairman shall devote the whole of his time to the duties of his office and shall be entitled to be paid—

- (a) remuneration in accordance with the Statutory and Other Offices Remuneration Act, 1975; and
- 10 (b) such travelling and subsistence allowances as the Minister may from time to time determine in respect of him.

15 4c. (1) In this section, “superannuation scheme” means a scheme, fund or arrangement under which any superannuation or retirement benefits are provided and which is established by or under any Act.

Preservation of rights of full-time commissioner previously public servant, etc.

20 (2) Subject to subsection (3) and to the terms of his appointment, where a full-time commissioner was, immediately before his appointment as a full-time commissioner—

- (a) an officer of the Public Service; or
 - (b) a contributor to a superannuation scheme,
- he—
- 25 (c) shall retain any rights accrued or accruing to him as such an officer or contributor;
 - (d) may continue to contribute to any superannuation scheme to which he was a contributor immediately before his appointment as a full-time commissioner; and

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- 5 (e) shall be entitled to receive any deferred or
extended leave and any payment, pension or
gratuity,

as if he had continued to be such an officer or
contributor during his service as a full-time commis-
sioner, and—

- 10 (f) his service as a full-time commissioner shall
be deemed to be service as an officer or
employee for the purpose of any law under
which those rights accrued or were accruing,
15 under which he continues to contribute or
by which that entitlement is conferred; and

- (g) he shall be deemed to be an officer or
employee, and the Commission shall be
deemed to be his employer, for the purpose
of the superannuation scheme to which he
20 is entitled to contribute under this sub-
section.

- (3) A full-time commissioner who, but for
this subsection, would be entitled under subsection
25 (2) to contribute to a superannuation scheme or to
receive any payment, pension or gratuity under that
scheme shall not be so entitled upon his becoming
(whether upon his appointment as a full-time com-
missioner or at any later time while he holds office as
a full-time commissioner) a contributor to any other
30 superannuation scheme, and the provisions of sub-
section (2) (g) cease to apply to or in respect of him
and the Commission in any case where he becomes a
contributor to such another superannuation scheme.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (4) Subsection (3) does not prevent the payment to a full-time commissioner upon his ceasing to be a contributor to a superannuation scheme of such amount as would have been payable to him if he had ceased, by reason of resignation, to be an officer or employee for the purposes of that scheme.

10 (5) A full-time commissioner shall not, in respect of the same period of service, be entitled to claim a benefit under this Act and another Act.

15 4D. A commissioner shall, subject to this Act, hold office for a period of 3 years and is eligible for re-appointment as a commissioner. Term of office.

 4E. A person who is of or above the age of 70 years is not eligible for appointment as a commissioner. Ineligibility by reason of age.

 4F. A commissioner shall cease to hold office on the day on which he attains the age of 70 years. Commissioner attaining 70 years of age.

20 4G. (1) The Governor may for any cause which to him seems sufficient remove any commissioner from office. Removal from office.

25 (2) Without affecting the generality of subsection (1) the Governor shall be deemed to have cause as referred to in that subsection if—

 (a) a commissioner has any direct or indirect pecuniary interest in any declared goods or declared service or any goods or service the subject of investigation or inquiry by the

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 Commission, other than an interest which
he has in the like manner applicable, and
subject to the like conditions applicable, in
the case of persons who are not commis-
sioners; or

10 (b) a commissioner, by virtue of his office as a
commissioner, accepts or acquires any
personal profit or advantage other than
under this Act.

4H. A commissioner shall be deemed to have **Vacation**
vacated his office— **of**
office.

15 (a) if he dies;

(b) if, being the Chairman, he engages in any
paid employment outside the duties of his
office;

20 (c) if, being the Chairman, he absents himself
from duty for a period exceeding 14 con-
secutive days except on leave granted by
the Minister (which leave the Minister is
hereby authorised to grant), unless his
absence is occasioned by illness or other
unavoidable cause;

25 (d) if, being a commissioner other than the
Chairman, he is unavailable for duty for a
period exceeding 28 days except on leave
granted by the Minister (which leave the
Minister is hereby authorised to grant),
30 unless his unavailability is occasioned by
illness or other unavoidable cause;

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- 5 (e) if he becomes bankrupt, applies to take
the benefit of any law for the relief of
bankrupt or insolvent debtors, compounds
with his creditors or makes any assignment
of his remuneration or allowances as a
10 commissioner, or of his estate, for their
benefit;
- (f) if he becomes a temporary patient, a con-
tinued treatment patient, a protected person
or an incapable person within the meaning
of the Mental Health Act, 1958, or a person
15 under detention under Part VII of that Act;
- (g) if he resigns his office by writing under his
hand addressed to the Governor; or
- (h) if he is removed from office by the
Governor.
- 20 4I. On the occurrence of a vacancy in the office
of a commissioner, otherwise than by the expiration
of the term for which he was appointed, the Governor
may appoint a person to hold that office for the
balance of his predecessor's term of office, being,
25 where the vacancy occurs in the office of a part-time
commissioner, a person of the same description
referred to in section 4A (2) as that predecessor.
- 30 4J. (1) During the absence or illness of the
Chairman, the permanent head of a Government
Department under the administration of the Minister
nominated by the Minister shall act as Chairman.

Filling
casual
vacancy.

Acting
Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (2) The permanent head referred to in sub-
section (1) shall have and may exercise, while acting
as Chairman, the powers, authorities, duties and
functions of the Chairman.

10 4K. (1) The Minister may at any time appoint, ^{Alternate}
as an alternate commissioner to act during the absence ^{commis-}
or illness of a part-time commissioner, a person of ^{sioners.}
the same description referred to in section 4A (2) as
the person for whom he is the alternate commissioner.

15 (2) An alternate commissioner shall have and
may exercise, while acting as a commissioner, the
powers, authorities, duties and functions of the person
for whom he is the alternate commissioner.

20 4L. (1) The procedure for the calling of meetings ^{Meetings}
of the Commission and for the conduct of business ^{of the}
at those meetings, including the procedure to be ^{Commission.}
followed in an inquiry, shall, subject to this Act, be
as determined by the Commission.

(2) The Chairman shall preside at all
meetings of the Commission at which he is present.

25 (3) Three commissioners shall form a quorum
at any meeting of the Commission and any duly
convened meeting at which a quorum is present shall
be competent to transact any business of the
Commission.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (4) A decision of a majority of the commis-
sioners present at a meeting of the Commission at
which a quorum is present shall be the decision of the
Commission.

10 4M. A part-time commissioner shall be entitled to Remunera-
be paid such remuneration (including travelling and tion.
subsistence allowances) as the Minister may from time
to time determine in respect of him.

(3) Sections 5, 6—

Omit the sections.

(4) Sections 8A–8F—

15 After section 8, insert :—

8A. (1) The Minister, for the purpose of Furnishing
determining whether he should exercise any power of reports,
conferred on him under section 19, may direct— etc., at
Minister's
direction.

(a) the Chairman to furnish a report to him; or
20 (b) the Commission to hold an inquiry and
furnish a report to him,
with respect to such goods or services or goods and
services as are specified in the direction.

25 (2) The Chairman or the Commission shall
comply with any direction given to him or it, as the
case may be, by the Minister under subsection (1).

30 8B. The Commission, for the purpose of determin- Inquiry by
ing whether it should exercise any power conferred Commission.
on it under section 20, shall hold an inquiry unless it
obtains the consent of the Minister to dispense with
the holding of an inquiry.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

8C. (1) A person—

5

(a) who is a seller of goods; or

(b) who supplies or carries on a service,

10

to which an order made under section 20 relates, may make application to the Commission, in the prescribed manner, for an order under that section in relation to those goods or that service, as the case may be.

Applica-
tion by
person to
Commis-
sion to hold
inquiry.

(2) On receipt of an application made under subsection (1), the Commission may decide to refuse the application or to hold an inquiry.

15

(3) The Commission shall notify a person who makes an application under subsection (1) of its decision with respect to that application.

20

(4) Where the Commission decides to hold an inquiry pursuant to an application made under subsection (1), the person who made the application shall be a party to the inquiry.

25

8D. The Commission shall, before commencing to hold an inquiry, by advertisement published, on such day or days as the Commission determines, in the Gazette and in a daily newspaper circulating throughout the State, give notice of the inquiry, the matter that is to be the subject of the inquiry and the time and place at which the inquiry is to be commenced.

Notice of
inquiry by
Commis-
sion.

30

8E. (1) At an inquiry, any person may apply to the Commission to be made a party to the inquiry.

Parties to
inquiries.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (2) If, on the making of an application referred to in subsection (1), the Commission is of the opinion that the applicant has a substantial interest in the matter that is the subject of the inquiry, the Commission shall grant the application but, if the
10 Commission is not so satisfied, it shall refuse the application.

(3) A party to an inquiry may appear in person or by his agent, counsel or solicitor.

15 (4) A party to an inquiry is entitled to give evidence, or call witnesses to give evidence, and to make submissions to the Commission, in relation to the matter that is the subject of the inquiry.

8F. (1) An inquiry shall be held in public and, subject to this section— Procedure at inquiries.

20 (a) evidence in the inquiry shall be taken in public on oath or affirmation; and
(b) submissions in the inquiry shall be made in public.

25 (2) If any witness objects to giving any evidence in public that the Commission is satisfied is of a confidential nature, the Commission may take that evidence in private if it considers it desirable to do so.

30 (3) In an inquiry, the Commission may, if it thinks fit, permit a person appearing as a witness at the inquiry to give evidence by tendering, and verifying by oath or affirmation, a written statement and, where evidence is so given, the Commission shall make available to the public in such manner as the

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 Commission thinks fit the contents of the statement
other than any matter that the person who gave the
evidence objects to being made public and that the
Commission is satisfied is of a confidential nature.

10 (4) In an inquiry, the Commission may, if it
thinks fit, require or permit a party to the inquiry
desiring to make submissions to the Commission to
make those submissions in writing and, where submis-
sions are so made, the Commission shall make
available to the public in such manner as it thinks fit
the contents of the submissions.

15 (5) The Commission is not bound by the rules
of evidence.

(5) (a) Section 28 (1) (a)—

Omit “(by way of broadcast by wireless trans-
mission)” wherever occurring.

20 (b) Section 28 (1)—

Omit “Commonwealth”, insert instead “State”.

(6) Section 40—

Omit the section.

(7) Section 48—

25 Omit the section.

(8) Section 51 (3) (d)—

After “wireless”, insert “or television”.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(9) Section 55—

5 Omit the section, insert instead :—

10 55. (1) The Commission may, by instrument in ^{Delegation.} writing, delegate to the holder of an office specified in the instrument of delegation the exercise or performance of such of the powers (other than this power of delegation), authorities, duties or functions conferred or imposed on the Commission by or under this Act as may be specified in the instrument of delegation and may in like manner revoke wholly or in part any such delegation.

15 (2) A power, authority, duty or function, the exercise or performance of which has been delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time in accordance with the terms of the delegation.

20 (3) A delegation under this section may be made subject to such conditions or such limitations as to the exercise or performance of any of the powers, authorities, duties or functions delegated, or as to time or circumstances, as may be specified in the instrument
25 of delegation.

(4) Notwithstanding any delegation made under this section, the Commission may continue to exercise or perform all or any of the powers, authorities, duties or functions delegated.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- 5 (5) Any act or thing done or suffered by a delegate while acting in the exercise of a delegation under this section shall have the same force or effect as if the act or thing done or suffered had been done or suffered by the Commission and shall be deemed to have been done or suffered by the Commission.
- 10 (6) This section does not authorise the delegation of the power or duty of the Commission to hold an inquiry.
- (10) Section 56—
- 15 Omit “the Milk Act, 1931, the Gas and Electricity Act, 1935, the Industrial Arbitration Act, 1940, the Coal Industry Act, 1946, or any Act amending those Acts,” insert instead “any other Act”.
- (11) (a) Section 58 (a)—
- Omit “services;”, insert instead “services; and”.
- 20 (b) Section 58 (b)—
- Omit “community and of goods and services in general use which are in short supply;”, insert instead “community.”.
- (c) Section 58 (c)—
- 25 Omit the paragraph.
- (12) (a) Section 59 (2)—
- After “Minister”, insert “or of such commissioner or authorised officer as may be authorised by the Minister for the purposes of this subsection”.

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(b) Section 59 (3) (a)—

5 Omit “two thousand dollars”, insert instead
“\$10,000”.

(c) Section 59 (3) (b)—

Omit “one thousand dollars”, insert instead
“\$5,000”.

10 (13) Section 61—

Omit the section, insert instead :—

15 61. (1) Proceedings for an offence against this
Act may be taken before a court of petty sessions held
before a stipendiary magistrate sitting alone or before
the Supreme Court in its summary jurisdiction. **Proceed-
ings for
offences.**

(2) Proceedings for an offence against this
Act shall not be instituted in the Supreme Court in its
summary jurisdiction without the written consent of
the Minister.

20 (3) If proceedings for an offence against this
Act are brought in a court of petty sessions held before
a stipendiary magistrate, the maximum penalty that
the court may impose in respect of the offence is,
notwithstanding any other provisions of this Act—

25 (a) where the offence is committed by a body
corporate—\$2,000; or

(b) where the offence is committed by any other
person—\$1,000 or imprisonment for a term
not exceeding 6 months, or both.

SCHEDULE

*Prices Regulation (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (4) If proceedings for an offence against this Act are brought in the Supreme Court in its summary jurisdiction, the Supreme Court may impose a penalty not exceeding the maximum penalty provided by this Act in respect of the offence.

10 (5) Proceedings in the Supreme Court in its summary jurisdiction for an offence against this Act may be commenced not later than 6 months after the offence was committed.

SCHEDULE 2.

Sec. 4 (2).

15 CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948.

Column 1.		Column 2.	
Provision of Prices Regulation Act, 1948.		Matter to be omitted.	Matter to be inserted.
20	Section 7 (1) . . .	The Commissioner, and each Assistant Commissioner, adviser Commissioner (wherever occurring)	Each commissioner
	Section 7 (2) . . .		Chairman
25	Sections 7 (4) (a); 18 (1), (2); 20 (2), (3), (4), (5), (6), (7), (8), (9), (10), (13); 21 (1); 22 (1), (2); 23 (1), (2), (3); 24 (1), (4); 26 (3), (5), (8); 27 (2), (4), (6); 28 (1), (2); 29; 30 (1) (b); 31 (1) (b); 34; 37, definition of "landed cost"; 38 (2) (c); 39 (2) (b); 43; 47; 49 (1), (4), (5) (b); 50 (1); 51 (1); 52; 57 (2).		Commission
30			
35			

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 2—continued.

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.

Column 1.	Column 2.	
5 Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Sections 7 (4) (a); 20 (2) (h), (6) (g); 23	he (<i>wherever occurring</i>)	it
10 (1). Section 7 (4) (a) (i) ..	his (<i>where firstly occurring</i>) his official position	its
15		the exercise or performance of any of the powers, authorities, duties and functions conferred or imposed on it by or under this Act
Section 7 (4) (c) ..	Commissioner, any Assist- ant Commissioner	Commission
20	the Commissioner (<i>where secondly occurring</i>)	it
Section 7 (4) (d) ..	Commissioner, any Assist- ant Commissioner,	Commission
25	the Commissioner (<i>where secondly occurring</i>)	it
Section 8 ..	or the Commissioner or an Assistant Commissioner	, a commissioner or a person who, pursuant to an appointment made under this Act before or after the date of assent to the Prices Regulation (Amendment) Act, 1976, has been a Prices Commissioner, Assistant Prices Commissioner, adviser or commissioner
30	or an adviser or a person who has been a Commissioner, Assistant Commissioner or adviser	For the purposes of an inquiry, the Commission may—
35	The Commissioner, any Assistant Commissioner and any officer thereto authorized in writing by the Commissioner shall severally have power to—	Commission,
40	Commissioner or an Assistant Commissioner or an officer authorized in writing by the Com- missioner,	
45		

Prices Regulation (Amendment).

SCHEDULE 2—continued.

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.

Column 1.	Column 2.	
5 Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
10	Section 12 (1) .. by the Commissioner, an Assistant Commissioner or an officer authorised in writing by the Commissioner	before the Commission
15	Section 13 (1) .. The Commissioner, an Assistant Commissioner him (<i>wherever occurring</i>)	For the purposes of an inquiry, the Commission it or him
20	Sections 13 (1) (a); 50 (3). Sections 13 (1) (a); 50 (2). Section 13 (2) .. Commissioner, Assistant Commissioner, Section 13 (3) .. Commissioner, Assistant Commissioner Section 13 (5) .. Commissioner, or the Assistant Commissioner, 25 Sections 14 (1); 17 (1), (2), (3); 25; 44 (b); 45 (1). Section 14 (1) .. the Commissioner or Assistant Commissioner, as the case may be (<i>where firstly occurring</i>) 30 Section 14 (1), (2), (3) Commissioner or Assistant Commissioner, as the case may be, (<i>wherever occurring</i>) 35 Sections 14 (1); 17 (1), (2); 18 (1). Section 14 (2) .. Commissioner or to an Assistant Commissioner, as the case may be, 40 Section 14 (3) .. Commissioner or to an Assistant Commissioner, Section 15 (1) .. The Commissioner, an Assistant Commissioner 45 Section 15 (2) .. or any The Commissioner or an Assistant Commissioner or any 50 Commissioner or Assistant Commissioner	it or he Commission Commission Commission Commission it Commission it Commission Commission For the purposes of an inquiry, an An Chairman

*Prices Regulation (Amendment).*SCHEDULE 2—*continued.*CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—*continued.*

Column 1.		Column 2.	
		Matter to be omitted.	Matter to be inserted.
5	Provision of Prices Regulation Act, 1948.		
	Section 16	the Commissioner, an Assistant Commissioner, or an authorised officer,	an authorised officer
10	Section 17 (1) (e) ..	the thirty-first day of August, one thousand nine hundred and thirty-nine, or on such other date as the Commissioner or Assistant Commissioner	such date as the Commission
15			
	Section 20 (1) ..	The Commissioner may, with respect to any declared goods, from time to time, in his absolute discretion,	The Commission may, with respect to any declared goods, from time to time,
20			
	Sections 20 (2), (5), (6); 24 (4) (b).	his	its
25	Section 20 (12) ..	Commissioner (<i>where firstly and secondly occurring</i>)	Commission
	Section 25	Commissioner or Assistant Commissioner (<i>wherever occurring</i>)	Commission
30	Section 30 (4) ..	Commissioner or an Assistant Commissioner	Chairman
	Section 44	authorised	authorised
	Section 50 (2) ..	Commissioner, or an Assistant Commissioner,	Commission
35		his	its or his
	Section 50 (3) ..	The Commissioner, or an Assistant Commissioner, or an authorised officer,	The Commission or an authorised officer
40	Section 53 (2) ..	Commissioner, an Assistant Commissioner or any person to whom the Commissioner has made a delegation under section fifty-five of this Act	Chairman
45		the Commissioner, Assistant Commissioner, or such person as the case may be,	or on behalf of the Commission
50		person by whom it purports to have been signed	Chairman

*Prices Regulation (Amendment).*SCHEDULE 2—*continued.*CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—*continued.*

Column 1.		Column 2.	
5	Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
	Section 57 (1) ..	until their destruction is authorized by the Commissioner	for a period of at least 6 years after their making
10	Section 57 (3) ..	until their destruction is authorised by the Commissioner	for a period of at least 6 years after the direction is given

SCHEDULE 3.

Sec. 4 (1).

15 AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION.

(1) Section 1 (3)—

Omit the subsection.

(2) Section 2—

20 Omit the section.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

- 5 (3) Section 3 (1), definition of “Commonwealth Regulations”—

Omit the definition.

- (4) Section 15 (3)—

Omit the subsection.

- (5) Section 17 (1) (d)—

10 Omit “the Commonwealth Regulations or”.

- (6) Section 20 (12)—

15 Omit “This subsection shall extend and apply to and in
respect of an order of the character described in this
subsection published in the Commonwealth Gazette
before the commencement of this Act in pursuance
of Regulation twenty-three of the Commonwealth
Regulations, and having force or effect immediately
before such commencement, and for the purposes of
such application, a reference in this subsection to the
20 Gazette shall be construed as a reference to the Commonwealth Gazette, a reference to the Government
Printer shall be construed as a reference to the Commonwealth Government Printer, and a reference to the
Commissioner shall be construed as a reference to the
25 Prices Commissioner appointed under the Commonwealth Regulations.”.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

(7) Section 60 (2)—

5 Omit the subsection, insert instead :—

(2) Section 41 of the Interpretation Act, 1897,
applies in respect of a regulation as if this Act had
been passed after the commencement of the Interpre-
tation (Amendment) Act, 1969.

10

SCHEDULE 4.

Sec. 5.

AMENDMENT TO THE STATUTORY AND OTHER OFFICES
REMUNERATION ACT, 1975.

Schedule 2, Part 1—

At the end of Part 1, insert :—

15 Chairman of the Prices Commission.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

[32c]

PRICES REGULATION (AMENDMENT) BILL, 1976

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to constitute a Prices Commission consisting of one full-time commissioner and two part-time commissioners to exercise and perform, subject to the proposed Act, the powers, authorities, duties and functions previously exercised and performed by the Prices Commissioner and Assistant Prices Commissioners (Schedule 1 (2));
- (b) to provide for the appointment of the commissioners, their term of office, their removal from office, the circumstances in which a vacancy in their office occurs and related matters (Schedule 1 (2));
- (c) to preserve the right of a public servant or contributor to a superannuation scheme established under an Act who is appointed full-time commissioner (Schedule 1 (2));
- (d) to provide for the conduct of meetings of the Prices Commission (Schedule 1 (2));
- (e) to specify the circumstances in which public inquiries shall be held by the Prices Commission, the persons who may be parties to those inquiries and the procedure at those inquiries (Schedule 1 (4));
- (f) to enable the Prices Commission to delegate its powers, authorities, duties and functions (Schedule 1 (9));
- (g) to increase the penalties for offences (Schedule 1 (12));
- (h) to provide that proceedings for offences may be taken before a court of petty sessions or before the Supreme Court in its summary jurisdiction (Schedule 1 (13));
- (i) to amend the Statutory and Other Offices Remuneration Act, 1975, for the purpose of determining the remuneration and allowances payable to the full-time commissioner (Schedule 4);
- (j) to preserve prices regulation orders in force immediately before the date of commencement of the proposed Act (clause 6); and
- (k) to make other provisions of a minor, consequential or ancillary character.

1916

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PROOF

No. , 1976.

A BILL

To amend the Prices Regulation Act, 1948, for the purpose of constituting a Prices Commission; and to amend the Statutory and Other Offices Remuneration Act, 1975, for the purpose of determining the remuneration and allowances payable to the Chairman of the Commission.

[Mr EINFELD—8 *September*, 1976.]

BE

Prices Regulation (Amendment).

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 :—

1. This Act may be cited as the "Prices Regulation Short title. (Amendment) Act, 1976".

2. (1) This section and section 1 shall commence on Commence-
the date of assent to this Act. ment.

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

3. This Act contains the following Schedules :— Schedules.

15 SCHEDULE 1.—AMENDMENTS TO THE PRICES
REGULATION ACT, 1948.

SCHEDULE 2.—CONSEQUENTIAL AMENDMENTS TO
THE PRICES REGULATION ACT, 1948.

20 SCHEDULE 3.—AMENDMENTS TO THE PRICES
REGULATION ACT, 1948, BY WAY OF STATUTE
LAW REVISION.

SCHEDULE 4.—AMENDMENT TO THE STATUTORY AND
OTHER OFFICES REMUNERATION ACT, 1975.

25 4. (1) The Prices Regulation Act, 1948, is amended in
the manner set forth in Schedules 1 and 3. Amend-
ment of
Act No. 26,
1948.

(2)

Prices Regulation (Amendment).

(2) The Prices Regulation Act, 1948, is further amended by omitting from a provision of that Act specified in Column 1 of Schedule 2 the matter specified opposite that provision in the column headed "Matter to be omitted." in Column 2 of Schedule 2, other than such matter, if any, as appears in brackets and is printed in italics, and by inserting instead the matter specified opposite that provision in the column headed "Matter to be inserted." in Column 2 of Schedule 2.

10 5. The Statutory and Other Offices Remuneration Act, 1975, is amended in the manner set forth in Schedule 4. Amendment of Act No. 4, 1976.

6. An order made under section 20 of the Prices Regulation Act, 1948, in force immediately before the day appointed and notified under section 2 (2), shall be deemed to be an Saving—prices regulation orders.
15 order made under section 20 of the Prices Regulation Act, 1948, as amended by this Act.

SCHEDULE 1.

Sec. 4 (1).

AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

20 (1) (a) Section 3 (1), definitions of "Assistant Commissioner", "authorized officer"—

Omit the definitions.

(b) Section 3 (1), definitions of "authorised officer", "Chairman", "Commission", "Commissioner"—

25 Before the definition of "Commonwealth Regulations", insert :—

"authorised officer" means a person appointed by the Commission to be an authorised officer for the purposes of this Act;

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 “Chairman” means the Chairman of the
 Commission;

 “Commission” means the Prices Commission
 constituted by this Act;

10 “commissioner” means a person appointed
 under this Act as a commissioner and
 includes the Chairman;

(c) Section 3 (1), definitions of “inquiry”,
 “meeting”—

 After the definition of “declared service”,
 insert :—

15 “inquiry”, in relation to the Commission,
 means an inquiry held by the Commission
 pursuant to—

 (a) a direction of the Minister
 under section 8A (1) (b);

20 (b) Section 8B; or

 (c) a decision of the Commission
 under section 8C (2);

 “meeting”, in relation to the Commission,
 includes an inquiry;

25 (d) Section 3 (1), definition of “public utility
 undertaking”—

 Before “municipality”, insert “city”.

(e) Section 3 (1), definition of “the Commissioner”—

 Omit the definition.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(f) Section 3 (5)—

5 After section 3 (4), insert :—

(5) Nothing in this Act entitles the Commission to make an order under section 20 (5) with respect to the rental of any land or premises.

(2) Sections 4–4M—

10 Omit section 4, insert instead :—

4. There is hereby constituted a Prices Commission. Constitution of Commission.

4A. (1) The Commission shall consist of one full-time commissioner and 2 part-time commissioners appointed by the Governor. Appointment of commissioners.

15 (2) Of the part-time commissioners, one shall be a person who is appointed to represent consumers and the other shall be a person who, in the opinion of the Governor, is experienced in business or commerce.

20 (3) The provisions of the Public Service Act, 1902, shall not apply to or in respect of the appointment of a commissioner, and a commissioner shall not be subject to the provisions of that Act during his term of office.

25 4B. (1) The full-time commissioner shall be the Chairman. Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (2) The Chairman shall devote the whole of his time to the duties of his office and shall be entitled to be paid—

(a) remuneration in accordance with the Statutory and Other Offices Remuneration Act, 1975; and

10 (b) such travelling and subsistence allowances as the Minister may from time to time determine in respect of him.

15 4c. (1) In this section, “superannuation scheme” means a scheme, fund or arrangement under which any superannuation or retirement benefits are provided and which is established by or under any Act.

Preservation of rights of full-time commissioner previously public servant, etc.

20 (2) Subject to subsection (3) and to the terms of his appointment, where a full-time commissioner was, immediately before his appointment as a full-time commissioner—

(a) an officer of the Public Service; or

(b) a contributor to a superannuation scheme,

he—

25 (c) shall retain any rights accrued or accruing to him as such an officer or contributor;

(d) may continue to contribute to any superannuation scheme to which he was a contributor immediately before his appointment as a full-time commissioner; and

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- 5 (e) shall be entitled to receive any deferred or
extended leave and any payment, pension or
gratuity,

as if he had continued to be such an officer or
contributor during his service as a full-time commis-
sioner, and—

- 10 (f) his service as a full-time commissioner shall
be deemed to be service as an officer or
employee for the purpose of any law under
which those rights accrued or were accruing,
15 under which he continues to contribute or
by which that entitlement is conferred; and

- (g) he shall be deemed to be an officer or
employee, and the Commission shall be
deemed to be his employer, for the purpose
of the superannuation scheme to which he
20 is entitled to contribute under this sub-
section.

- (3) A full-time commissioner who, but for
this subsection, would be entitled under subsection
25 (2) to contribute to a superannuation scheme or to
receive any payment, pension or gratuity under that
scheme shall not be so entitled upon his becoming
(whether upon his appointment as a full-time com-
missioner or at any later time while he holds office as
a full-time commissioner) a contributor to any other
superannuation scheme, and the provisions of sub-
30 section (2) (g) cease to apply to or in respect of him
and the Commission in any case where he becomes a
contributor to such another superannuation scheme.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (4) Subsection (3) does not prevent the payment to a full-time commissioner upon his ceasing to be a contributor to a superannuation scheme of such amount as would have been payable to him if he had ceased, by reason of resignation, to be an officer or employee for the purposes of that scheme.

10 (5) A full-time commissioner shall not, in respect of the same period of service, be entitled to claim a benefit under this Act and another Act.

15 4D. A commissioner shall, subject to this Act, hold office for a period of 3 years and is eligible for re-appointment as a commissioner. Term of office.

4E. A person who is of or above the age of 70 years is not eligible for appointment as a commissioner. Ineligibility by reason of age.

4F. A commissioner shall cease to hold office on the day on which he attains the age of 70 years. Commissioner attaining 70 years of age.

20 4G. (1) The Governor may for any cause which to him seems sufficient remove any commissioner from office. Removal from office.

25 (2) Without affecting the generality of subsection (1) the Governor shall be deemed to have cause as referred to in that subsection if—

(a) a commissioner has any direct or indirect pecuniary interest in any declared goods or declared service or any goods or service the subject of investigation or inquiry by the

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- 5 Commission, other than an interest which he has in the like manner applicable, and subject to the like conditions applicable, in the case of persons who are not commissioners; or
- 10 (b) a commissioner, by virtue of his office as a commissioner, accepts or acquires any personal profit or advantage other than under this Act.

4H. A commissioner shall be deemed to have vacated his office—
Vacation
of
office.

- 15 (a) if he dies;
- (b) if, being the Chairman, he engages in any paid employment outside the duties of his office;
- 20 (c) if, being the Chairman, he absents himself from duty for a period exceeding 14 consecutive days except on leave granted by the Minister (which leave the Minister is hereby authorised to grant), unless his absence is occasioned by illness or other unavoidable cause;
- 25 (d) if, being a commissioner other than the Chairman, he is unavailable for duty for a period exceeding 28 days except on leave granted by the Minister (which leave the Minister is hereby authorised to grant), unless his unavailability is occasioned by illness or other unavoidable cause;
- 30

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- 5 (e) if he becomes bankrupt, applies to take
the benefit of any law for the relief of
bankrupt or insolvent debtors, compounds
with his creditors or makes any assignment
of his remuneration or allowances as a
commissioner, or of his estate, for their
10 benefit;
- (f) if he becomes a temporary patient, a con-
tinued treatment patient, a protected person
or an incapable person within the meaning
of the Mental Health Act, 1958, or a person
15 under detention under Part VII of that Act;
- (g) if he resigns his office by writing under his
hand addressed to the Governor; or
- (h) if he is removed from office by the
Governor.
- 20 4I. On the occurrence of a vacancy in the office Filling
of a commissioner, otherwise than by the expiration casual
of the term for which he was appointed, the Governor vacancy.
may appoint a person to hold that office for the
balance of his predecessor's term of office, being,
25 where the vacancy occurs in the office of a part-time
commissioner, a person of the same description
referred to in section 4A (2) as that predecessor.
- 30 4J. (1) During the absence or illness of the Acting
Chairman, the permanent head of a Government Chairman.
Department under the administration of the Minister
nominated by the Minister shall act as Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (2) The permanent head referred to in sub-section (1) shall have and may exercise, while acting as Chairman, the powers, authorities, duties and functions of the Chairman.

10 4K. (1) The Minister may at any time appoint, Alternate as an alternate commissioner to act during the absence commissioners. or illness of a part-time commissioner, a person of the same description referred to in section 4A (2) as the person for whom he is the alternate commissioner.

15 (2) An alternate commissioner shall have and may exercise, while acting as a commissioner, the powers, authorities, duties and functions of the person for whom he is the alternate commissioner.

20 4L. (1) The procedure for the calling of meetings of the Commission and for the conduct of business Meetings of the Commission. at those meetings, including the procedure to be followed in an inquiry, shall, subject to this Act, be as determined by the Commission.

(2) The Chairman shall preside at all meetings of the Commission at which he is present.

25 (3) Three commissioners shall form a quorum at any meeting of the Commission and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Commission.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (4) A decision of a majority of the commis-
sioners present at a meeting of the Commission at
which a quorum is present shall be the decision of the
Commission.

10 4M. A part-time commissioner shall be entitled to Remunera-
tion.
be paid such remuneration (including travelling and
subsistence allowances) as the Minister may from time
to time determine in respect of him.

(3) Sections 5, 6—
Omit the sections.

15 (4) Sections 8A–8F—
After section 8, insert :—

8A. (1) The Minister, for the purpose of Furnishing
of reports,
etc., at
Minister's
direction.
determining whether he should exercise any power
conferred on him under section 19, may direct—

20 (a) the Chairman to furnish a report to him; or
(b) the Commission to hold an inquiry and
furnish a report to him,
with respect to such goods or services or goods and
services as are specified in the direction.

25 (2) The Chairman or the Commission shall
comply with any direction given to him or it, as the
case may be, by the Minister under subsection (1).

30 8B. The Commission, for the purpose of determin- Inquiry by
Commission.
ing whether it should exercise any power conferred
on it under section 20, shall hold an inquiry unless it
obtains the consent of the Minister to dispense with
the holding of an inquiry.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

8c. (1) A person—

5

(a) who is a seller of goods; or

(b) who supplies or carries on a service,

Applica-
tion by
person to
Commis-
sion to hold
inquiry.

10

to which an order made under section 20 relates,
may make application to the Commission, in the
prescribed manner, for an order under that section
in relation to those goods or that service, as the
case may be.

(2) On receipt of an application made under
subsection (1), the Commission may decide to refuse
the application or to hold an inquiry.

15

(3) The Commission shall notify a person who
makes an application under subsection (1) of its
decision with respect to that application.

20

(4) Where the Commission decides to hold
an inquiry pursuant to an application made under
subsection (1), the person who made the application
shall be a party to the inquiry.

25

8d. The Commission shall, before commencing to
hold an inquiry, by advertisement published, on such
day or days as the Commission determines, in the
Gazette and in a daily newspaper circulating through-
out the State, give notice of the inquiry, the matter
that is to be the subject of the inquiry and the time
and place at which the inquiry is to be commenced.

Notice of
inquiry by
Commis-
sion.

30

8e. (1) At an inquiry, any person may apply to
the Commission to be made a party to the inquiry.

Parties to
inquiries.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (2) If, on the making of an application referred to in subsection (1), the Commission is of the opinion that the applicant has a substantial interest in the matter that is the subject of the inquiry, the Commission shall grant the application but, if the
10 Commission is not so satisfied, it shall refuse the application.

(3) A party to an inquiry may appear in person or by his agent, counsel or solicitor.

15 (4) A party to an inquiry is entitled to give evidence, or call witnesses to give evidence, and to make submissions to the Commission, in relation to the matter that is the subject of the inquiry.

8F. (1) An inquiry shall be held in public and, subject to this section— Procedure at inquiries.

20 (a) evidence in the inquiry shall be taken in public on oath or affirmation; and

(b) submissions in the inquiry shall be made in public.

25 (2) If any witness objects to giving any evidence in public that the Commission is satisfied is of a confidential nature, the Commission may take that evidence in private if it considers it desirable to do so.

30 (3) In an inquiry, the Commission may, if it thinks fit, permit a person appearing as a witness at the inquiry to give evidence by tendering, and verifying by oath or affirmation, a written statement and, where evidence is so given, the Commission shall make available to the public in such manner as the

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 Commission thinks fit the contents of the statement other than any matter that the person who gave the evidence objects to being made public and that the Commission is satisfied is of a confidential nature.

10 (4) In an inquiry, the Commission may, if it thinks fit, require or permit a party to the inquiry desiring to make submissions to the Commission to make those submissions in writing and, where submissions are so made, the Commission shall make available to the public in such manner as it thinks fit the contents of the submissions.

15 (5) The Commission is not bound by the rules of evidence.

(5) (a) Section 28 (1) (a)—

Omit “(by way of broadcast by wireless transmission)” wherever occurring.

20 (b) Section 28 (1)—

Omit “Commonwealth”, insert instead “State”.

(6) Section 40—

Omit the section.

(7) Section 48—

25 Omit the section.

(8) Section 51 (3) (d)—

After “wireless”, insert “or television”.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(9) Section 55—

5 Omit the section, insert instead :—

10 55. (1) The Commission may, by instrument in ^{Delegation.} writing, delegate to the holder of an office specified in the instrument of delegation the exercise or performance of such of the powers (other than this power of delegation), authorities, duties or functions conferred or imposed on the Commission by or under this Act as may be specified in the instrument of delegation and may in like manner revoke wholly or in part any such delegation.

15 (2) A power, authority, duty or function, the exercise or performance of which has been delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time in accordance with the terms of the delegation.

20 (3) A delegation under this section may be made subject to such conditions or such limitations as to the exercise or performance of any of the powers, authorities, duties or functions delegated, or as to time or circumstances, as may be specified in the instrument
25 of delegation.

(4) Notwithstanding any delegation made under this section, the Commission may continue to exercise or perform all or any of the powers, authorities, duties or functions delegated.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- 5 (5) Any act or thing done or suffered by a delegate while acting in the exercise of a delegation under this section shall have the same force or effect as if the act or thing done or suffered had been done or suffered by the Commission and shall be deemed to have been done or suffered by the Commission.
- 10 (6) This section does not authorise the delegation of the power or duty of the Commission to hold an inquiry.
- (10) Section 56—
- 15 Omit “the Milk Act, 1931, the Gas and Electricity Act, 1935, the Industrial Arbitration Act, 1940, the Coal Industry Act, 1946, or any Act amending those Acts,” insert instead “any other Act”.
- (11) (a) Section 58 (a)—
- Omit “services;”, insert instead “services; and”.
- 20 (b) Section 58 (b)—
- Omit “community and of goods and services in general use which are in short supply;”, insert instead “community.”.
- (c) Section 58 (c)—
- 25 Omit the paragraph.
- (12) (a) Section 59 (2)—
- After “Minister”, insert “or of such commissioner or authorised officer as may be authorised by the Minister for the purposes of this subsection”.

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(b) Section 59 (3) (a)—

5 Omit “two thousand dollars”, insert instead
 “\$10,000”.

(c) Section 59 (3) (b)—

 Omit “one thousand dollars”, insert instead
 “\$5,000”.

10 (13) Section 61—

 Omit the section, insert instead :—

 61. (1) Proceedings for an offence against this Proceed-
ings for
offences.
15 Act may be taken before a court of petty sessions held
 before a stipendiary magistrate sitting alone or before
 the Supreme Court in its summary jurisdiction.

 (2) Proceedings for an offence against this
 Act shall not be instituted in the Supreme Court in its
 summary jurisdiction without the written consent of
 the Minister.

20 (3) If proceedings for an offence against this
 Act are brought in a court of petty sessions held before
 a stipendiary magistrate, the maximum penalty that
 the court may impose in respect of the offence is,
 notwithstanding any other provisions of this Act—

- 25 (a) where the offence is committed by a body
 corporate—\$2,000; or
- (b) where the offence is committed by any other
 person—\$1,000 or imprisonment for a term
 not exceeding 6 months, or both.

SCHEDULE

*Prices Regulation (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

5 (4) If proceedings for an offence against this Act are brought in the Supreme Court in its summary jurisdiction, the Supreme Court may impose a penalty not exceeding the maximum penalty provided by this Act in respect of the offence.

10 (5) Proceedings in the Supreme Court in its summary jurisdiction for an offence against this Act may be commenced not later than 6 months after the offence was committed.

SCHEDULE 2.

Sec. 4 (2).

15 CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
20 Section 7 (1) . . . Section 7 (2) . . . Sections 7 (4) (a); 18 25 (1), (2); 20 (2), (3), (4), (5), (6), (7), (8), (9), (10), (13); 21 (1); 22 (1), (2); 23 (1), (2), (3); 24 (1), 30 (4); 26 (3), (5), (8); 27 (2), (4), (6); 28 (1), (2); 29; 30 (1) (b); 31 (1) (b); 34; 35 37, definition of "landed cost"; 38 (2) (c); 39 (2) (b); 43; 47; 49 (1), (4), (5) (b); 50 (1); 51 (1); 52; 57 (2).	The Commissioner, and each Assistant Com- missioner, adviser Commissioner Commissioner (wherever occurring)	Each commissioner Chairman Commission

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 2—continued.

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.

Column 1.		Column 2.	
5	Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
20	Sections 7 (4) (a); 20	he (<i>wherever occurring</i>)	it
23	(2) (h), (6) (g); 23		
10	(1). Section 7 (4) (a) (i) ..	his (<i>where firstly occurring</i>) his official position	its the exercise or performance of any of the powers, authorities, duties and functions conferred or imposed on it by or under this Act
15			
	Section 7 (4) (c) ..	Commissioner, any Assist- ant Commissioner	Commission
20		the Commissioner (<i>where secondly occurring</i>)	it
	Section 7 (4) (d) ..	Commissioner, any Assist- ant Commissioner, the Commissioner (<i>where secondly occurring</i>)	Commission
25			it
	Section 8	or the Commissioner or an Assistant Commissioner or an adviser or a person who has been a Commissioner, Assistant Commissioner or adviser	, a commissioner or a person who, pursuant to an appointment made under this Act before or after the date of assent to the Prices Regulation (Amendment) Act, 1976, has been a Prices Commissioner, Assistant Prices Commissioner, adviser or commissioner
30			For the purposes of an inquiry, the Commission may—
35			
	Section 9 (1)	The Commissioner, any Assistant Commissioner and any officer thereto authorized in writing by the Commissioner shall severally have power to—	
40			
	Section 11	Commissioner or an Assistant Commissioner or an officer authorized in writing by the Com- missioner,	Commission,
45			

*Prices Regulation (Amendment).*SCHEDULE 2—*continued.*CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—*continued.*

Column 1.	Column 2.	
5 Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
10 Section 12 (1) ..	by the Commissioner, an Assistant Commissioner or an officer authorised in writing by the Commissioner	before the Commission
15 Section 13 (1) ..	The Commissioner, an Assistant Commissioner him (<i>wherever occurring</i>)	For the purposes of an inquiry, the Commission it or him
50 (3). Sections 13 (1) (a); 50 (2).	he (<i>wherever occurring</i>)	it or he
20 Section 13 (2) ..	Commissioner, Assistant Commissioner,	Commission
Section 13 (3) ..	Commissioner, Assistant Commissioner	Commission
Section 13 (5) ..	Commissioner, or the Assistant Commissioner,	Commission
25 Sections 14 (1); 17 (1), (2), (3); 25; 44 (b); 45 (1).	Commissioner or an Assistant Commissioner (<i>wherever occurring</i>)	Commission
30 Section 14 (1) ..	the Commissioner or Assistant Commissioner, as the case may be (<i>where firstly occurring</i>)	it
35 Section 14 (1), (2), (3)	Commissioner or Assistant Commissioner, as the case may be, (<i>wherever occurring</i>)	Commission
Sections 14 (1); 17 (1), (2); 18 (1).	him (<i>wherever occurring</i>)	it
40 Section 14 (2) ..	Commissioner or to an Assistant Commissioner, as the case may be,	Commission
Section 14 (3) ..	Commissioner or to an Assistant Commissioner,	Commission
Section 15 (1) ..	The Commissioner, an Assistant Commissioner	For the purposes of an inquiry, an
45 Section 15 (2) ..	or any	An
50	The Commissioner or an Assistant Commissioner or any Commissioner or Assistant Commissioner	Chairman

*Prices Regulation (Amendment).*SCHEDULE 2—*continued.*CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—*continued.*

Column 1.	Column 2.	
5 Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Section 16	the Commissioner, an Assistant Commissioner, or an authorised officer,	an authorised officer
10 Section 17 (1) (e) ..	the thirty-first day of August, one thousand nine hundred and thirty-nine, or on such other date as the Commissioner or Assistant Commissioner	such date as the Commission
15	The Commissioner may, with respect to any declared goods, from time to time, in his absolute discretion,	The Commission may, with respect to any declared goods, from time to time,
20	his	its
Sections 20 (2), (5), (6); 24 (4) (b).	Commissioner (<i>where firstly and secondly occurring</i>)	Commission
25 Section 20 (12) ..	Commissioner or Assistant Commissioner (<i>wherever occurring</i>)	Commission
30 Section 30 (4) ..	Commissioner or an Assistant Commissioner	Chairman
Section 44 ..	authorized	authorised
Section 50 (2) ..	Commissioner, or an Assistant Commissioner,	Commission
35	his	its or his
Section 50 (3) ..	The Commissioner, or an Assistant Commissioner, or an authorised officer,	The Commission or an authorised officer
40	Commissioner, an Assistant Commissioner or any person to whom the Commissioner has made a delegation under section fifty-five of this Act	Chairman
45	the Commissioner, Assistant Commissioner, or such person as the case may be,	or on behalf of the Commission
50	person by whom it purports to have been signed	Chairman

*Prices Regulation (Amendment).*SCHEDULE 2—*continued.*CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—*continued.*

Column 1.		Column 2.	
5 Provision of Prices Regulation Act, 1948.		Matter to be omitted.	Matter to be inserted.
Section 57 (1)	..	until their destruction is authorized by the Commissioner	for a period of at least 6 years after their making
10 Section 57 (3)	..	until their destruction is authorised by the Commissioner	for a period of at least 6 years after the direction is given

SCHEDULE 3.

Sec. 4 (1).

15 AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION.

(1) Section 1 (3)—

Omit the subsection.

(2) Section 2—

20 Omit the section.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

- 5 (3) Section 3 (1), definition of “Commonwealth Regulations”—

Omit the definition.

- (4) Section 15 (3)—

Omit the subsection.

- (5) Section 17 (1) (d)—

- 10 Omit “the Commonwealth Regulations or”.

- (6) Section 20 (12)—

- 15 Omit “This subsection shall extend and apply to and in
respect of an order of the character described in this
subsection published in the Commonwealth Gazette
before the commencement of this Act in pursuance
of Regulation twenty-three of the Commonwealth
Regulations, and having force or effect immediately
before such commencement, and for the purposes of
such application, a reference in this subsection to the
20 Gazette shall be construed as a reference to the Commonwealth Gazette, a reference to the Government
Printer shall be construed as a reference to the Commonwealth Government Printer, and a reference to the
Commissioner shall be construed as a reference to the
25 Prices Commissioner appointed under the Commonwealth Regulations.”.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

(7) Section 60 (2)—

5 Omit the subsection, insert instead :—

(2) Section 41 of the Interpretation Act, 1897,
applies in respect of a regulation as if this Act had
been passed after the commencement of the Interpret-
ation (Amendment) Act, 1969.

10

SCHEDULE 4.

Sec. 5.

AMENDMENT TO THE STATUTORY AND OTHER OFFICES
REMUNERATION ACT, 1975.

Schedule 2, Part 1—

At the end of Part 1, insert :—

15 Chairman of the Prices Commission.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. 65, 1976.

An Act to amend the Prices Regulation Act, 1948, for the purpose of constituting a Prices Commission; and to amend the Statutory and Other Offices Remuneration Act, 1975, for the purpose of determining the remuneration and allowances payable to the Chairman of the Commission. [Assented to, 15th November, 1976.]

BE

Prices Regulation (Amendment).

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, 1976".

**Commence-
ment.** 2. (1) This section and section 1 shall commence on the date of assent to this Act.

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

Schedules. 3. This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

SCHEDULE 2.—CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

SCHEDULE 3.—AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY WAY OF STATUTE LAW REVISION.

SCHEDULE 4.—AMENDMENT TO THE STATUTORY AND OTHER OFFICES REMUNERATION ACT, 1975.

**Amend-
ment of
Act No. 26,
1948.** 4. (1) The Prices Regulation Act, 1948, is amended in the manner set forth in Schedules 1 and 3.

Prices Regulation (Amendment).

(2) The Prices Regulation Act, 1948, is further amended by omitting from a provision of that Act specified in Column 1 of Schedule 2 the matter specified opposite that provision in the column headed "Matter to be omitted." in Column 2 of Schedule 2, other than such matter, if any, as appears in brackets and is printed in italics, and by inserting instead the matter specified opposite that provision in the column headed "Matter to be inserted." in Column 2 of Schedule 2.

5. The Statutory and Other Offices Remuneration Act, 1975, is amended in the manner set forth in Schedule 4. Amendment of Act No. 4, 1976.

6. An order made under section 20 of the Prices Regulation Act, 1948, in force immediately before the day appointed and notified under section 2 (2), shall be deemed to be an order made under section 20 of the Prices Regulation Act, 1948, as amended by this Act, in respect of declared goods. Saving—prices regulation orders.

SCHEDULE 1.

Sec. 4 (1).

AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

- (1) (a) Section 3 (1), definitions of "Assistant Commissioner", "authorized officer"—

Omit the definitions.

- (b) Section 3 (1), definitions of "authorised officer", "Chairman", "Commission", "commissioner"—

Before the definition of "Commonwealth Regulations", insert :—

"authorised officer" means a person appointed by the Commission to be an authorised officer for the purposes of this Act;

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

“Chairman” means the Chairman of the Commission;

“Commission” means the Prices Commission constituted by this Act;

“commissioner” means a person appointed under this Act as a commissioner and includes the Chairman;

(c) Section 3 (1), definitions of “inquiry”, “meeting”—

After the definition of “declared service”, insert :—

“inquiry”, in relation to the Commission, means an inquiry held by the Commission pursuant to—

- (a) a direction of the Minister under section 8A (1) (b);
- (b) Section 8B; or
- (c) a decision of the Commission under section 8C (2);

“meeting”, in relation to the Commission, includes an inquiry;

(d) Section 3 (1), definition of “public utility undertaking”—

Before “municipality”, insert “city”.

(e) Section 3 (1), definition of “the Commissioner”—

Omit the definition.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(f) Section 3 (5)—

After section 3 (4), insert :—

(5) Nothing in this Act entitles the Commission to make an order under section 20 (5) with respect to the rental of any land or premises.

(2) Sections 4—4M—

Omit section 4, insert instead :—

4. There is hereby constituted a Prices Commission. Constitution of Commission.

4A. (1) The Commission shall consist of one full-time commissioner and 2 part-time commissioners appointed by the Governor. Appointment of commissioners.

(2) Of the part-time commissioners, one shall be a person who is appointed to represent consumers and the other shall be a person who, in the opinion of the Governor, is experienced in business or commerce.

(3) The provisions of the Public Service Act, 1902, shall not apply to or in respect of the appointment of a commissioner, and a commissioner shall not be subject to the provisions of that Act during his term of office.

4B. (1) The full-time commissioner shall be the Chairman.
Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(2) The Chairman shall devote the whole of his time to the duties of his office and shall be 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 him.

Preservation of rights of full-time commissioner previously public servant, etc.

4c. (1) In this section, “superannuation scheme” means a scheme, fund or arrangement under which any superannuation or retirement benefits are provided and which is established by or under any Act.

(2) Subject to subsection (3) and to the terms of his appointment, where a full-time commissioner was, immediately before his appointment as a full-time commissioner—

(a) an officer of the Public Service; or

(b) a contributor to a superannuation scheme,

he—

(c) shall retain any rights accrued or accruing to him as such an officer or contributor;

(d) may continue to contribute to any superannuation scheme to which he was a contributor immediately before his appointment as a full-time commissioner; and

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(e) shall be entitled to receive any deferred or extended leave and any payment, pension or gratuity,
as if he had continued to be such an officer or contributor during his service as a full-time commissioner, and—

(f) his service as a full-time commissioner shall be deemed to be service as an officer or employee for the purpose of any law under which those rights accrued or were accruing, under which he continues to contribute or by which that entitlement is conferred; and

(g) he shall be deemed to be an officer or employee, and the Commission shall be deemed to be his employer, for the purpose of the superannuation scheme to which he is entitled to contribute under this subsection.

(3) A full-time commissioner who, but for this subsection, would be entitled under subsection (2) to contribute to a superannuation scheme or to receive any payment, pension or gratuity under that scheme shall not be so entitled upon his becoming (whether upon his appointment as a full-time commissioner or at any later time while he holds office as a full-time commissioner) a contributor to any other superannuation scheme, and the provisions of subsection (2) (g) cease to apply to or in respect of him and the Commission in any case where he becomes a contributor to such another superannuation scheme.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(4) Subsection (3) does not prevent the payment to a full-time commissioner upon his ceasing to be a contributor to a superannuation scheme of such amount as would have been payable to him if he had ceased, by reason of resignation, to be an officer or employee for the purposes of that scheme.

(5) A full-time commissioner shall not, in respect of the same period of service, be entitled to claim a benefit under this Act and another Act.

Term of
office.

4D. A commissioner shall, subject to this Act, hold office for a period of 3 years and is eligible for re-appointment as a commissioner.

Ineligibility
by reason
of age.

4E. A person who is of or above the age of 70 years is not eligible for appointment as a commissioner.

Commis-
sioner
attaining
70 years of
age.

4F. A commissioner shall cease to hold office on the day on which he attains the age of 70 years.

Removal
from
office.

4G. (1) The Governor may for any cause which to him seems sufficient remove any commissioner from office.

(2) Without affecting the generality of subsection (1) the Governor shall be deemed to have cause as referred to in that subsection if—

- (a) a commissioner has any direct or indirect pecuniary interest in any declared goods or declared service or any goods or service the subject of investigation or inquiry by the

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

Commission, other than an interest which he has in the like manner applicable, and subject to the like conditions applicable, in the case of persons who are not commissioners; or

- (b) a commissioner, by virtue of his office as a commissioner, accepts or acquires any personal profit or advantage other than under this Act.

4H. A commissioner shall be deemed to have **Vacation**
vacated his office—
of
office.

- (a) if he dies;
- (b) if, being the Chairman, he engages in any paid employment outside the duties of his office;
- (c) if, being the Chairman, he absents himself from duty for a period exceeding 14 consecutive days except on leave granted by the Minister (which leave the Minister is hereby authorised to grant), unless his absence is occasioned by illness or other unavoidable cause;
- (d) if, being a commissioner other than the Chairman, he is unavailable for duty for a period exceeding 28 days except on leave granted by the Minister (which leave the Minister is hereby authorised to grant), unless his unavailability is occasioned by illness or other unavoidable cause;

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- (e) if he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes any assignment of his remuneration or allowances as a commissioner, or of his estate, for their benefit;
- (f) if he becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act;
- (g) if he resigns his office by writing under his hand addressed to the Governor; or
- (h) if he is removed from office by the Governor.

Filling
casual
vacancy.

4I. On the occurrence of a vacancy in the office of a commissioner, otherwise than by the expiration of the term for which he was appointed, the Governor may appoint a person to hold that office for the balance of his predecessor's term of office, being, where the vacancy occurs in the office of a part-time commissioner, a person of the same description referred to in section 4A (2) as that predecessor.

Acting
Chairman.

4J. (1) During the absence or illness of the Chairman, the permanent head of a Government Department under the administration of the Minister nominated by the Minister shall act as Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(2) The permanent head referred to in sub-section (1) shall have and may exercise, while acting as Chairman, the powers, authorities, duties and functions of the Chairman.

4K. (1) The Minister may at any time appoint, as an alternate commissioner to act during the absence or illness of a part-time commissioner, a person of the same description referred to in section 4A (2) as the person for whom he is the alternate commissioner. Alternate commissioners.

(2) An alternate commissioner shall have and may exercise, while acting as a commissioner, the powers, authorities, duties and functions of the person for whom he is the alternate commissioner.

4L. (1) The procedure for the calling of meetings of the Commission and for the conduct of business at those meetings, including the procedure to be followed in an inquiry, shall, subject to this Act, be as determined by the Commission. Meetings of the Commission.

(2) The Chairman shall preside at all meetings of the Commission at which he is present.

(3) Three commissioners shall form a quorum at any meeting of the Commission and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Commission.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(4) A decision of a majority of the commissioners present at a meeting of the Commission at which a quorum is present shall be the decision of the Commission.

Remunera-
tion.

4M. A part-time commissioner shall be entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of him.

(3) Sections 5, 6—

Omit the sections.

(4) Sections 8A–8F—

After section 8, insert :—

Furnishing
of reports,
etc., at
Minister's
direction.

8A. (1) The Minister, for the purpose of determining whether he should exercise any power conferred on him under section 19, may direct—

(a) the Chairman to furnish a report to him; or

(b) the Commission to hold an inquiry and furnish a report to him,

with respect to such goods or services or goods and services as are specified in the direction.

(2) The Chairman or the Commission shall comply with any direction given to him or it, as the case may be, by the Minister under subsection (1).

Inquiry by
Commission.

8B. The Commission, for the purpose of determining whether it should exercise any power conferred on it under section 20, shall hold an inquiry unless it obtains the consent of the Minister to dispense with the holding of an inquiry.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

8c. (1) A person—

(a) who is a seller of goods; or

(b) who supplies or carries on a service,

to which an order made under section 20 relates, may make application to the Commission, in the prescribed manner, for an order under that section in relation to those goods or that service, as the case may be.

Applica-
tion by
person to
Commis-
sion to hold
inquiry.

(2) On receipt of an application made under subsection (1), the Commission may decide to refuse the application or to hold an inquiry.

(3) The Commission shall notify a person who makes an application under subsection (1) of its decision with respect to that application.

(4) Where the Commission decides to hold an inquiry pursuant to an application made under subsection (1), the person who made the application shall be a party to the inquiry.

8d. The Commission shall, before commencing to hold an inquiry, by advertisement published, on such day or days as the Commission determines, in the Gazette and in a daily newspaper circulating throughout the State, give notice of the inquiry, the matter that is to be the subject of the inquiry and the time and place at which the inquiry is to be commenced.

Notice of
inquiry by
Commis-
sion.

8e. (1) At an inquiry, any person may apply to the Commission to be made a party to the inquiry.

Parties to
inquiries.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(2) If, on the making of an application referred to in subsection (1), the Commission is of the opinion that the applicant has a substantial interest in the matter that is the subject of the inquiry, the Commission shall grant the application but, if the Commission is not so satisfied, it shall refuse the application.

(3) A party to an inquiry may appear in person or by his agent, counsel or solicitor.

(4) A party to an inquiry is entitled to give evidence, or call witnesses to give evidence, and to make submissions to the Commission, in relation to the matter that is the subject of the inquiry.

Procedure
at
inquiries.

8F. (1) An inquiry shall be held in public and, subject to this section—

- (a) evidence in the inquiry shall be taken in public on oath or affirmation; and
- (b) submissions in the inquiry shall be made in public.

(2) If any witness objects to giving any evidence in public that the Commission is satisfied is of a confidential nature, the Commission may take that evidence in private if it considers it desirable to do so.

(3) In an inquiry, the Commission may, if it thinks fit, permit a person appearing as a witness at the inquiry to give evidence by tendering, and verifying by oath or affirmation, a written statement and, where evidence is so given, the Commission shall make available to the public in such manner as the Commission thinks fit the contents of the statement other than any matter that the person who gave the evidence objects to being made public and that the Commission is satisfied is of a confidential nature.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(4) In an inquiry, the Commission may, if it thinks fit, require or permit a party to the inquiry desiring to make submissions to the Commission to make those submissions in writing and, where submissions are so made, the Commission shall make available to the public in such manner as it thinks fit the contents of the submissions.

(5) The Commission is not bound by the rules of evidence.

(5) Section 20 (1A)—

After section 20 (1), insert :—

(1A) Notwithstanding subsection (1), the Commission shall, before causing an order referred to in subsection (1) to be published in the Gazette, serve a copy of the proposed order on the Minister and shall not cause the proposed order to be so published—

- (a) unless the Minister has informed the Commission that he does not propose to give it a direction under paragraph (b); or
- (b) if the Minister, in the public interest, has directed the Commission not to publish the proposed order.

(6) (a) Section 28 (1) (a)—

Omit “(by way of broadcast by wireless transmission)” wherever occurring.

(b) Section 28 (1)—

Omit “Commonwealth”, insert instead “State”.

(7) Section 40—

Omit the section.

(8) Section 48—

Omit the section.

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(9) Section 51 (3) (d)—

After “wireless”, insert “or television”.

(10) Section 55—

Omit the section, insert instead :—

Delegation.

55. (1) The Commission may, by instrument in writing, delegate to the holder of an office specified in the instrument of delegation the exercise or performance of such of the powers (other than this power of delegation), authorities, duties or functions conferred or imposed on the Commission by or under this Act as may be specified in the instrument of delegation and may in like manner revoke wholly or in part any such delegation.

(2) A power, authority, duty or function, the exercise or performance of which has been delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time in accordance with the terms of the delegation.

(3) A delegation under this section may be made subject to such conditions or such limitations as to the exercise or performance of any of the powers, authorities, duties or functions delegated, or as to time or circumstances, as may be specified in the instrument of delegation.

(4) Notwithstanding any delegation made under this section, the Commission may continue to exercise or perform all or any of the powers, authorities, duties or functions delegated.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(5) Any act or thing done or suffered by a delegate while acting in the exercise of a delegation under this section shall have the same force or effect as if the act or thing done or suffered had been done or suffered by the Commission and shall be deemed to have been done or suffered by the Commission.

(6) This section does not authorise the delegation of the power or duty of the Commission to hold an inquiry.

(11) Section 56—

Omit “the Milk Act, 1931, the Gas and Electricity Act, 1935, the Industrial Arbitration Act, 1940, the Coal Industry Act, 1946, or any Act amending those Acts,” insert instead “any other Act”.

(12) (a) Section 58 (a)—

Omit “services;”, insert instead “services; and”.

(b) Section 58 (b)—

Omit “community and of goods and services in general use which are in short supply;”, insert instead “community.”.

(c) Section 58 (c)—

Omit the paragraph.

(13) (a) Section 59 (2)—

After “Minister”, insert “or of such commissioner or authorised officer as may be authorised by the Minister for the purposes of this subsection”.

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(b) Section 59 (3) (a)—

Omit “two thousand dollars”, insert instead
“\$10,000”.

(c) Section 59 (3) (b)—

Omit “one thousand dollars”, insert instead
“\$5,000”.

(14) Section 61—

Omit the section, insert instead :—

**Proceed-
ings for
offences.**

61. (1) Proceedings for an offence against this Act may be taken before a court of petty sessions held before a stipendiary magistrate sitting alone or before the Supreme Court in its summary jurisdiction.

(2) Proceedings for an offence against this Act shall not be instituted in the Supreme Court in its summary jurisdiction without the written consent of the Minister.

(3) If proceedings for an offence against this Act are brought in a court of petty sessions held before a stipendiary magistrate, the maximum penalty that the court may impose in respect of the offence is, notwithstanding any other provisions of this Act—

- (a) where the offence is committed by a body corporate—\$2,000; or
- (b) where the offence is committed by any other person—\$1,000 or imprisonment for a term not exceeding 6 months, or both.

SCHEDULE

Prices Regulation (Amendment).**SCHEDULE 1—continued.****AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.**

(4) If proceedings for an offence against this Act are brought in the Supreme Court in its summary jurisdiction, the Supreme Court may impose a penalty not exceeding the maximum penalty provided by this Act in respect of the offence.

(5) Proceedings in the Supreme Court in its summary jurisdiction for an offence against this Act may be commenced not later than 6 months after the offence was committed.

SCHEDULE 2.**Sec. 4 (2).****CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948.**

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Section 7 (1)... Section 7 (2)... Sections 7 (4) (a); 18 (1), (2); 20 (2), (3), (4), (5), (6), (7), (8), (9), (10), (13); 21 (1); 22 (1), (2); 23 (1), (2), (3); 24 (1), (4); 26 (3), (5), (8); 27 (2), (4), (6); 28 (1), (2); 29; 30 (1) (b); 31 (1) (b); 34; 37, definition of "landed cost"; 38 (2) (c); 39 (2) (b); 43; 47; 49 (1), (4), (5) (b); 50 (1); 51 (1); 52; 57 (2).	The Commissioner, and each Assistant Com- missioner, adviser Commissioner Commissioner (wherever occurring)	Each commissioner Chairman Commission

Prices Regulation (Amendment).

SCHEDULE 2—continued.

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Sections 7 (4) (a); 20 (2) (h), (6) (g); 23 (1).	he (<i>wherever occurring</i>)	it
Section 7 (4) (a) (i) ..	his (<i>where firstly occurring</i>) his official position	its the exercise or performance of any of the powers, authorities, duties and functions conferred or imposed on it by or under this Act
Section 7 (4) (c) ..	Commissioner, any Assistant Commissioner the Commissioner (<i>where</i> <i>secondly occurring</i>)	Commission it
Section 7 (4) (d) ..	Commissioner, any Assistant Commissioner, the Commissioner (<i>where</i> <i>secondly occurring</i>)	Commission it
Section 8	or the Commissioner or an Assistant Commissioner or an adviser or a person who has been a Commissioner, Assistant Commissioner or adviser	, a commissioner or a person who, pursuant to an appointment made under this Act before or after the date of assent to the Prices Regulation (Amendment) Act, 1976, has been a Prices Commissioner, Assistant Prices Commissioner, adviser or commissioner
Section 9 (1)	The Commissioner, any Assistant Commissioner and any officer thereto authorized in writing by the Commissioner shall severally have power to—	For the purposes of an inquiry, the Commission may—
Section 11	Commissioner or an Assistant Commissioner or an officer authorized in writing by the Commissioner,	Commission,

Prices Regulation (Amendment).

SCHEDULE 2—continued.

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Section 12 (1)	by the Commissioner, an Assistant Commissioner or an officer authorised in writing by the Commissioner	before the Commission
Section 13 (1)	The Commissioner, an Assistant Commissioner	For the purposes of an inquiry, the Commission
Sections 13 (1) (a); 50 (3).	him (<i>wherever occurring</i>)	it or him
Sections 13 (1) (a); 50 (2).	he (<i>wherever occurring</i>)	it or he
Section 13 (2)	Commissioner, Assistant Commissioner,	Commission
Section 13 (3)	Commissioner, Assistant Commissioner	Commission
Section 13 (5)	Commissioner, or the Assistant Commissioner,	Commission
Sections 14 (1); 17 (1), (2), (3); 25; 44 (b); 45 (1).	Commissioner or an Assistant Commissioner (<i>wherever occurring</i>)	Commission
Section 14 (1)	the Commissioner or Assistant Commissioner, as the case may be (<i>where firstly occurring</i>)	it
Section 14 (1), (2), (3)	Commissioner or Assistant Commissioner, as the case may be, (<i>wherever occurring</i>)	Commission
Sections 14 (1); 17 (1), (2); 18 (1).	him (<i>wherever occurring</i>)	it
Section 14 (2)	Commissioner or to an Assistant Commissioner, as the case may be,	Commission
Section 14 (3)	Commissioner or to an Assistant Commissioner,	Commission
Section 15 (1)	The Commissioner, an Assistant Commissioner or any	For the purposes of an inquiry, an
Section 15 (2)	The Commissioner or an Assistant Commissioner or any Commissioner or Assistant Commissioner	An Chairman

Prices Regulation (Amendment).

SCHEDULE 2—continued.

**CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.**

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Section 16	the Commissioner, an Assistant Commissioner, or an authorised officer,	an authorised officer
Section 17 (1) (e) ..	the thirty-first day of August, one thousand nine hundred and thirty-nine, or on such other date as the Commissioner or Assistant Commissioner	such date as the Commission
Section 20 (1) ..	The Commissioner may, with respect to any declared goods, from time to time, in his absolute discretion,	The Commission may, with respect to any declared goods, from time to time,
Sections 20 (2), (5), (6); 24 (4) (b).	his	its
Section 20 (12) ..	Commissioner (<i>where firstly and secondly occurring</i>)	Commission
Section 25	Commissioner or Assistant Commissioner (<i>wherever occurring</i>)	Commission
Section 30 (4) ..	Commissioner or an Assistant Commissioner	Chairman
Section 44	authorized	authorised
Section 50 (2) ..	Commissioner, or an Assistant Commissioner, his	Commission
Section 50 (3) ..	The Commissioner, or an Assistant Commissioner, or an authorised officer,	its or his The Commission or an authorised officer
Section 53 (2) ..	Commissioner, an Assistant Commissioner or any person to whom the Commissioner has made a delegation under section fifty-five of this Act	Chairman
	the Commissioner, Assistant Commissioner, or such person as the case may be,	or on behalf of the Commission
	person by whom it purports to have been signed	Chairman

Prices Regulation (Amendment).**SCHEDULE 2—continued.****CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.**

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Section 57 (1) ..	until their destruction is authorized by the Commissioner	for a period of at least 6 years after their making
Section 57 (3) ..	until their destruction is authorised by the Commissioner	for a period of at least 6 years after the direction is given

SCHEDULE 3.**Sec. 4 (1).****AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION.****(1) Section 1 (3)—**

Omit the subsection.

(2) Section 2—

Omit the section.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

- (3) Section 3 (1), definition of “Commonwealth Regulations”—

Omit the definition.

- (4) Section 15 (3)—

Omit the subsection.

- (5) Section 17 (1) (d)—

Omit “the Commonwealth Regulations or”.

- (6) Section 20 (12)—

Omit “This subsection shall extend and apply to and in respect of an order of the character described in this subsection published in the Commonwealth Gazette before the commencement of this Act in pursuance of Regulation twenty-three of the Commonwealth Regulations, and having force or effect immediately before such commencement, and for the purposes of such application, a reference in this subsection to the Gazette shall be construed as a reference to the Commonwealth Gazette, a reference to the Government Printer shall be construed as a reference to the Commonwealth Government Printer, and a reference to the Commissioner shall be construed as a reference to the Prices Commissioner appointed under the Commonwealth Regulations.”.

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

(7) Section 60 (2)—

Omit the subsection, insert instead :—

(2) Section 41 of the Interpretation Act, 1897,
applies in respect of a regulation as if this Act had
been passed after the commencement of the Interpre-
tation (Amendment) Act, 1969.

SCHEDULE 4.

Sec. 5.

AMENDMENT TO THE STATUTORY AND OTHER OFFICES
REMUNERATION ACT, 1975.

Schedule 2, Part 1—

At the end of Part 1, insert :—

Chairman of the Prices Commission.

Act No. 65, 1975.

Lives Regulation (Amendment).

SCHEDULE 1—Continued.

AND AMENDS THE LIVES REGULATION ACT, 1944 BY
 THE LIVES REGULATION ACT, 1975.

(7) Section 50 (2) —

On the subsequent day, instead of —

(2) Section 41 of the Interpretation Act, 1957,
 applies in the case of a regulation as if this Act had
 been passed after the commencement of the Inter-
 nation (Amendment) Act, 1969.

SCHEDULE 1B. 4.

2005

AMENDMENT TO THE INTERPRETATION ACT, 1957.
 REPEAL OF THE INTERPRETATION ACT, 1957.

Schedule 1, Part 1 —

At the end of the Act, insert —

“1. The Interpretation Act, 1957, shall be repealed.”

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 3 November, 1976.*

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. 65, 1976.

An Act to amend the Prices Regulation Act, 1948, for the purpose of constituting a Prices Commission; and to amend the Statutory and Other Offices Remuneration Act, 1975, for the purpose of determining the remuneration and allowances payable to the Chairman of the Commission. [Assented to, 15th November, 1976.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Prices Regulation (Amendment).

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, 1976".

Commence-
ment. **2.** (1) This section and section 1 shall commence on the date of assent to this Act.

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

Schedules. **3.** This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

SCHEDULE 2.—CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

SCHEDULE 3.—AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY WAY OF STATUTE LAW REVISION.

SCHEDULE 4.—AMENDMENT TO THE STATUTORY AND OTHER OFFICES REMUNERATION ACT, 1975.

Amend-
ment of
Act No. 26,
1948. **4.** (1) The Prices Regulation Act, 1948, is amended in the manner set forth in Schedules 1 and 3.

(2)

Prices Regulation (Amendment).

(2) The Prices Regulation Act, 1948, is further amended by omitting from a provision of that Act specified in Column 1 of Schedule 2 the matter specified opposite that provision in the column headed "Matter to be omitted." in Column 2 of Schedule 2, other than such matter, if any, as appears in brackets and is printed in italics, and by inserting instead the matter specified opposite that provision in the column headed "Matter to be inserted." in Column 2 of Schedule 2.

5. The Statutory and Other Offices Remuneration Act, 1975, is amended in the manner set forth in Schedule 4. Amendment of Act No. 4, 1976.

6. An order made under section 20 of the Prices Regulation Act, 1948, in force immediately before the day appointed and notified under section 2 (2), shall be deemed to be an order made under section 20 of the Prices Regulation Act, 1948, as amended by this Act, in respect of declared goods. Saving—prices regulation orders.

SCHEDULE 1.

Sec. 4 (1).

AMENDMENTS TO THE PRICES REGULATION ACT, 1948.

- (1) (a) Section 3 (1), definitions of "Assistant Commissioner", "authorized officer"—

Omit the definitions.

- (b) Section 3 (1), definitions of "authorised officer", "Chairman", "Commission", "commissioner"—

Before the definition of "Commonwealth Regulations", insert :—

"authorised officer" means a person appointed by the Commission to be an authorised officer for the purposes of this Act;

SCHEDULE

*Prices Regulation (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—*continued.*

“Chairman” means the Chairman of the Commission;

“Commission” means the Prices Commission constituted by this Act;

“commissioner” means a person appointed under this Act as a commissioner and includes the Chairman;

(c) Section 3 (1), definitions of “inquiry”, “meeting”—

After the definition of “declared service”, insert :—

“inquiry”, in relation to the Commission, means an inquiry held by the Commission pursuant to—

- (a) a direction of the Minister under section 8A (1) (b);
- (b) Section 8B; or
- (c) a decision of the Commission under section 8C (2);

“meeting”, in relation to the Commission, includes an inquiry;

(d) Section 3 (1), definition of “public utility undertaking”—

Before “municipality”, insert “city,”.

(e) Section 3 (1), definition of “the Commissioner”—

Omit the definition.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(f) Section 3 (5)—

After section 3 (4), insert :—

(5) Nothing in this Act entitles the Commission to make an order under section 20 (5) with respect to the rental of any land or premises.

(2) Sections 4—4M—

Omit section 4, insert instead :—

4. There is hereby constituted a Prices Commission. Constitu-
tion of
Commis-
sion.

4A. (1) The Commission shall consist of one full-time commissioner and 2 part-time commissioners appointed by the Governor. Appoint-
ment of
commis-
sioners.

(2) Of the part-time commissioners, one shall be a person who is appointed to represent consumers and the other shall be a person who, in the opinion of the Governor, is experienced in business or commerce.

(3) The provisions of the Public Service Act, 1902, shall not apply to or in respect of the appointment of a commissioner, and a commissioner shall not be subject to the provisions of that Act during his term of office.

4B. (1) The full-time commissioner shall be the Chairman.
Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(2) The Chairman shall devote the whole of his time to the duties of his office and shall be 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 him.

Preservation of rights of full-time commissioner previously public servant, etc.

4c. (1) In this section, "superannuation scheme" means a scheme, fund or arrangement under which any superannuation or retirement benefits are provided and which is established by or under any Act.

(2) Subject to subsection (3) and to the terms of his appointment, where a full-time commissioner was, immediately before his appointment as a full-time commissioner—

- (a) an officer of the Public Service; or
 - (b) a contributor to a superannuation scheme,
- he—
- (c) shall retain any rights accrued or accruing to him as such an officer or contributor;
 - (d) may continue to contribute to any superannuation scheme to which he was a contributor immediately before his appointment as a full-time commissioner; and

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- (e) shall be entitled to receive any deferred or extended leave and any payment, pension or gratuity,

as if he had continued to be such an officer or contributor during his service as a full-time commissioner, and—

- (f) his service as a full-time commissioner shall be deemed to be service as an officer or employee for the purpose of any law under which those rights accrued or were accruing, under which he continues to contribute or by which that entitlement is conferred; and

- (g) he shall be deemed to be an officer or employee, and the Commission shall be deemed to be his employer, for the purpose of the superannuation scheme to which he is entitled to contribute under this subsection.

(3) A full-time commissioner who, but for this subsection, would be entitled under subsection (2) to contribute to a superannuation scheme or to receive any payment, pension or gratuity under that scheme shall not be so entitled upon his becoming (whether upon his appointment as a full-time commissioner or at any later time while he holds office as a full-time commissioner) a contributor to any other superannuation scheme, and the provisions of subsection (2) (g) cease to apply to or in respect of him and the Commission in any case where he becomes a contributor to such another superannuation scheme.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(4) Subsection (3) does not prevent the payment to a full-time commissioner upon his ceasing to be a contributor to a superannuation scheme of such amount as would have been payable to him if he had ceased, by reason of resignation, to be an officer or employee for the purposes of that scheme.

(5) A full-time commissioner shall not, in respect of the same period of service, be entitled to claim a benefit under this Act and another Act.

Term of
office.

4D. A commissioner shall, subject to this Act, hold office for a period of 3 years and is eligible for re-appointment as a commissioner.

Ineligibility
by reason
of age.

4E. A person who is of or above the age of 70 years is not eligible for appointment as a commissioner.

Commis-
sioner
attaining
70 years of
age.

4F. A commissioner shall cease to hold office on the day on which he attains the age of 70 years.

Removal
from
office.

4G. (1) The Governor may for any cause which to him seems sufficient remove any commissioner from office.

(2) Without affecting the generality of subsection (1) the Governor shall be deemed to have cause as referred to in that subsection if—

(a) a commissioner has any direct or indirect pecuniary interest in any declared goods or declared service or any goods or service the subject of investigation or inquiry by the

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

Commission, other than an interest which he has in the like manner applicable, and subject to the like conditions applicable, in the case of persons who are not commissioners; or

- (b) a commissioner, by virtue of his office as a commissioner, accepts or acquires any personal profit or advantage other than under this Act.

4H. A commissioner shall be deemed to have **Vacation
of
office.**
vacated his office—

- (a) if he dies;
- (b) if, being the Chairman, he engages in any paid employment outside the duties of his office;
- (c) if, being the Chairman, he absents himself from duty for a period exceeding 14 consecutive days except on leave granted by the Minister (which leave the Minister is hereby authorised to grant), unless his absence is occasioned by illness or other unavoidable cause;
- (d) if, being a commissioner other than the Chairman, he is unavailable for duty for a period exceeding 28 days except on leave granted by the Minister (which leave the Minister is hereby authorised to grant), unless his unavailability is occasioned by illness or other unavoidable cause;

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

- (e) if he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes any assignment of his remuneration or allowances as a commissioner, or of his estate, for their benefit;
- (f) if he becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act;
- (g) if he resigns his office by writing under his hand addressed to the Governor; or
- (h) if he is removed from office by the Governor.

Filling
casual
vacancy.

4I. On the occurrence of a vacancy in the office of a commissioner, otherwise than by the expiration of the term for which he was appointed, the Governor may appoint a person to hold that office for the balance of his predecessor's term of office, being, where the vacancy occurs in the office of a part-time commissioner, a person of the same description referred to in section 4A (2) as that predecessor.

Acting
Chairman.

4J. (1) During the absence or illness of the Chairman, the permanent head of a Government Department under the administration of the Minister nominated by the Minister shall act as Chairman.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(2) The permanent head referred to in subsection (1) shall have and may exercise, while acting as Chairman, the powers, authorities, duties and functions of the Chairman.

4K. (1) The Minister may at any time appoint, as an alternate commissioner to act during the absence or illness of a part-time commissioner, a person of the same description referred to in section 4A (2) as the person for whom he is the alternate commissioner. ^{Alternate commissioners.}

(2) An alternate commissioner shall have and may exercise, while acting as a commissioner, the powers, authorities, duties and functions of the person for whom he is the alternate commissioner.

4L. (1) The procedure for the calling of meetings of the Commission and for the conduct of business at those meetings, including the procedure to be followed in an inquiry, shall, subject to this Act, be as determined by the Commission. ^{Meetings of the Commission.}

(2) The Chairman shall preside at all meetings of the Commission at which he is present.

(3) Three commissioners shall form a quorum at any meeting of the Commission and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Commission.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(4) A decision of a majority of the commissioners present at a meeting of the Commission at which a quorum is present shall be the decision of the Commission.

Remuneration.

4M. A part-time commissioner shall be entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of him.

(3) Sections 5, 6—

Omit the sections.

(4) Sections 8A–8F—

After section 8, insert :—

Furnishing
of reports,
etc., at
Minister's
direction.

8A. (1) The Minister, for the purpose of determining whether he should exercise any power conferred on him under section 19, may direct—

- (a) the Chairman to furnish a report to him; or
- (b) the Commission to hold an inquiry and furnish a report to him,

with respect to such goods or services or goods and services as are specified in the direction.

(2) The Chairman or the Commission shall comply with any direction given to him or it, as the case may be, by the Minister under subsection (1).

Inquiry by
Commission.

8B. The Commission, for the purpose of determining whether it should exercise any power conferred on it under section 20, shall hold an inquiry unless it obtains the consent of the Minister to dispense with the holding of an inquiry.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

8c. (1) A person—

(a) who is a seller of goods; or

(b) who supplies or carries on a service,

to which an order made under section 20 relates, may make application to the Commission, in the prescribed manner, for an order under that section in relation to those goods or that service, as the case may be.

(2) On receipt of an application made under subsection (1), the Commission may decide to refuse the application or to hold an inquiry.

(3) The Commission shall notify a person who makes an application under subsection (1) of its decision with respect to that application.

(4) Where the Commission decides to hold an inquiry pursuant to an application made under subsection (1), the person who made the application shall be a party to the inquiry.

Applica-
tion by
person to
Commis-
sion to hold
inquiry.

8d. The Commission shall, before commencing to hold an inquiry, by advertisement published, on such day or days as the Commission determines, in the Gazette and in a daily newspaper circulating throughout the State, give notice of the inquiry, the matter that is to be the subject of the inquiry and the time and place at which the inquiry is to be commenced.

Notice of
inquiry by
Commis-
sion.

8e. (1) At an inquiry, any person may apply to the Commission to be made a party to the inquiry.

Parties to
inquiries.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(2) If, on the making of an application referred to in subsection (1), the Commission is of the opinion that the applicant has a substantial interest in the matter that is the subject of the inquiry, the Commission shall grant the application but, if the Commission is not so satisfied, it shall refuse the application.

(3) A party to an inquiry may appear in person or by his agent, counsel or solicitor.

(4) A party to an inquiry is entitled to give evidence, or call witnesses to give evidence, and to make submissions to the Commission, in relation to the matter that is the subject of the inquiry.

Procedure
at
inquiries.

8F. (1) An inquiry shall be held in public and, subject to this section—

- (a) evidence in the inquiry shall be taken in public on oath or affirmation; and
- (b) submissions in the inquiry shall be made in public.

(2) If any witness objects to giving any evidence in public that the Commission is satisfied is of a confidential nature, the Commission may take that evidence in private if it considers it desirable to do so.

(3) In an inquiry, the Commission may, if it thinks fit, permit a person appearing as a witness at the inquiry to give evidence by tendering, and verifying by oath or affirmation, a written statement and, where evidence is so given, the Commission shall make available to the public in such manner as the Commission thinks fit the contents of the statement other than any matter that the person who gave the evidence objects to being made public and that the Commission is satisfied is of a confidential nature.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(4) In an inquiry, the Commission may, if it thinks fit, require or permit a party to the inquiry desiring to make submissions to the Commission to make those submissions in writing and, where submissions are so made, the Commission shall make available to the public in such manner as it thinks fit the contents of the submissions.

(5) The Commission is not bound by the rules of evidence.

(5) Section 20 (1A)—

After section 20 (1), insert :—

(1A) Notwithstanding subsection (1), the Commission shall, before causing an order referred to in subsection (1) to be published in the Gazette, serve a copy of the proposed order on the Minister and shall not cause the proposed order to be so published—

- (a) unless the Minister has informed the Commission that he does not propose to give it a direction under paragraph (b); or
- (b) if the Minister, in the public interest, has directed the Commission not to publish the proposed order.

(6) (a) Section 28 (1) (a)—

Omit “(by way of broadcast by wireless transmission)” wherever occurring.

(b) Section 28 (1)—

Omit “Commonwealth”, insert instead “State”.

(7) Section 40—

Omit the section.

(8) Section 48—

Omit the section.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(9) Section 51 (3) (d)—

After “wireless”, insert “or television”.

(10) Section 55—

Omit the section, insert instead :—

Delegation.

55. (1) The Commission may, by instrument in writing, delegate to the holder of an office specified in the instrument of delegation the exercise or performance of such of the powers (other than this power of delegation), authorities, duties or functions conferred or imposed on the Commission by or under this Act as may be specified in the instrument of delegation and may in like manner revoke wholly or in part any such delegation.

(2) A power, authority, duty or function, the exercise or performance of which has been delegated under this section may, while the delegation remains unrevoked, be exercised or performed from time to time in accordance with the terms of the delegation.

(3) A delegation under this section may be made subject to such conditions or such limitations as to the exercise or performance of any of the powers, authorities, duties or functions delegated, or as to time or circumstances, as may be specified in the instrument of delegation.

(4) Notwithstanding any delegation made under this section, the Commission may continue to exercise or perform all or any of the powers, authorities, duties or functions delegated.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(5) Any act or thing done or suffered by a delegate while acting in the exercise of a delegation under this section shall have the same force or effect as if the act or thing done or suffered had been done or suffered by the Commission and shall be deemed to have been done or suffered by the Commission.

(6) This section does not authorise the delegation of the power or duty of the Commission to hold an inquiry.

(11) Section 56—

Omit “the Milk Act, 1931, the Gas and Electricity Act, 1935, the Industrial Arbitration Act, 1940, the Coal Industry Act, 1946, or any Act amending those Acts,”, insert instead “any other Act”.

(12) (a) Section 58 (a)—

Omit “services;”, insert instead “services; and”.

(b) Section 58 (b)—

Omit “community and of goods and services in general use which are in short supply;”, insert instead “community.”.

(c) Section 58 (c)—

Omit the paragraph.

(13) (a) Section 59 (2)—

After “Minister”, insert “or of such commissioner or authorised officer as may be authorised by the Minister for the purposes of this subsection”.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(b) Section 59 (3) (a)—

Omit “two thousand dollars”, insert instead
“\$10,000”.

(c) Section 59 (3) (b)—

Omit “one thousand dollars”, insert instead
“\$5,000”.

(14) Section 61—

Omit the section, insert instead :—

**Proceed-
ings for
offences.**

61. (1) Proceedings for an offence against this Act may be taken before a court of petty sessions held before a stipendiary magistrate sitting alone or before the Supreme Court in its summary jurisdiction.

(2) Proceedings for an offence against this Act shall not be instituted in the Supreme Court in its summary jurisdiction without the written consent of the Minister.

(3) If proceedings for an offence against this Act are brought in a court of petty sessions held before a stipendiary magistrate, the maximum penalty that the court may impose in respect of the offence is, notwithstanding any other provisions of this Act—

(a) where the offence is committed by a body corporate—\$2,000; or

(b) where the offence is committed by any other person—\$1,000 or imprisonment for a term not exceeding 6 months, or both.

SCHEDULE

*Prices Regulation (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948—
continued.

(4) If proceedings for an offence against this Act are brought in the Supreme Court in its summary jurisdiction, the Supreme Court may impose a penalty not exceeding the maximum penalty provided by this Act in respect of the offence.

(5) Proceedings in the Supreme Court in its summary jurisdiction for an offence against this Act may be commenced not later than 6 months after the offence was committed.

SCHEDULE 2.

Sec. 4 (2).

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948.

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Section 7 (1)	The Commissioner, and each Assistant Commissioner, adviser	Each commissioner
Section 7 (2)	Commissioner	Chairman
Sections 7 (4) (a); 18 (1), (2); 20 (2), (3), (4), (5), (6), (7), (8), (9), (10), (13); 21 (1); 22 (1), (2); 23 (1), (2), (3); 24 (1), (4); 26 (3), (5), (8); 27 (2), (4), (6); 28 (1), (2); 29; 30 (1) (b); 31 (1) (b); 34; 37, definition of "landed cost"; 38 (2) (c); 39 (2) (b); 43; 47; 49 (1), (4), (5) (b); 50 (1); 51 (1); 52; 57 (2).	Commissioner (wherever occurring)	Commission

SCHEDULE

*Prices Regulation (Amendment).*SCHEDULE 2—*continued.*CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—*continued.*

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Sections 7 (4) (a); 20 (2) (h), (6) (g); 23 (1).	he (<i>wherever occurring</i>)	it
Section 7 (4) (a) (i) ..	his (<i>where firstly occurring</i>) his official position	its the exercise or performance of any of the powers, authorities, duties and functions conferred or imposed on it by or under this Act
Section 7 (4) (c) ..	Commissioner, any Assist- ant Commissioner the Commissioner (<i>where secondly occurring</i>)	Commission
Section 7 (4) (d) ..	Commissioner, any Assist- ant Commissioner, the Commissioner (<i>where secondly occurring</i>)	Commission
Section 8 ..	or the Commissioner or an Assistant Commissioner or an adviser or a person who has been a Commissioner, Assistant Commissioner or adviser	it , a commissioner or a person who, pursuant to an appointment made under this Act before or after the date of assent to the Prices Regulation (Amendment) Act, 1976, has been a Prices Commissioner, Assistant Prices Commissioner, adviser or commissioner
Section 9 (1) ..	The Commissioner, any Assistant Commissioner and any officer thereto authorized in writing by the Commissioner shall severally have power to—	For the purposes of an inquiry, the Commission may—
Section 11 ..	Commissioner or an Assistant Commissioner or an officer authorized in writing by the Com- missioner,	Commission,

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 2—continued.

CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—continued.

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Section 12 (1)	.. by the Commissioner, an Assistant Commissioner or an officer authorised in writing by the Commissioner	before the Commission
Section 13 (1)	.. The Commissioner, an Assistant Commissioner	For the purposes of an inquiry, the Commission
Sections 13 (1) (a); 50 (3).	him (<i>wherever occurring</i>)	it or him
Sections 13 (1) (a); 50 (2).	he (<i>wherever occurring</i>)	it or he
Section 13 (2)	.. Commissioner, Assistant Commissioner,	Commission
Section 13 (3)	.. Commissioner, Assistant Commissioner	Commission
Section 13 (5)	.. Commissioner, or the Assistant Commissioner,	Commission
Sections 14 (1); 17 (1), (2), (3); 25; 44 (b); 45 (1).	Commissioner or an Assistant Commissioner (<i>wherever occurring</i>)	Commission
Section 14 (1)	.. the Commissioner or Assistant Commissioner, as the case may be (<i>where firstly occurring</i>)	it
Section 14 (1), (2), (3)	Commissioner or Assistant Commissioner, as the case may be, (<i>wherever occurring</i>)	Commission
Sections 14 (1); 17 (1), (2); 18 (1).	him (<i>wherever occurring</i>)	it
Section 14 (2)	.. Commissioner or to an Assistant Commissioner, as the case may be,	Commission
Section 14 (3)	.. Commissioner or to an Assistant Commissioner,	Commission
Section 15 (1)	.. The Commissioner, an Assistant Commissioner or any	For the purposes of an inquiry, an
Section 15 (2)	.. The Commissioner or an Assistant Commissioner or any	An
	Commissioner or Assistant Commissioner	Chairman

*Prices Regulation (Amendment).*SCHEDULE 2—*continued.*CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—*continued.*

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Section 16	the Commissioner, an Assistant Commissioner, or an authorised officer,	an authorised officer
Section 17 (1) (e) ..	the thirty-first day of August, one thousand nine hundred and thirty-nine, or on such other date as the Commissioner or Assistant Commissioner	such date as the Commission
Section 20 (1) ..	The Commissioner may, with respect to any declared goods, from time to time, in his absolute discretion,	The Commission may, with respect to any declared goods, from time to time,
Sections 20 (2), (5), (6); 24 (4) (b).	his	its
Section 20 (12) ..	Commissioner (<i>where firstly and secondly occurring</i>)	Commission
Section 25	Commissioner or Assistant Commissioner (<i>wherever occurring</i>)	Commission
Section 30 (4) ..	Commissioner or an Assistant Commissioner	Chairman
Section 44	authorized	authorised
Section 50 (2) ..	Commissioner, or an Assistant Commissioner, his	Commission
Section 50 (3) ..	The Commissioner, or an Assistant Commissioner, or an authorised officer,	its or his The Commission or an authorised officer
Section 53 (2) ..	Commissioner, an Assistant Commissioner or any person to whom the Commissioner has made a delegation under section fifty-five of this Act	Chairman
	the Commissioner, Assistant Commissioner, or such person as the case may be,	or on behalf of the Commission
	person by whom it purports to have been signed	Chairman

*Prices Regulation (Amendment).*SCHEDULE 2—*continued.*CONSEQUENTIAL AMENDMENTS TO THE PRICES REGULATION ACT,
1948—*continued.*

Column 1.	Column 2.	
Provision of Prices Regulation Act, 1948.	Matter to be omitted.	Matter to be inserted.
Section 57 (1)	.. until their destruction is authorized by the Commissioner	for a period of at least 6 years after their making
Section 57 (3)	.. until their destruction is authorised by the Commissioner	for a period of at least 6 years after the direction is given

SCHEDULE 3.

Sec. 4 (1).

AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION.

(1) Section 1 (3)—

Omit the subsection.

(2) Section 2—

Omit the section.

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

- (3) Section 3 (1), definition of "Commonwealth Regulations"—

Omit the definition.

- (4) Section 15 (3)—

Omit the subsection.

- (5) Section 17 (1) (d)—

Omit "the Commonwealth Regulations or".

- (6) Section 20 (12)—

Omit "This subsection shall extend and apply to and in respect of an order of the character described in this subsection published in the Commonwealth Gazette before the commencement of this Act in pursuance of Regulation twenty-three of the Commonwealth Regulations, and having force or effect immediately before such commencement, and for the purposes of such application, a reference in this subsection to the Gazette shall be construed as a reference to the Commonwealth Gazette, a reference to the Government Printer shall be construed as a reference to the Commonwealth Government Printer, and a reference to the Commissioner shall be construed as a reference to the Prices Commissioner appointed under the Commonwealth Regulations."

SCHEDULE

Prices Regulation (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRICES REGULATION ACT, 1948, BY
WAY OF STATUTE LAW REVISION—*continued.*

(7) Section 60 (2)—

Omit the subsection, insert instead :—

(2) Section 41 of the Interpretation Act, 1897,
applies in respect of a regulation as if this Act had
been passed after the commencement of the Interpre-
tation (Amendment) Act, 1969.

SCHEDULE 4.

Sec. 5.

AMENDMENT TO THE STATUTORY AND OTHER OFFICES
REMUNERATION ACT, 1975.

Schedule 2, Part 1—

At the end of Part 1, insert :—

Chairman of the Prices Commission.

*In the name and on behalf of Her Majesty I assent to this
Act.*

A. R. CUTLER,
Governor.

*Government House,
Sydney, 15th November, 1976.*

Phonograph (Lamphorn)

It was a good one. I was very happy to hear it.

(7) Section 60-13-

One of the most interesting things.

(12) Section 41 of the International Act 1957.
Applied in regard to a woman's right to be a judge.
and to be a member of the committee of a judge.
from 1957 to 1959.

Section 104

A summary of the history and development of the

Section 104

Section 104

Section 104

Section 104

Section 104

Section 104