New South Wales.



ANNO SECUNDO ELIZABETHÆ II REGINÆ

Act No. 31, 1953.

An Act to make further provisions relating to long service leave for officers of the Departments of Railways, Government Transport and Motor Transport; for this purpose to amend the Government Railways Act, 1912-1952, and the Transport Act, 1930-1952; and for purposes connected therewith. [Assented to, 11th December, 1953.]

 B^E 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. (1) This Act may be cited as the "Government short title Railways and Transport (Amendment) Act, 1953." and citation. (2)

Government Railways and Transport (Amendment).

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1953.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1953.

2. The Government Railways Act, 1912-1952, is amended by omitting subsections two to eight, both inclusive, of section 100A, and by inserting in lieu is, thereof the following subsections:—

(2) Every officer who whether before or after the commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen years service shall be entitled to three months leave on full pay or six months on half pay, and on the completion of twenty years service shall be entitled to a further three months leave on full pay or six months on half pay. After completion of further service after twenty years and up to a total service of forty years in all, he shall be entitled to a further proportionate amount of leave on full pay or half pay calculated on the basis of six months or twelve months respectively for twenty years service:

Provided that an officer entitled to leave in pursuance of the provisions of this subsection shall not be entitled to leave in pursuance of the provisions of subsections two to eight, both inclusive, of this section as enacted immediately before the commencement of the Government Railways and Transport (Amendment) Act, 1953, and any leave taken by an officer before such commencement in pursuance of the provisions of the said subsections two to eight as enacted immediately before such commencement shall be deducted from the leave to which such officer is entitled under this subsection.

(3) Any officer who has acquired a right to leave under subsection two of this section, has attained the age of sixty years and retires or is retired shall be paid

forthwith

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Amendment of Act No. 30, 1912.

Sec. 100A. (Annual leave, extended leave, and retiring leave of officers.)

forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled.

(4) Any leave to which an officer is entitled under subsection two of this section shall, if taken before the retirement of such officer, be so taken at such time as the exigencies of the railway service permit.

(5) Where an officer has acquired a right under subsection two of this section to leave and dies before entering upon it, or after entering upon it, dies before its termination, his widow, or in the case of a widower leaving children, his children, or their guardian, or other dependent relative, or their legal representative, shall be entitled to receive the money value of the leave not taken, or not completed, computed at the rate of pay the officer received at the time of his death:

Provided that where payment of the money value of leave has been made under this subsection, no action may be brought against the Commissioner for Railways for payment of any amount in respect of such leave.

(6) No officer shall be entitled to benefits under subsection two of this section as well as to benefits of the like nature under the provisions of any other enactment for the same period of service.

(7) For the purposes of this section "service" includes service with the Department of Railways, the Department of Government Transport and the Department of Motor Transport or any authority which before the establishment of any such Department exercised or discharged any of the powers, authorities, duties or functions exercised or discharged by such Department.

3. The Transport Act, 1930-1952, is amended by Amendment of omitting subsections two to nine, both inclusive, of Act No. 18, 1930. section one hundred and twenty-three and by inserting Sec. 123. in lieu thereof the following subsections :--

(2) Every officer who whether before or after the leave of commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen

(Annual leave, extended leave. officers.)

years

Government Railways and Transport (Amendment).

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(3) Any officer who has acquired a right to leave under subsection two of this section, has attained the age of sixty years and retires or is retired shall be paid forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled.

(4) Any leave to which an officer is entitled under subsection two of this section shall, if taken before the retirement of such officer, be so taken at such time as the exigencies of the departmental services permit.

(5) Where an officer has acquired a right under subsection two of this section to leave and dies before entering upon it, or after entering upon it, dies before its termination, his widow, or in the case of a widower leaving children, his children, or their guardian, or other dependent relative, or their legal

representative,

Government Railways and Transport (Amendment).

representative, shall be entitled to receive the money value of the leave not taken, or not completed, computed at the rate of pay the officer received at the time of his death:

Provided that where payment of the money value of leave has been made under this subsection no action may be brought for payment of any amount in respect of such leave.

(6) No officer shall be entitled to benefits under subsection two of this section as well as to benefits of the like nature under the provisions of any other enactment for the same period of service.

(7) For the purposes of this section "service" includes service with the Department of Railways, the Department of Government Transport and the Department of Motor Transport or any authority which before the establishment of any such Department exercised or discharged any of the powers, authorities, duties or functions exercised or discharged by such Department.

By Authority: A. H. PETTIFER, Government Printer, Sydney, 1953.

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(7) For mean instead of this section, "service include survey with the bepartment of Rodway the Department of Generaterit Transport and the Bepartment of Mater Transport or my authority which before the could Sunant, of any such department consistent on discharged any of the sectors of the construction controls of the sector during of functions controls of the sector during of the sector of the sector of the sectors of the construction.





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

> H. ROBBINS, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 4 December, 1953.





ELIZABETHÆ II REGINÆ

ANNO SECUNDO

Act No. 31, 1953.

An Act to make further provisions relating to long service leave for officers of the Departments of Railways, Government Transport and Motor Transport; for this purpose to amend the Government Railways Act, 1912-1952, and the Transport Act, 1930-1952; and for purposes connected therewith. [Assented to, 11th December, 1953.]

B^E 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. (1) This Act may be cited as the "Government Short title Railways and Transport (Amendment) Act, 1953." and citation.

(2)

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

> G. BOOTH, Chairman of Committees of the Legislative Assembly.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1953.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1953.

Amendment of Act No. 30, 1912. Sec. 100A. (Annual leave, extended leave, and retiring leave of officers.)

2. The Government Railways Act, 1912-1952, is amended by omitting subsections two to eight, both inclusive, of section 100A, and by inserting in lieu thereof the following subsections:—

(2) Every officer who whether before or after the commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen years service shall be entitled to three months leave on full pay or six months on half pay, and on the completion of twenty years service shall be entitled to a further three months leave on full pay or six months on half pay. After completion of further service after twenty years and up to a total service of forty years in all, he shall be entitled to a further proportionate amount of leave on full pay or half pay calculated on the basis of six months or twelve months respectively for twenty years service:

Provided that an officer entitled to leave in pursuance of the provisions of this subsection shall not be entitled to leave in pursuance of the provisions of subsections two to eight, both inclusive, of this section as enacted immediately before the commencement of the Government Railways and Transport (Amendment) Act, 1953, and any leave taken by an officer before such commencement in pursuance of the provisions of the said subsections two to eight as enacted immediately before such commencement shall be deducted from the leave to which such officer is entitled under this subsection.

(3) Any officer who has acquired a right to leave under subsection two of this section, has attained the age of sixty years and retires or is retired shall be paid forthwith

Government Railways and Transport (Amendment).

forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled.

(4) Any leave to which an officer is entitled under subsection two of this section shall, if taken before the retirement of such officer, be so taken at such time as the exigencies of the railway service permit.

(5) Where an officer has acquired a right under subsection two of this section to leave and dies before entering upon it, or after entering upon it, dies before its termination, his widow, or in the case of a widower leaving children, his children, or their guardian, or other dependent relative, or their legal representative, shall be entitled to receive the money value of the leave not taken, or not completed, computed at the rate of pay the officer received at the time of his death:

Provided that where payment of the money value of leave has been made under this subsection, no action may be brought against the Commissioner for Railways for payment of any amount in respect of such leave.

(6) No officer shall be entitled to benefits under subsection two of this section as well as to benefits of the like nature under the provisions of any other enactment for the same period of service.

(7) For the purposes of this section "service" includes service with the Department of Railways, the Department of Government Transport and the Department of Motor Transport or any authority which before the establishment of any such Department exercised or discharged any of the powers, authorities, duties or functions exercised or discharged by such Department.

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3. The Transport Act, 1930-1952, is amended by Amendment of omitting subsections two to nine, both inclusive, of Act No. 18, 1930. section one hundred and twenty-three and by inserting Sec. 123. in lieu thereof the following subsections :---

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(2) Every officer who whether before or after the leave of commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen

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(3) Any officer who has acquired a right to leave under subsection two of this section, has attained the age of sixty years and retires or is retired shall be paid forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled.

(4) Any leave to which an officer is entitled under subsection two of this section shall, if taken before the retirement of such officer, be so taken at such time as the exigencies of the departmental services permit.

(5) Where an officer has acquired a right under subsection two of this section to leave and dies before entering upon it, or after entering upon it, dies before its termination, his widow, or in the case of a widower leaving children, his children, or their guardian, or other dependent relative, or their legal

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Government Railways and Transport (Amendment).

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Provided that where payment of the money value of leave has been made under this subsection no action may be brought for payment of any amount in respect of such leave.

(6) No officer shall be entitled to benefits under subsection two of this section as well as to benefits of the like nature under the provisions of any other enactment for the same period of service.

(7) For the purposes of this section "service" includes service with the Department of Railways, the Department of Government Transport and the Department of Motor Transport or any authority which before the establishment of any such Department exercised or discharged any of the powers, authorities, duties or functions exercised or discharged by such Department.

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

> J. NORTHCOTT, Governor.

Government House,

Sydney, 11th December, 1953.







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.

> H. ROBBINS, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 3 December, 1953.

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ANNO SECUNDO ELIZABETHÆ II REGINÆ

Act No. , 1953.

An Act to make further provisions relating to long service leave for officers of the Departments of Railways, Government Transport and Motor Transport; for this purpose to amend the Government Railways Act, 1912-1952, and the Transport Act, 1930-1952; and for purposes connected therewith.

B^E 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 5 the same, as follows :--

1. (1) This Act may be cited as the "Government Short title Railways and Transport (Amendment) Act, 1953." and citation. (2)

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1953.

(3) The Transport Act, 1930, as amended by 5 subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1953.

2. The Government Railways Act, 1912-1952, is Amendment of amended by omitting subsections two to eight, both ^{1912.} inclusive of section 100a and by inserting in lien Sec. 100a. inclusive, of section 100A, and by inserting in lieu (Annual leave, 10 thereof the following subsections :--

extended leave and retiring leave of officers.)

(2) Every officer who whether before or after the commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen years service shall be entitled to three months leave on

15 full pay or six months on half pay, and on the completion of twenty years service shall be entitled to a further three months leave on full pay or six months on half pay. After completion of further service after twenty years and up to a total service of forty years 20 in all, he shall be entitled to a further proportionate

amount of leave on full pay or half pay calculated on the basis of six months or twelve months respectively for twenty years service:

Provided that an officer entitled to leave in pursuance 25 of the provisions of this subsection shall not be entitled to leave in pursuance of the provisions of subsections two to eight, both inclusive, of this section as enacted immediately before the commencement of the Government Railways and Transport (Amendment) Act, 1953, and 30 any leave taken by an officer before such commencement in pursuance of the provisions of the said subsections two to eight as enacted immediately before such commencement shall be deducted from the leave to which such officer is entitled under this subsection.

35 (3) Any officer who has acquired a right to leave under subsection two of this section, has attained the age of sixty years and retires or is retired shall be paid forthwith

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(4) Any leave to which an officer is entitled under 5 subsection two of this section shall, if taken before the retirement of such officer, be so taken at such time as the exigencies of the railway service permit.

(5) Where an officer has acquired a right under subsection two of this section to leave and dies before 10 entering upon it, or after entering upon it, dies before its termination, his widow, or in the case of a widower leaving children, his children, or their guardian, or other dependent relative, or their legal representative, shall be entitled to receive the money value of the leave not 15 taken, or not completed, computed at the rate of pay the officer received at the time of his death:

Provided that where payment of the money value of leave has been made under this subsection, no action may be brought against the Commissioner for Railways 20 for payment of any amount in respect of such leave.

(6) No officer shall be entitled to benefits under subsection two of this section as well as to benefits of the like nature under the provisions of any other enactment for the same period of service.

(7) For the purposes of this section "service" 25 includes service with the Department of Railways, the Department of Government Transport and the Department of Motor Transport or any authority which before the establishment of any such Department exercised or 30 discharged any of the powers, authorities, duties or functions exercised or discharged by such Department.

3. The Transport Act, 1930-1952, is amended by Amendment of omitting subsections two to nine, both inclusive, of Act No. 18, 1930. section one hundred and twenty-three and by inserting Sec. 123. 35 in lieu thereof the following subsections :--

(2) Every officer who whether before or after the leave of commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen

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(Annual leave, extended leave, officers.)

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(3) Any officer who has acquired a right to leave under subsection two of this section, has attained the age of sixty years and retires or is retired shall be paid forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled.

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(5) Where an officer has acquired a right under subsection two of this section to leave and dies before entering upon it, or after entering upon it, dies before its termination, his widow, or in the case of a widower leaving children, his children, or their guardian, or other dependent relative, or their legal

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(7) For the purposes of this section "service" includes service with the Department of Railways, the Department of Government Transport and the Department of Motor Transport or any authority which before the establishment of any such Department exercised or discharged any of the powers, authorities, duties or functions exercised or discharged by such Department.

Sydney: A. H. Pettifer, Government Printer-1953.

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No. , 1953.

A BILL

To make further provisions relating to long service leave for officers of the Departments of Railways, Government Transport and Motor Transport; for this purpose to amend the Government Railways Act, 1912-1952, and the Transport Act, 1930-1952; and for purposes connected therewith.

[MR. WETHERELL; -2 December, 1953.]

B^E 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 5 the same, as follows :—

1. (1) This Act may be cited as the "Government short title Railways and Transport (Amendment) Act, 1953." and citation. (2)

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1953.

(3) The Transport Act, 1930, as amended by 5 subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1953.

2. The Government Railways Act, 1912-1952, is Amendment of amended by omitting subsections two to eight, both 1912. inclusive, of section 100A, and by inserting in lieu (Annual leave, 10 thereof the following subsections :--

Sec. 100A. xtended leave. and retiring leave of officers.)

(2) Every officer who whether before or after the commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen years service shall be entitled to three months leave on

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Provided that an officer entitled to leave in pursuance 25 of the provisions of this subsection shall not be entitled to leave in pursuance of the provisions of subsections two to eight, both inclusive, of this section as enacted immediately before the commencement of the Government Railways and Transport (Amendment) Act, 1953, and 30 any leave taken by an officer before such commencement in pursuance of the provisions of the said subsections two to eight as enacted immediately before such commencement shall be deducted from the leave to which such officer is entitled under this subsection.

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(5) Where an officer has acquired a right under subsection two of this section to leave and dies before 10 entering upon it, or after entering upon it, dies before its termination, his widow, or in the case of a widower leaving children, his children, or their guardian, or other dependent relative, or their legal representative, shall be entitled to receive the money value of the leave not 15 taken, or not completed, computed at the rate of pay the officer received at the time of his death:

Provided that where payment of the money value of leave has been made under this subsection, no action may be brought against the Commissioner for Railways 20 for payment of any amount in respect of such leave.

(6) No officer shall be entitled to benefits under subsection two of this section as well as to benefits of the like nature under the provisions of any other enactment for the same period of service.

(7) For the purposes of this section "service" 25 includes service with the Department of Railways, the Department of Government Transport and the Department of Motor Transport or any authority which before the establishment of any such Department exercised or 30 discharged any of the powers, authorities, duties or functions exercised or discharged by such Department.

3. The Transport Act, 1930-1952, is amended by Amendment of omitting subsections two to nine, both inclusive, of Act No. 18, section one hundred and twenty-three and by inserting Sec. 123. 35 in lieu thereof the following subsections:-

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(Annual leave, extended leave. officers.)

(2) Every officer who whether before or after the leave of commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen

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Sydney: A. H. Pettifer, Government Printer-1953.

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GOVERNMENT RAILWAYS AND TRANSPORT (AMENDMENT) BILL, 1953.

EXPLANATORY NOTE.

THE object of this Bill is to provide for the granting of long service leave to the staffs in the Departments of Railways, Government Transport and Motor Transport on the same basis as such leave is granted to officers under the Public Service Act, 1902.

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, 1953. No.

PROOF

A BILL

To make further provisions relating to long service leave for officers of the Departments of Railways, Government Transport and Motor Transport; for this purpose to amend the Government Railways Act, 1912-1952, and the Transport Act, 1930-1952; and for purposes connected therewith.

[MR. WETHERELL; 2 December, 1953.]

B^E 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 5 the same, as follows :--

1. (1) This Act may be cited as the "Government Short title Railways and Transport (Amendment) Act, 1953." and citation. (2) · Cina

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(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1953.

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2. The Government Railways Act, 1912-1952, is Amendment of Act No. 30, amended by omitting subsections two to eight, lieu Sec. 100A. inclusive, of section 100A, and by inserting in lieu (Annual leave, extended leave, and retiring 10 thereof the following subsections:-

leave of

officers.) (2) Every officer who whether before or after the commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen years service shall be entitled to three months leave on 15 full pay or six months on half pay, and on the completion of twenty years service shall be entitled to a further three months leave on full pay or six months on half pay. After completion of further service after twenty years and up to a total service of forty years 20 in all, he shall be entitled to a further proportionate amount of leave on full pay or half pay calculated on the basis of six months or twelve months respectively

Provided that an officer entitled to leave in pursuance 25 of the provisions of this subsection shall not be entitled to leave in pursuance of the provisions of subsections two to eight, both inclusive, of this section as enacted immediately before the commencement of the Government Railways and Transport (Amendment) Act, 1953, and 30 any leave taken by an officer before such commencement in pursuance of the provisions of the said subsections two to eight as enacted immediately before such commencement shall be deducted from the leave to which such officer is entitled under this subsection.

for twenty years service:

35 (3) Any officer who has acquired a right to leave under subsection two of this section, has attained the age of sixty years and retires or is retired shall be paid forthwith

forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled.

(4) Any leave to which an officer is entitled under 5 subsection two of this section shall, if taken before the retirement of such officer, be so taken at such time as the exigencies of the railway service permit.

(5) Where an officer has acquired a right under subsection two of this section to leave and dies before 10 entering upon it, or after entering upon it, dies before its termination, his widow, or in the case of a widower leaving children, his children, or their guardian, or other dependent relative, or their legal representative, shall be entitled to receive the money value of the leave not 15 taken, or not completed, computed at the rate of pay

the officer received at the time of his death:

Provided that where payment of the money value of leave has been made under this subsection, no action may be brought against the Commissioner for Railways 20 for payment of any amount in respect of such leave.

(6) No officer shall be entitled to benefits under subsection two of this section as well as to benefits of the like nature under the provisions of any other enactment for the same period of service.

25 (7) For the purposes of this section "service" includes service with the Department of Railways, the Department of Government Transport and the Department of Motor Transport or any authority which before the establishment of any such Department exercised or 30 discharged any of the powers, authorities, duties or functions exercised or discharged by such Department.

3. The Transport Act, 1930-1952, is amended by Amendment of omitting subsections two to nine, both inclusive, of Act No. 18, 1930. section one hundred and twenty-three and by inserting Sec. 123. 35 in lieu thereof the following subsections :-

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(Annual leave, extended leave. officers.)

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(2) Every officer who whether before or after the leave of commencement of the Government Railways and Transport (Amendment) Act, 1953, has had fifteen

years

years service shall be entitled to three months leave on full pay or six months on half pay, and on the completion of twenty years service shall be entitled to a further three months leave on full pay or six months on half pay. After completion of further service after twenty years and up to a total service of forty years in all, he shall be entitled to a further proportionate amount of leave on full pay or half pay calculated on the basis of six months or twelve months respectively for twenty years service: Provided that an officer entitled to leave in pursuance of the provisions of this subsection shall not be entitled to leave in pursuance of the provisions of subsections two to nine, both inclusive, of this section as enacted immediately before the commencement of the Government Railways and Transport (Amendment) Act, 1953, and any leave taken by an officer before such commencement in pursuance of the provisions of the said subsections two to nine as enacted immediately before such commencement shall be deducted from the leave to which such officer is entitled under this subsection.

(3) Any officer who has acquired a right to leave under subsection two of this section, has attained the age of sixty years and retires or is retired shall be paid forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled.

(4) Any leave to which an officer is entitled under subsection two of this section shall, if taken before the retirement of such officer, be so taken at such time as the exigencies of the departmental services permit.

(5) Where an officer has acquired a right under subsection two of this section to leave and dies before entering upon it, or after entering upon it, dies before its termination, his widow, or in the case of a widower leaving children, his children, or their guardian, or other dependent relative, or their legal representative,

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representative, shall be entitled to receive the money value of the leave not taken, or not completed, computed at the rate of pay the officer received at the time of his death:

Provided that where payment of the money value of leave has been made under this subsection no action may be brought for payment of any amount in respect of such leave.

(6) No officer shall be entitled to benefits under subsection two of this section as well as to benefits of the like nature under the provisions of any other enactment for the same period of service.

(7) For the purposes of this section "service" includes service with the Department of Railways, the Department of Government Transport and the Department of Motor Transport or any authority which before the establishment of any such Department exercised or discharged any of the powers, authorities, duties or functions exercised or discharged by such Department.

Sydney: A. H. Pettifer, Government Printer-1953.

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