



AUSTRALIAN CAPITAL TERRITORY

Law Officer Act 1992

No. 54 of 1992

An Act relating to the functions and powers of the Attorney-General and for related purposes

[Notified in ACT Gazette S162: 25 September 1992]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Law Officer Act 1992*.

Interpretation

2. In this Act, unless the contrary intention appears, a reference to the Attorney-General shall be read as a reference to—

- (a) the Minister designated Attorney-General by the Chief Minister; or
- (b) where no Minister is so designated, the Minister for the time being administering this Act;

and, where another Minister is authorised by the Chief Minister to act on behalf of that Minister, shall be read as including a reference to that other Minister.

Position of Attorney-General

3. The Attorney-General is the first law officer of the Territory.

Functions

- 4. (1)** The functions of the Attorney-General are—
- (a) to be the chief legal representative of—
 - (i) the Crown in right of the Territory; and
 - (ii) the Territory;
 - (b) to be the principal legal adviser to the Territory;
 - (c) to have responsibility for the administration of law and justice in the Territory;
 - (d) to institute and conduct litigation on behalf of—
 - (i) the Crown in right of the Territory;
 - (ii) the Territory;
 - (iii) a Minister; or
 - (iv) a person suing or being sued on behalf of the Territory;
 - (e) functions that are conferred on the Attorney-General by another Act; and
 - (f) such other functions as are prescribed.
- (2)** The Attorney-General has the power to do all things necessary or convenient to be done in connection with the performance of his or her functions.

Additional powers of the Attorney-General

5. Subject to any other law of the Territory, the Attorney-General has, in relation to the Territory, the traditional powers, duties, prerogatives and privileges of the Attorneys-General of the States.

Amendment of *Audit Act 1989*

6. Section 23 of the *Audit Act 1989* is amended by omitting “Chief Minister” (twice occurring) and substituting “Attorney-General”.

Amendment of *Legal Practitioners Act 1970*

- 7.** Section 6B of the *Legal Practitioners Act 1970* is amended—
- (a) by omitting from subsection (1) “and of the Solicitor-General”; and
 - (b) by omitting from subsection (1) “for the Commonwealth or” (twice occurring).

Regulations

8. The Executive may make regulations, not inconsistent with this Act prescribing matters—

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

[Presentation speech made in Assembly on 13 August 1992]

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