

ORDER IN COUNCIL BY THE GOVERNOR OF THE
STATE OF SOUTH AUSTRALIA

(L.S.) E. J. Neal

WHEREAS Her Most Gracious Majesty Queen Elizabeth the Second by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth, made Letters Patent dated 14 February 1986, which made provision in relation to the office of the Governor of the State of South Australia and other matters:

AND WHEREAS by the *Australia Act 1986* of the Commonwealth provision is made in relation to the office of the Governor of the State of South Australia:

AND WHEREAS it is desirable to make new provisions in relation to the office of Lieutenant-Governor of the State of South Australia and for persons appointed to administer the government of the State:

NOW, pursuant to the powers conferred on me by section 7(2) of the *Australia Act 1986* of the Commonwealth and by Clause XXIII of the Letters Patent dated 14 February 1986 referred to above, I, Sir Eric James Neal, Companion of the Order of Australia, Commander of the Royal Victorian Order, Governor in and over the State of South Australia, with the advice and consent of the Executive Council, DO HEREBY DECLARE, DIRECT AND ORDAIN as follows:

I. *Alteration of existing Letters Patent and Instructions*—The provisions of the Letters Patent dated 14 February 1986 and, in particular, Clauses IX, XIII and XVI of those Letters Patent, to the extent to which they are inconsistent with the terms of this Order in Council, are hereby altered and replaced except that nothing herein will be taken or construed as varying Clauses II to VIII of those Letters Patent.

II. *Constitution of Office of Lieutenant-Governor*—There may be a Lieutenant-Governor of the State of South Australia.

III. *Oaths to be taken by Lieutenant-Governor*—A person appointed as Lieutenant-Governor will as soon as convenient after appointment to that office take the Oath of Allegiance and the Official Oath in the presence of the Chief Justice of South Australia or another Judge of the Supreme Court of the State.

IV. *Appointment of Lieutenant-Governor*—The appointment of a Lieutenant-Governor will be during the Governor's Pleasure by Commission under the Public Seal of South Australia.

V. *Existing Commissions and Appointments*—All existing Commissions and appointments in relation to the office of Lieutenant-Governor and Administrator will continue in force until revoked or otherwise lawfully determined in accordance with the provisions hereof and all such commissions and appointments are hereby confirmed and validated.

VI. *Reservation of power to revoke, alter or amend*—The power to revoke, alter or amend these Orders in Council is reserved.

VII. *Interpretation*—This Order in Council will be read with the Letters Patent dated 14 February 1986.

Given under my hand and the Public Seal of South Australia, at Adelaide, 25 October 2001.

By command,

MARK BRINDAL, for Premier