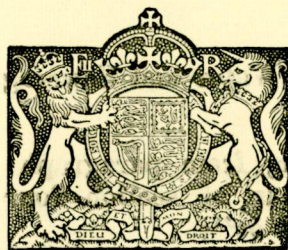


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 30 October, 1956.*

New South Wales



ANNO QUINTO

ELIZABETHÆ II REGINÆ

Act No. , 1956.

An Act to make further provision relating to certain members of the Broken Hill Water Board; for this and other purposes to amend the Broken Hill Water and Sewerage Act, 1938-1954; and for purposes connected therewith.

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. (1) This Act may be cited as the "Broken Hill Water and Sewerage (Amendment) Act, 1956".

(2) Short title, citation and commencement.

Broken Hill Water and Sewerage (Amendment).

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1956.

2. The Broken Hill Water and Sewerage Act, 1938-1954, is amended—

- 10 (a) (i) by omitting from paragraph (a) of sub-
 section four of section four the words
 "president or";
- 15 (ii) by omitting from the same paragraph the
 words "either a member of the Public
 Service Board or";
- 20 (b) (i) by omitting from subsection two of section
 eight the words "A vice-president who is
 not a member of the Public Service Board
 and each" and by inserting in lieu thereof
 the word "Each";
- (ii) by omitting subsection three of the same
 section and by inserting in lieu thereof the
 following subsection:—
- 25 (3) The vice-president shall, notwith-
 standing the provisions of any Act or of
 any rule or regulation made under any
 Act, be entitled to receive remuneration
 under this section and section nine of this
 Act in addition to any remuneration to
 30 which he is entitled as an officer of the
 public service.
- (iii) by inserting in subsection four of the same
 section after the word "member" the words
 "other than president";
- (iv)

Amendment
 of Act No.
 20, 1938.

Sec. 4.
 (Constitu-
 tion of the
 Board.)

Sec. 8.
 (Remunera-
 tion of
 members.)

Broken Hill Water and Sewerage (Amendment).

(iv) by inserting next after the same subsection the following new subsections:—

5 (5) The president shall not during his term of office engage in any trade, business, or in any paid employment other than the performance of his duties under this Act.

10 (6) (a) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall if he was immediately before his appointment a permanent servant within the meaning of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, continue to be
15 such a permanent servant or if he was not immediately before his appointment such a permanent servant he may within three months after his appointment elect in writing addressed to the board to become
20 such a permanent servant. The board shall in respect of any president so continuing or electing to be such a permanent servant be deemed to be a council within the meaning of the said Act.

25 (b) Where the president of the board was immediately before his appointment as such a contributor to the State Superannuation Fund he shall retain any rights which immediately before his appointment have
30 accrued or are accruing to him under the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and
35 any payment, pension, or gratuity as if he had continued to be a servant of the employer by whom he was employed immediately

Broken Hill Water and Sewerage (Amendment).

immediately before his appointment or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

5 For the purposes of this paragraph the service of a servant with the employer by whom such servant was employed immediately before his appointment shall be deemed to be service with the board.

10 In respect of a president to whom this paragraph applies the board shall pay to the State Superannuation Board such contributions and payments as would have been payable by the employer by whom he was employed immediately before his
15 appointment if such president had remained a servant of such employer and had been paid remuneration as salary at the rate paid to him under this Act.

20 (c) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall for the purposes of determining his entitlement to
25 annual leave, sick leave or long service or extended leave be deemed to be an officer of the board and if he immediately before his appointment was an officer of the board his service as president shall for such
30 purposes be deemed to be service as an officer of the board.

(d) A person who, immediately
35 before his appointment as president, was an officer of the public service and who ceases to be president from any cause whatsoever otherwise than in pursuance of section six of this Act (paragraph (b) excepted)

Broken Hill Water and Sewerage (Amendment).

5 excepted) shall if he is under the age of sixty years be appointed to some office in the public service not lower in classification and salary than that which he held immediately before his appointment as president.

(c) by omitting from section nine the words "A vice-president who is not a member of the Public Service Board" and by inserting in lieu thereof the words "The vice-president";

Sec. 9.
(Powers, etc., of vice-president.)

10 (d) by inserting next after section nineteen the following new section:—

New sec. 19A.

Preservation of rights of certain officers.

15 19A. (1) Any officer of the public service who, at the commencement of the Broken Hill Water and Sewerage (Amendment) Act, 1956, is employed in the Broken Hill District of the Public Works Department and who, within three months after the said commencement terminates his employment in the public service and enters the service of the board shall, if immediately before he entered the service of the board he was a contributor to the State Superannuation Fund, retain any rights which immediately before he entered the service of the board had accrued or were accruing to him as an officer of the public service or as an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and any payment, pension, or gratuity as if he had continued to be an officer of the public service or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

(2) For the purposes of subsection one of this section, service with the public service shall be deemed to be service with the board.

(3)

Broken Hill Water and Sewerage (Amendment).

5 (3) In respect of any person to whom subsection one of this section applies the board shall pay to the State Superannuation Board such contributions and payments as would have been payable by his employer if such person had remained an officer of the public service and had been paid salary or wages at the rate paid to him by the board.

10 (4) The provisions of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, shall not apply to any person to whom subsection one of this section applies.

15 (e) by omitting from subsection one of section twenty the word "Secretary-manager" and by inserting in lieu thereof the word "Secretary";

Sec. 20.
(Officers and workmen.)

(f) by inserting in section 24A after the words "for the accommodation of" the words "the president and";

Sec. 24A.
(Residences for servants.)

Robert H. White and Associates (Incorporated)

1800 Broadway, New York 17, N.Y.
Telephone BR 5-1234

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THE UNIVERSITY OF CHICAGO
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1950

THE UNIVERSITY OF CHICAGO
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No. , 1956.

A BILL

To make further provision relating to certain members of the Broken Hill Water Board; for this and other purposes to amend the Broken Hill Water and Sewerage Act, 1938-1954; and for purposes connected therewith.

[MR. McGRATH;—25 *October*, 1956.]

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. (1) This Act may be cited as the "Broken Hill Water and Sewerage (Amendment) Act, 1956".
- (2) Short title, citation and commencement.

Broken Hill Water and Sewerage (Amendment).

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1956.

2. The Broken Hill Water and Sewerage Act, 1938-1954, is amended—

Amendment
of Act No.
20, 1938.

- 10 (a) (i) by omitting from paragraph (a) of sub-
section four of section four the words
“president or”;
- Sec. 4.
(Constitu-
tion of the
Board.)
- 15 (ii) by omitting from the same paragraph the
words “either a member of the Public
Service Board or”;
- 20 (b) (i) by omitting from subsection two of section
eight the words “A vice-president who is
not a member of the Public Service Board
and each” and by inserting in lieu thereof
the word “Each”;
- Sec. 8.
(Remunera-
tion of
members.)
- (ii) by omitting subsection three of the same
section and by inserting in lieu thereof the
following subsection:—
- 25 (3) The vice-president shall, notwith-
standing the provisions of any Act or of
any rule or regulation made under any
Act, be entitled to receive remuneration
under this section and section nine of this
Act in addition to any remuneration to
30 which he is entitled as an officer of the
public service.
- (iii) by inserting in subsection four of the same
section after the word “member” the words
“other than president”;
- (iv)

Broken Hill Water and Sewerage (Amendment).

(iv) by inserting next after the same subsection the following new subsections:—

5 (5) The president shall not during his term of office engage in any trade, business, or in any paid employment other than the performance of his duties under this Act.

10 (6) (a) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall if he was immediately before his appointment a permanent servant within the meaning of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, continue to be
15 such a permanent servant or if he was not immediately before his appointment such a permanent servant he may within three months after his appointment elect in writing addressed to the board to become
20 such a permanent servant. The board shall in respect of any president so continuing or electing to be such a permanent servant be deemed to be a council within the meaning of the said Act.

25 (b) Where the president of the board was immediately before his appointment as such a contributor to the State Superannuation Fund he shall retain any rights which immediately before his appointment have
30 accrued or are accruing to him under the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and
35 any payment, pension, or gratuity as if he had continued to be a servant of the employer by whom he was employed immediately

Broken Hill Water and Sewerage (Amendment).

immediately before his appointment or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

5 For the purposes of this paragraph the service of a servant with the employer by whom such servant was employed immediately before his appointment shall be deemed to be service with the board.

10 In respect of a president to whom this paragraph applies the board shall pay to the State Superannuation Board such contributions and payments as would have been payable by the employer by whom he
15 was employed immediately before his appointment if such president had remained a servant of such employer and had been paid remuneration as salary at the rate paid to him under this Act.

20 (c) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall for the purposes of determining his entitlement to
25 annual leave, sick leave or long service or extended leave be deemed to be an officer of the board and if he immediately before his appointment was an officer of the board his service as president shall for such
30 purposes be deemed to be service as an officer of the board.

 (d) A person who, immediately
35 before his appointment as president, was an officer of the public service and who ceases to be president from any cause whatsoever otherwise than in pursuance of section six of this Act (paragraph (b) excepted)

Broken Hill Water and Sewerage (Amendment).

5 excepted) shall if he is under the age of sixty years be appointed to some office in the public service not lower in classification and salary than that which he held immediately before his appointment as president.

(c) by omitting from section nine the words "A Sec. 9. vice-president who is not a member of the Public (Powers, etc., of vice-president.) Service Board" and by inserting in lieu thereof the words "The vice-president";

10 (d) by inserting next after section nineteen the New sec. 19A. following new section:—

15 19A. (1) Any officer of the public service who, at the commencement of the Broken Hill Water and Sewerage (Amendment) Act, 1956, is Preservation of rights of certain officers. employed in the Broken Hill District of the Public Works Department and who, within three months after the said commencement terminates his employment in the public service and enters the service of the board shall, if immediately before he entered the service of the board he was a contributor to the State Superannuation Fund, retain any rights which immediately before he entered the service of the board had accrued or were accruing to him as an officer of the public service or as an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and any payment, pension, or gratuity as if he had continued to be an officer of the public service or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

(2) For the purposes of subsection one of this section, service with the public service shall be deemed to be service with the board.

(3)

Broken Hill Water and Sewerage (Amendment).

5 (3) In respect of any person to whom subsection one of this section applies the board shall pay to the State Superannuation Board such contributions and payments as would have remained an officer of the public service and had been paid salary or wages at the rate paid to him by the board.

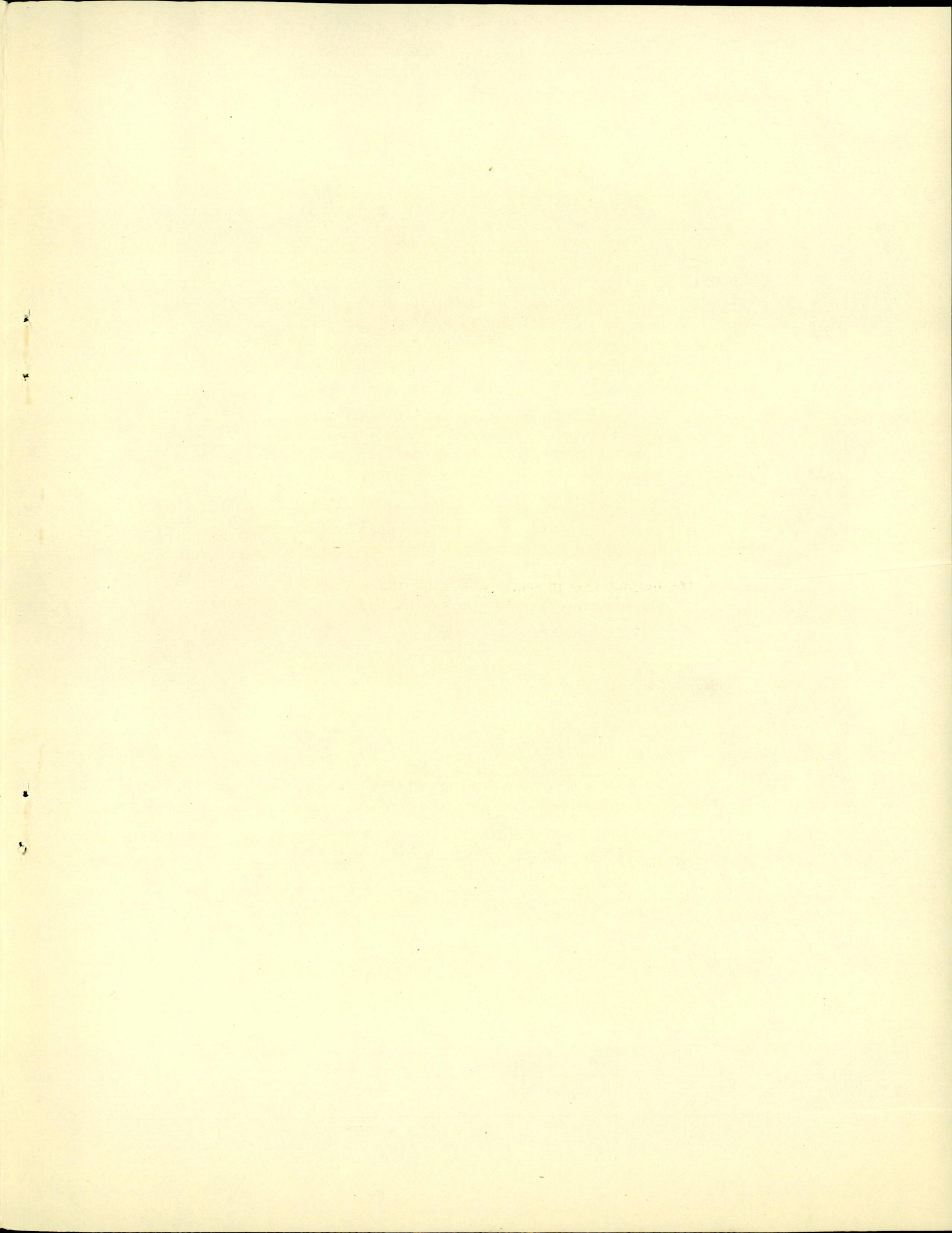
10 (4) The provisions of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, shall not apply to any person to whom subsection one of this section applies.

15 (e) by omitting from subsection one of section twenty the word "Secretary-manager" and by inserting in lieu thereof the word "Secretary";

Sec. 20.
(Officers
and
workmen.)

(f) by inserting in section 24A after the words "for the accommodation of" the words "the president and";

Sec. 24A.
(Residences
for
servants.)



BROKEN HILL WATER AND SEWERAGE (AMENDMENT) BILL, 1956.

EXPLANATORY NOTE.

THE objects of this Bill are to provide—

- (a) for the appointment of a president of the Broken Hill Water Board on a full time basis;
- (b) that the vice-president of that board is to be a member of the public service;
- (c) for the appointment of a secretary in lieu of a secretary-manager;
- (d) for matters consequent upon the appointment of a public servant as president or as an officer of that board;
- (e) for other matters supplementary to the foregoing.

BROKEN HILL WATER AND SEWERAGE (AMENDMENT) BILL

1953

ESTABLISHED 1917

No. , 1956.

A BILL

To make further provision relating to certain members of the Broken Hill Water Board; for this and other purposes to amend the Broken Hill Water and Sewerage Act, 1938-1954; and for purposes connected therewith.

[MR. McGRATH;—25 October, 1956.]

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. (1) This Act may be cited as the "Broken Hill Water and Sewerage (Amendment) Act, 1956".
- (2) Short title, citation and commencement.

Broken Hill Water and Sewerage (Amendment).

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1956.

2. The Broken Hill Water and Sewerage Act, 1938-1954, is amended—

Amendment
of Act No.
20, 1938.

- 10 (a) (i) by omitting from paragraph (a) of subsection four of section four the words “president or”;
- Sec. 4.
(Constitution of the Board.)
- (ii) by omitting from the same paragraph the words “either a member of the Public Service Board or”;
- 15
- (b) (i) by omitting from subsection two of section eight the words “A vice-president who is not a member of the Public Service Board and each” and by inserting in lieu thereof the word “Each”;
- Sec. 8.
(Remuneration of members.)
- 20 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—
- (3) The vice-president shall, notwithstanding the provisions of any Act or of any rule or regulation made under any Act, be entitled to receive remuneration under this section and section nine of this Act in addition to any remuneration to which he is entitled as an officer of the public service.
- 25
- 30 (iii) by inserting in subsection four of the same section after the word “member” the words “other than president”;
- (iv)

Broken Hill Water and Sewerage (Amendment).

(iv) by inserting next after the same subsection the following new subsections:—

5

(5) The president shall not during his term of office engage in any trade, business, or in any paid employment other than the performance of his duties under this Act.

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(6) (a) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall if he was immediately before his appointment a permanent servant within the meaning of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, continue to be such a permanent servant or if he was not immediately before his appointment such a permanent servant he may within three months after his appointment elect in writing addressed to the board to become such a permanent servant. The board shall in respect of any president so continuing or electing to be such a permanent servant be deemed to be a council within the meaning of the said Act.

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(b) Where the president of the board was immediately before his appointment as such a contributor to the State Superannuation Fund he shall retain any rights which immediately before his appointment have accrued or are accruing to him under the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and any payment, pension, or gratuity as if he had continued to be a servant of the employer by whom he was employed immediately

Broken Hill Water and Sewerage (Amendment).

immediately before his appointment or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

5 For the purposes of this paragraph the service of a servant with the employer by whom such servant was employed immediately before his appointment shall be deemed to be service with the board.

10 In respect of a president to whom this paragraph applies the board shall pay to the State Superannuation Board such contributions and payments as would have been payable by the employer by whom he
15 was employed immediately before his appointment if such president had remained a servant of such employer and had been paid remuneration as salary at the rate paid to him under this Act.

20 (c) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall for the purposes of determining his entitlement to
25 annual leave, sick leave or long service or extended leave be deemed to be an officer of the board and if he immediately before his appointment was an officer of the board
30 his service as president shall for such purposes be deemed to be service as an officer of the board.

(d) A person who, immediately before his appointment as president, was an officer of the public service and who
35 ceases to be president from any cause whatsoever otherwise than in pursuance of section six of this Act (paragraph (b) excepted)

Broken Hill Water and Sewerage (Amendment).

5 excepted) shall if he is under the age of sixty years be appointed to some office in the public service not lower in classification and salary than that which he held immediately before his appointment as president.

(c) by omitting from section nine the words "A vice-president who is not a member of the Public Service Board" and by inserting in lieu thereof the words "The vice-president";

Sec. 9.
(Powers, etc., of vice-president.)

10 (d) by inserting next after section nineteen the following new section:—

New sec. 19A.
Preservation of rights of certain officers.

15 19A. (1) Any officer of the public service who, at the commencement of the Broken Hill Water and Sewerage (Amendment) Act, 1956, is employed in the Broken Hill District of the Public Works Department and who, within three months after the said commencement terminates his employment in the public service and enters the service of the board shall, if immediately before he entered the service of the board he was a contributor to the State Superannuation Fund, retain any rights which immediately before he entered the service of the board had accrued or were accruing to him as an officer of the public service or as an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and any payment, pension, or gratuity as if he had continued to be an officer of the public service or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

(2) For the purposes of subsection one of this section, service with the public service shall be deemed to be service with the board.

(3)

Broken Hill Water and Sewerage (Amendment).

5 (3) In respect of any person to whom subsection one of this section applies the board shall pay to the State Superannuation Board such contributions and payments as would have remained an officer of the public service and had been paid salary or wages at the rate paid to him by the board.

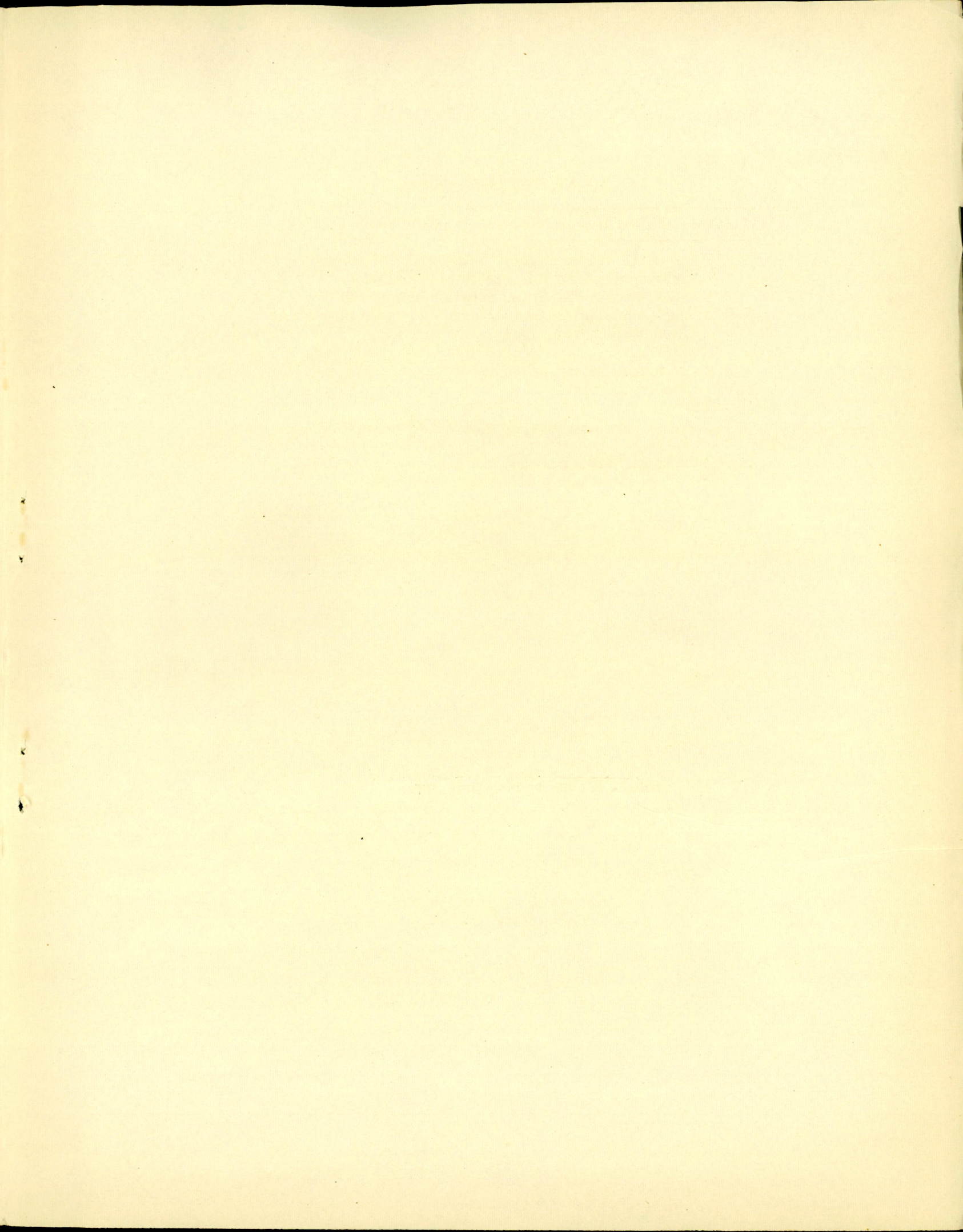
10 (4) The provisions of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, shall not apply to any person to whom subsection one of this section applies.

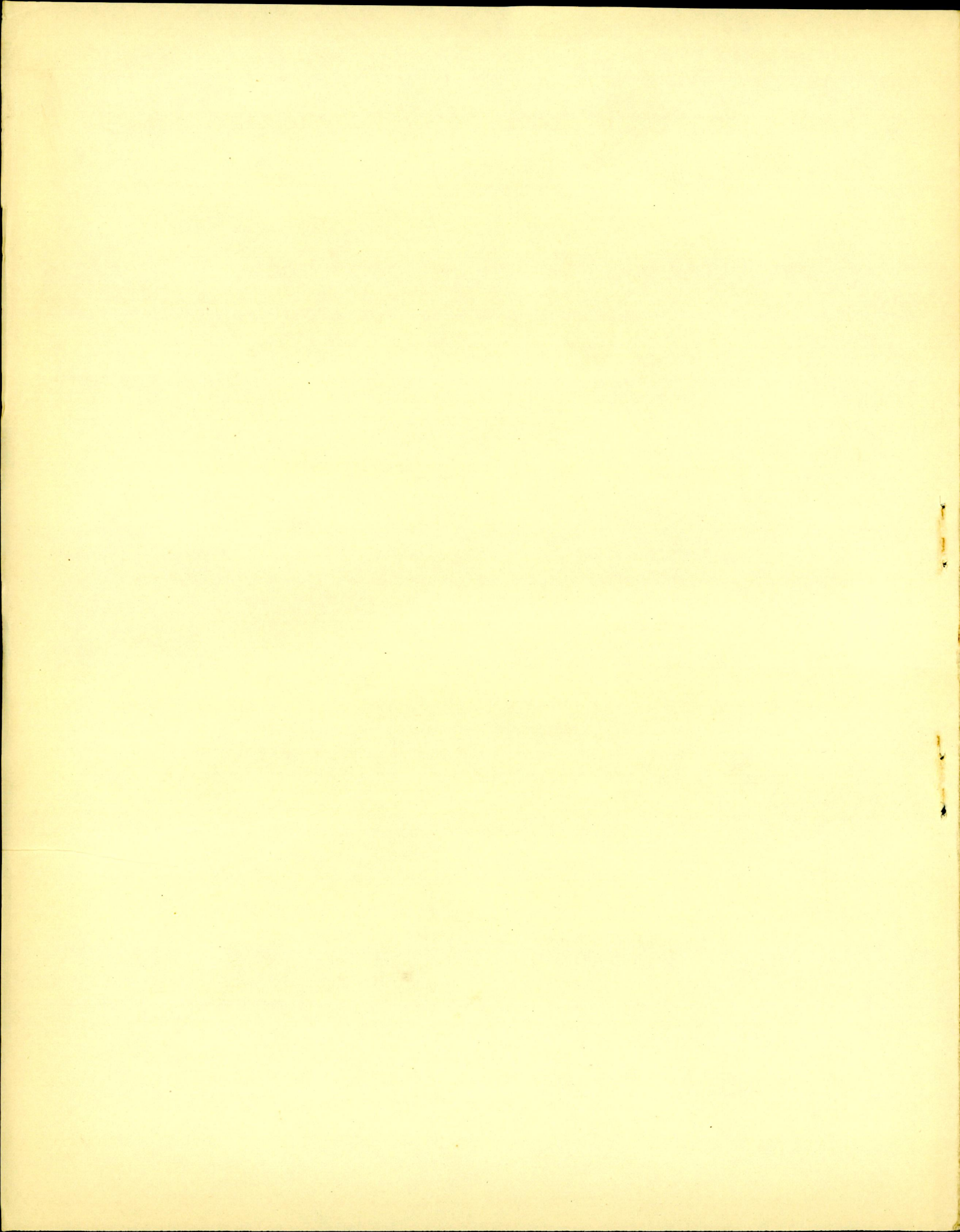
15 (e) by omitting from subsection one of section twenty the word "Secretary-manager" and by inserting in lieu thereof the word "Secretary";

Sec. 20.
(Officers
and
workmen.)

(f) by inserting in section 24A after the words "for the accommodation of" the words "the president and";

Sec. 24A.
(Residences
for
servants.)





New South Wales



ANNO QUINTO

ELIZABETHÆ II REGINÆ

Act No. 40, 1956.

An Act to make further provision relating to certain members of the Broken Hill Water Board; for this and other purposes to amend the Broken Hill Water and Sewerage Act, 1938-1954; and for purposes connected therewith. [Assented to, 21st November, 1956.]

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. (1) This Act may be cited as the "Broken Hill Water and Sewerage (Amendment) Act, 1956".

(2)

Short title, citation and commencement.

Broken Hill Water and Sewerage (Amendment).

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1956.

Amendment
of Act No.
20, 1938.

2. The Broken Hill Water and Sewerage Act, 1938-1954, is amended—

Sec. 4.
(Constitu-
tion of the
Board.)

(a) (i) by omitting from paragraph (a) of subsection four of section four the words “president or”;

(ii) by omitting from the same paragraph the words “either a member of the Public Service Board or”;

Sec. 8.
(Remunera-
tion of
members.)

(b) (i) by omitting from subsection two of section eight the words “A vice-president who is not a member of the Public Service Board and each” and by inserting in lieu thereof the word “Each”;

(ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

(3) The vice-president shall, notwithstanding the provisions of any Act or of any rule or regulation made under any Act, be entitled to receive remuneration under this section and section nine of this Act in addition to any remuneration to which he is entitled as an officer of the public service.

(iii) by inserting in subsection four of the same section after the word “member” the words “other than president”;

(iv)

Broken Hill Water and Sewerage (Amendment).

(iv) by inserting next after the same subsection the following new subsections:—

(5) The president shall not during his term of office engage in any trade, business, or in any paid employment other than the performance of his duties under this Act.

(6) (a) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall if he was immediately before his appointment a permanent servant within the meaning of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, continue to be such a permanent servant or if he was not immediately before his appointment such a permanent servant he may within three months after his appointment elect in writing addressed to the board to become such a permanent servant. The board shall in respect of any president so continuing or electing to be such a permanent servant be deemed to be a council within the meaning of the said Act.

(b) Where the president of the board was immediately before his appointment as such a contributor to the State Superannuation Fund he shall retain any rights which immediately before his appointment have accrued or are accruing to him under the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and any payment, pension, or gratuity as if he had continued to be a servant of the employer by whom he was employed immediately

Broken Hill Water and Sewerage (Amendment).

immediately before his appointment or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

For the purposes of this paragraph the service of a servant with the employer by whom such servant was employed immediately before his appointment shall be deemed to be service with the board.

In respect of a president to whom this paragraph applies the board shall pay to the State Superannuation Board such contributions and payments as would have been payable by the employer by whom he was employed immediately before his appointment if such president had remained a servant of such employer and had been paid remuneration as salary at the rate paid to him under this Act.

(c) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall for the purposes of determining his entitlement to annual leave, sick leave or long service or extended leave be deemed to be an officer of the board and if he immediately before his appointment was an officer of the board his service as president shall for such purposes be deemed to be service as an officer of the board.

(d) A person who, immediately before his appointment as president, was an officer of the public service and who ceases to be president from any cause whatsoever otherwise than in pursuance of section six of this Act (paragraph (b)

excepted)

Broken Hill Water and Sewerage (Amendment).

excepted) shall if he is under the age of sixty years be appointed to some office in the public service not lower in classification and salary than that which he held immediately before his appointment as president.

- (c) by omitting from section nine the words "A vice-president who is not a member of the Public Service Board" and by inserting in lieu thereof the words "The vice-president";

Sec. 9.
(Powers,
etc., of vice-
president.)

- (d) by inserting next after section nineteen the following new section:—

New sec.
19A.

Preserva-
tion of
rights of
certain
officers.

19A. (1) Any officer of the public service who, at the commencement of the Broken Hill Water and Sewerage (Amendment) Act, 1956, is employed in the Broken Hill District of the Public Works Department and who, within three months after the said commencement terminates his employment in the public service and enters the service of the board shall, if immediately before he entered the service of the board he was a contributor to the State Superannuation Fund, retain any rights which immediately before he entered the service of the board had accrued or were accruing to him as an officer of the public service or as an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and any payment, pension, or gratuity as if he had continued to be an officer of the public service or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

(2) For the purposes of subsection one of this section, service with the public service shall be deemed to be service with the board.

(3)

Broken Hill Water and Sewerage (Amendment).

(3) In respect of any person to whom subsection one of this section applies the board shall pay to the State Superannuation Board such contributions and payments as would have been payable by his employer if such person had remained an officer of the public service and had been paid salary or wages at the rate paid to him by the board.

(4) The provisions of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, shall not apply to any person to whom subsection one of this section applies.

Sec. 20.
(Officers
and
workmen.)

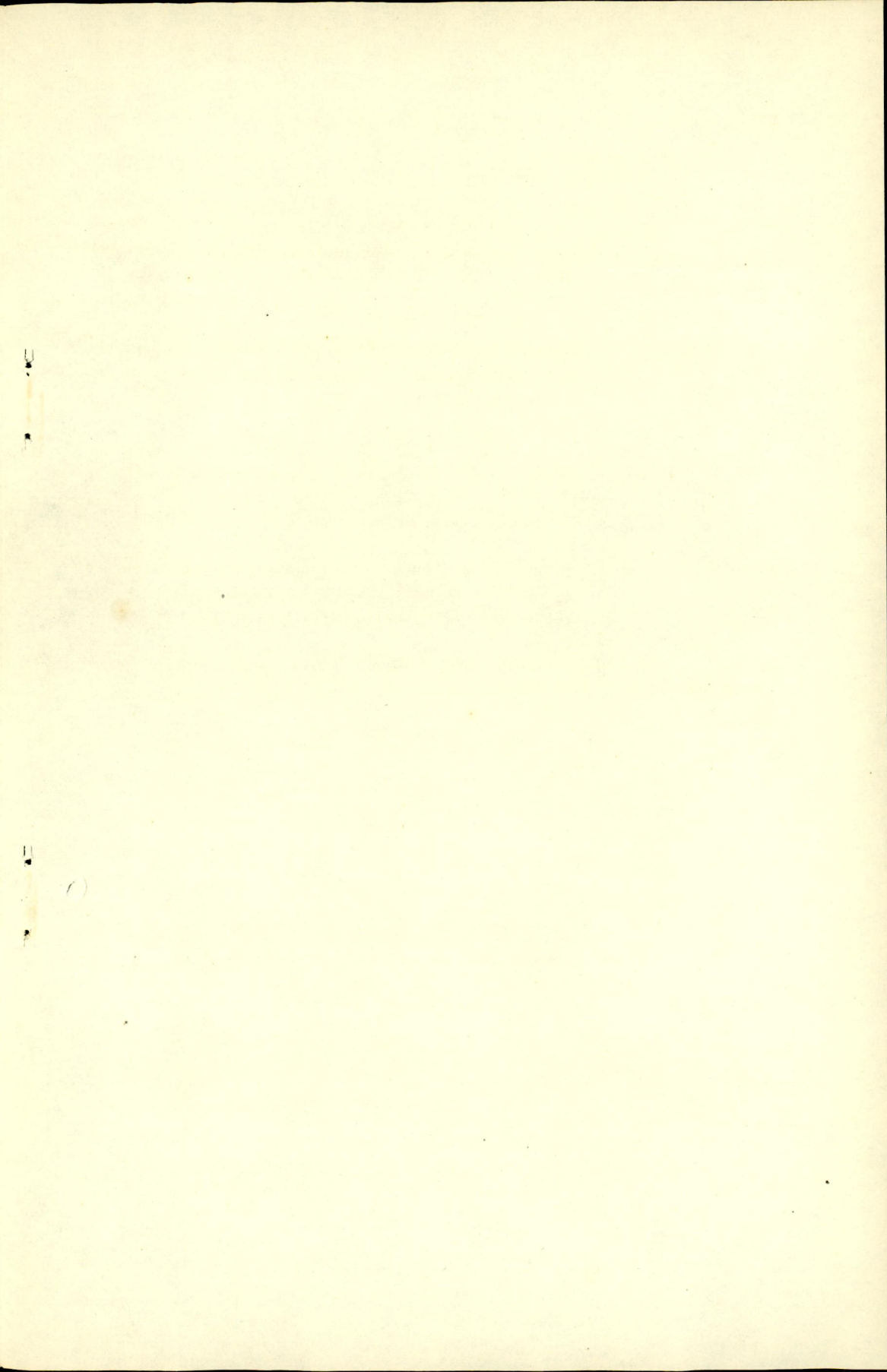
(e) by omitting from subsection one of section twenty the word "Secretary-manager" and by inserting in lieu thereof the word "Secretary";

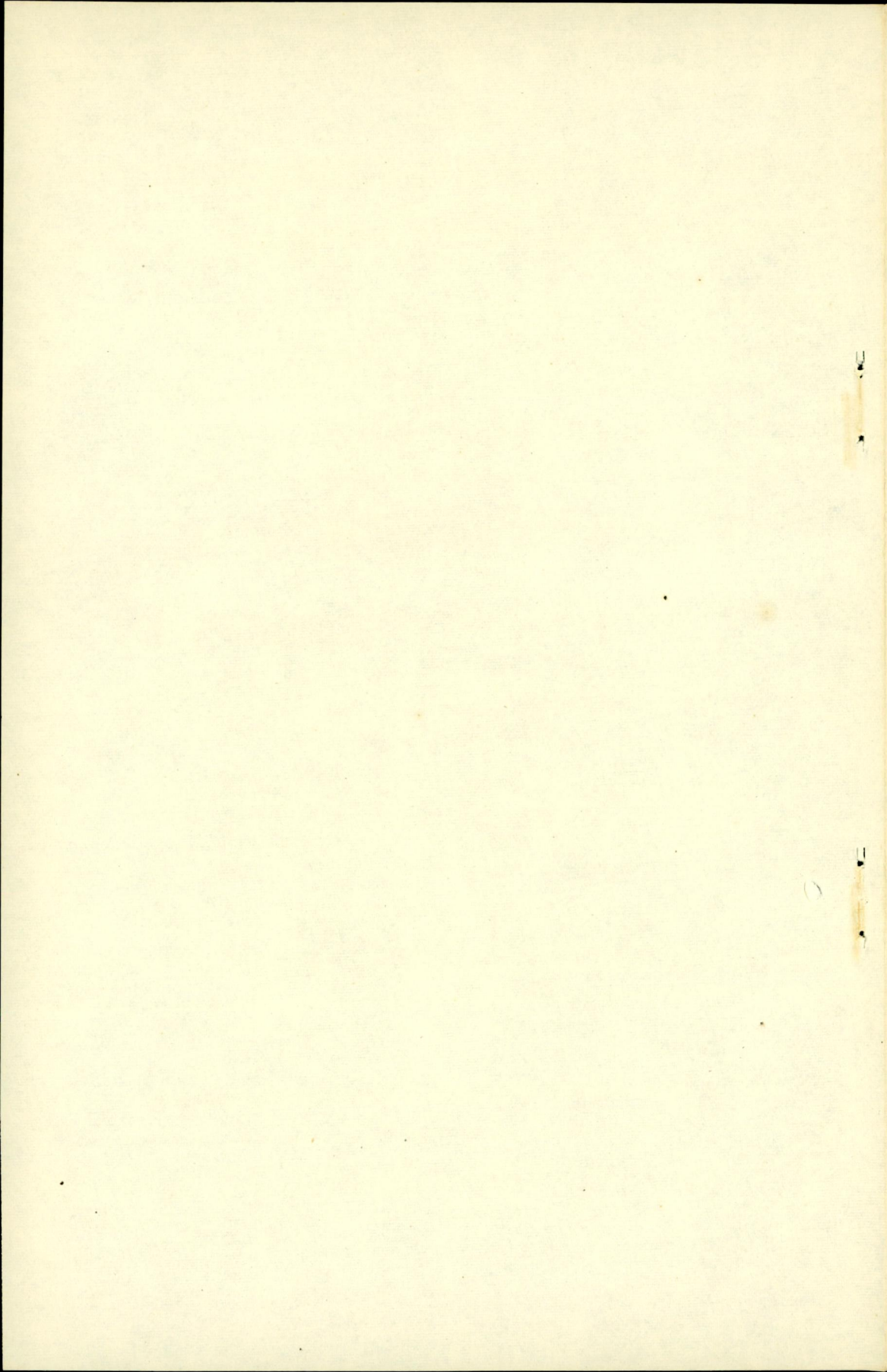
Sec. 24A.
(Residences
for
servants.)

(f) by inserting in section 24A after the words "for the accommodation of" the words "the president and".

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1956.



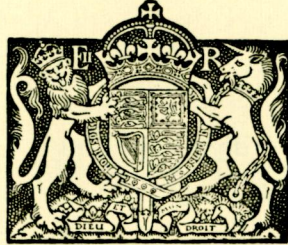


I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 31 October, 1956.*

New South Wales



ANNO QUINTO

ELIZABETHÆ II REGINÆ

Act No. 40, 1956.

An Act to make further provision relating to certain members of the Broken Hill Water Board; for this and other purposes to amend the Broken Hill Water and Sewerage Act, 1938-1954; and for purposes connected therewith. [Assented to, 21st November, 1956.]

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. (1) This Act may be cited as the "Broken Hill Water and Sewerage (Amendment) Act, 1956".
- (2) Short title, citation and commencement.

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.

Broken Hill Water and Sewerage (Amendment).

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1956.

Amendment
of Act No.
20, 1938.

2. The Broken Hill Water and Sewerage Act, 1938-1954, is amended—

Sec. 4.
(Constitu-
tion of the
Board.)

- (a) (i) by omitting from paragraph (a) of subsection four of section four the words “president or”;
- (ii) by omitting from the same paragraph the words “either a member of the Public Service Board or”;

Sec. 8.
(Remunera-
tion of
members.)

- (b) (i) by omitting from subsection two of section eight the words “A vice-president who is not a member of the Public Service Board and each” and by inserting in lieu thereof the word “Each”;
- (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

(3) The vice-president shall, notwithstanding the provisions of any Act or of any rule or regulation made under any Act, be entitled to receive remuneration under this section and section nine of this Act in addition to any remuneration to which he is entitled as an officer of the public service.

- (iii) by inserting in subsection four of the same section after the word “member” the words “other than president”;

(iv)

Broken Hill Water and Sewerage (Amendment).

(iv) by inserting next after the same subsection the following new subsections:—

(5) The president shall not during his term of office engage in any trade, business, or in any paid employment other than the performance of his duties under this Act.

(6) (a) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall if he was immediately before his appointment a permanent servant within the meaning of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, continue to be such a permanent servant or if he was not immediately before his appointment such a permanent servant he may within three months after his appointment elect in writing addressed to the board to become such a permanent servant. The board shall in respect of any president so continuing or electing to be such a permanent servant be deemed to be a council within the meaning of the said Act.

(b) Where the president of the board was immediately before his appointment as such a contributor to the State Superannuation Fund he shall retain any rights which immediately before his appointment have accrued or are accruing to him under the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and any payment, pension, or gratuity as if he had continued to be a servant of the employer by whom he was employed immediately

Broken Hill Water and Sewerage (Amendment).

immediately before his appointment or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

For the purposes of this paragraph the service of a servant with the employer by whom such servant was employed immediately before his appointment shall be deemed to be service with the board.

In respect of a president to whom this paragraph applies the board shall pay to the State Superannuation Board such contributions and payments as would have been payable by the employer by whom he was employed immediately before his appointment if such president had remained a servant of such employer and had been paid remuneration as salary at the rate paid to him under this Act.

(c) Where the president of the board was not immediately before his appointment as such a contributor to the State Superannuation Fund he shall for the purposes of determining his entitlement to annual leave, sick leave or long service or extended leave be deemed to be an officer of the board and if he immediately before his appointment was an officer of the board his service as president shall for such purposes be deemed to be service as an officer of the board.

(d) A person who, immediately before his appointment as president, was an officer of the public service and who ceases to be president from any cause whatsoever otherwise than in pursuance of section six of this Act (paragraph (b) excepted)

Broken Hill Water and Sewerage (Amendment).

excepted) shall if he is under the age of sixty years be appointed to some office in the public service not lower in classification and salary than that which he held immediately before his appointment as president.

- (c) by omitting from section nine the words "A vice-president who is not a member of the Public Service Board" and by inserting in lieu thereof the words "The vice-president";

- (d) by inserting next after section nineteen the following new section:—

19A. (1) Any officer of the public service who, at the commencement of the Broken Hill Water and Sewerage (Amendment) Act, 1956, is employed in the Broken Hill District of the Public Works Department and who, within three months after the said commencement terminates his employment in the public service and enters the service of the board shall, if immediately before he entered the service of the board he was a contributor to the State Superannuation Fund, retain any rights which immediately before he entered the service of the board had accrued or were accruing to him as an officer of the public service or as an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, and shall continue to contribute to any fund or account, and shall be entitled to receive any annual leave, sick leave or long service or extended leave and any payment, pension, or gratuity as if he had continued to be an officer of the public service or an employee within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts, as the case may be.

(2) For the purposes of subsection one of this section, service with the public service shall be deemed to be service with the board.

(3)

Sec. 9.
(Powers,
etc., of vice-
president.)

New sec.
19A.
Preserva-
tion of
rights of
certain
officers.

Broken Hill Water and Sewerage (Amendment).

(3) In respect of any person to whom subsection one of this section applies the board shall pay to the State Superannuation Board such contributions and payments as would have been payable by his employer if such person had remained an officer of the public service and had been paid salary or wages at the rate paid to him by the board.

(4) The provisions of the Local Government and Other Authorities (Superannuation) Act, 1927-1954, shall not apply to any person to whom subsection one of this section applies.

Sec. 20.
(Officers
and
workmen.)

(e) by omitting from subsection one of section twenty the word "Secretary-manager" and by inserting in lieu thereof the word "Secretary";

Sec. 24A.
(Residences
for
servants.)

(f) by inserting in section 24A after the words "for the accommodation of" the words "the president and".

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

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 21st November, 1956.*

