

*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, 24 March, 1960.*

## New South Wales



ANNO NONO

## ELIZABETHÆ II REGINÆ

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Act No.       , 1960.

An Act relating to the dismissal of officers of the Public Service and members of the Police Force; for this purpose to amend the Public Service Act, 1902, and the Police Regulation Act, 1899, as amended by subsequent Acts; 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 the same, as follows :—

1. This Act may be cited as the "Public Service and Police Regulation (Amendment) Act, 1960".

Short title.

*Public Service and Police Regulation (Amendment).*

2. The Public Service Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1902.

5 (a) (i) by omitting subsection one of section sixty-one and by inserting in lieu thereof the following subsection :— Sec. 61. (Officers convicted of felonies, etc.)

10 (1) If any officer is convicted of any felony or other infamous offence the Board may, according to the nature of the offence impose one or more of the following punishments, namely, reduce such officer to a lower grade in the Public Service, or to a lower salary, or fine him, or deprive him of his leave of absence during such time as the Board thinks fit, or with the approval of the Governor may dismiss such officer from the Public Service or require him to resign.

15 (ii) by omitting from subsection two of the same section the word "he" where firstly occurring and by inserting in lieu thereof the words "any officer";

20 (b) by inserting next after section sixty-one the following new section :— New sec. 61A.

25 61A. Where an officer has been dismissed from the Public Service in pursuance of the provisions of paragraph (d) of subsection two of section fifty-six, section fifty-seven, section fifty-eight or subsection one of section sixty-one, or where the services of an officer have been dispensed with under subsection two of section sixty-one, and such officer has acquired a right, under or by virtue of this Act or any Act amending the same, to leave with pay, the Board shall, at the time of the dismissal or dispensing with the services of such officer, direct whether such officer :— Forfeiture of leave and appeals therefrom.

30 (a) is to be paid the money value of the leave accrued and due to him immediately before the date of his dismissal or on which his services were dispensed with, or

(b)

*Public Service and Police Regulation (Amendment).*

(b) is to be paid a portion only of such money value, or

(c) is not to be paid such money value.

5 Where the Board has given a direction in accordance with paragraph (b) or (c) of this section the officer to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Crown Employees Appeal Board Act, 1944-1960. The  
10 Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

3. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended by inserting next after section 12D the following new section :—

Amendment of Act No. 20, 1899.  
New sec. 12E.

15 12E. Where a member of the police force has been dismissed from the police force and such member has acquired a right, under or by virtue of this Act, to leave with pay, the Commissioner shall, at the time of the dismissal, direct whether such member :—

Money value of leave where member dismissed.

20 (a) is to be paid the money value of the leave accrued and due to him immediately before the date of the dismissal, or

(b) is to be paid a portion only of such money value, or

25 (c) is not to be paid such money value.

30 Where the Commissioner has given a direction in accordance with paragraph (b) or (c) of this section the member of the police force to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Police Regulation (Appeals) Act, 1923-1958. The Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

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*Public Service and Police Regulation (Amendment).*

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(2) The Police Regulation Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation Act, 1899-1960.

[6d.]

No. , 1960.

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## A BILL

Relating to the dismissal of officers of the Public Service and members of the Police Force; for this purpose to amend the Public Service Act, 1902, and the Police Regulation Act, 1899, as amended by subsequent Acts; and for purposes connected therewith.

[MR. HEFFRON ;—9 March, 1960.]

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**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. This Act may be cited as the "Public Service and Police Regulation (Amendment) Act, 1960".

Short title.

*Public Service and Police Regulation (Amendment).*

2. The Public Service Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1902.

5 (a) (i) by omitting subsection one of section sixty-one and by inserting in lieu thereof the following subsection :— Sec. 61. (Officers convicted of felonies, etc.)

10 (1) If any officer is convicted of any felony or other infamous offence the Board may, according to the nature of the offence impose one or more of the following punishments, namely, reduce such officer to a lower grade in the Public Service, or to a lower salary, or fine him, or deprive him of his leave of absence during such time as the Board thinks fit, or with the approval of the Governor may dismiss such officer from the Public Service or require him to resign.

15 (ii) by omitting from subsection two of the same section the word "he" where firstly occurring and by inserting in lieu thereof the words "any officer";

20 (b) by inserting next after section sixty-one the following new section :— New sec. 61A.

25 61A. Where an officer has been dismissed from the Public Service in pursuance of the provisions of paragraph (d) of subsection two of section fifty-six, section fifty-seven, section fifty-eight or subsection one of section sixty-one, or where the services of an officer have been dispensed with under subsection two of section sixty-one, and such officer has acquired a right, under or by virtue of this Act or any Act amending the same, to leave with pay, the Board shall, at the time of the dismissal or dispensing with the services of such officer, direct whether such officer :— Forfeiture of leave and appeals therefrom.

30 (a) is to be paid the money value of the leave accrued and due to him immediately before the date of his dismissal or on which his services were dispensed with, or

(b)

*Public Service and Police Regulation (Amendment).*

(b) is to be paid a portion only of such money value, or

(c) is not to be paid such money value.

5 Where the Board has given a direction in accordance with paragraph (b) or (c) of this section the officer to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Crown Employees Appeal Board Act, 1944-1960. The  
10 Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

3. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended by inserting next after section 12D the following new section :—

Amendment  
of Act No.  
20, 1899.  
New sec.  
12E.

15 12E. Where a member of the police force has been dismissed from the police force and such member has acquired a right, under or by virtue of this Act, to leave with pay, the Commissioner shall, at the time of the dismissal, direct whether such member :—

Money  
value of  
leave  
where  
member  
dismissed.

20 (a) is to be paid the money value of the leave accrued and due to him immediately before the date of the dismissal, or

(b) is to be paid a portion only of such money value, or

25 (c) is not to be paid such money value.

30 Where the Commissioner has given a direction in accordance with paragraph (b) or (c) of this section the member of the police force to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Police Regulation (Appeals) Act, 1923-1958. The Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

(2)

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*Public Service and Police Regulation (Amendment).*

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(2) The Police Regulation Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation Act, 1899-1960.

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Sydney: V. C. N. Blight, Government Printer—1960

[6d.]



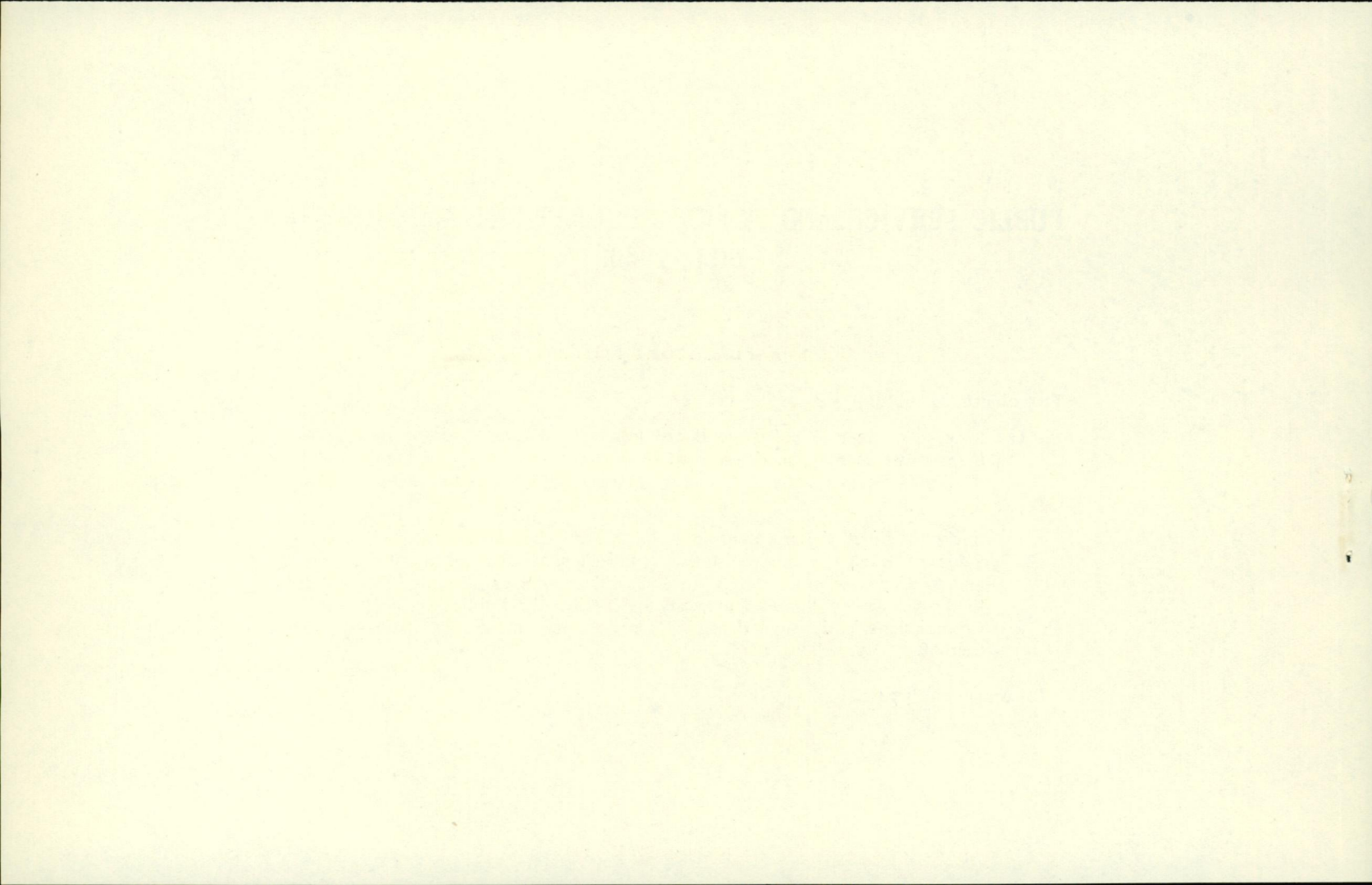
**PUBLIC SERVICE AND POLICE REGULATION (AMENDMENT)  
BILL, 1960.**

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**EXPLANATORY NOTE.**

THE objects of this Bill are—

- (a) to vest in the Public Service Board power to dismiss or impose such other punishment as may be determined by the Board in respect of an officer of the Public Service convicted of any felony or other infamous offence; and
- (b) to enable the Public Service Board and the Commissioner of Police respectively to direct the payment in a lump sum of part or all of the money value of leave due to a dismissed officer or member of the Police Force and to allow a right of appeal by such officer or member of the Police Force to the Crown Employees Appeal Board against the Public Service Board's or Commissioner's decision depriving him of such money value or any part thereof.



PROOF

No. , 1960.

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## A BILL

Relating to the dismissal of officers of the Public Service and members of the Police Force; for this purpose to amend the Public Service Act, 1902, and the Police Regulation Act, 1899, as amended by subsequent Acts; and for purposes connected therewith.

[Mr. HEFFRON ;—9 March, 1960.]

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**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. This Act may be cited as the "Public Service and Police Regulation (Amendment) Act, 1960".

Short title.

*Public Service and Police Regulation (Amendment).*

2. The Public Service Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 31, 1902.

5 (a) (i) by omitting subsection one of section sixty-one and by inserting in lieu thereof the following subsection :— Sec. 61. (Officers convicted of felonies, etc.)

10 (1) If any officer is convicted of any felony or other infamous offence the Board may, according to the nature of the offence impose one or more of the following punishments, namely, reduce such officer to a lower grade in the Public Service, or to a lower salary, or fine him, or deprive him of his leave of absence during such time as the Board thinks fit, or with the approval of the Governor may dismiss such officer from the Public Service or require him to resign.

15 (ii) by omitting from subsection two of the same section the word "he" where firstly occurring and by inserting in lieu thereof the words "any officer";

20 (b) by inserting next after section sixty-one the following new section :— New sec. 61A.

25 61A. Where an officer has been dismissed from the Public Service in pursuance of the provisions of paragraph (d) of subsection two of section fifty-six, section fifty-seven, section fifty-eight or subsection one of section sixty-one, or where the services of an officer have been dispensed with under subsection two of section sixty-one, and such officer has acquired a right, under or by virtue of this Act or any Act amending the same, to leave with pay, the Board shall, at the time of the dismissal or dispensing with the services of such officer, direct whether such officer :— Forfeiture of leave and appeals therefrom.

30 (a) is to be paid the money value of the leave accrued and due to him immediately before the date of his dismissal or on which his services were dispensed with, or

(b)

*Public Service and Police Regulation (Amendment).*

(b) is to be paid a portion only of such money value, or

(c) is not to be paid such money value.

5 Where the Board has given a direction in accordance with paragraph (b) or (c) of this section the officer to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Crown Employees Appeal Board Act, 1944-1960. The  
10 Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

3. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended by inserting next after section 12D the following new section :—

Amendment of Act No. 20, 1899.  
New sec. 12E.

15 12E. Where a member of the police force has been dismissed from the police force and such member has acquired a right, under or by virtue of this Act, to leave with pay, the Commissioner shall, at the time of the dismissal, direct whether such member :—

Money value of leave where member dismissed.

20 (a) is to be paid the money value of the leave accrued and due to him immediately before the date of the dismissal, or

(b) is to be paid a portion only of such money value, or

25 (c) is not to be paid such money value.

30 Where the Commissioner has given a direction in accordance with paragraph (b) or (c) of this section the member of the police force to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Police Regulation (Appeals) Act, 1923-1958. The Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

(2)

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*Public Service and Police Regulation (Amendment).*

---

(2) The Police Regulation Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation Act, 1899-1960.

# New South Wales



ANNO NONO

## ELIZABETHÆ II REGINÆ

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### Act No. 19, 1960.

An Act relating to the dismissal of officers of the Public Service and members of the Police Force; for this purpose to amend the Public Service Act, 1902, and the Police Regulation Act, 1899, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 7th April, 1960.]

**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. This Act may be cited as the "Public Service and Police Regulation (Amendment) Act, 1960". Short title.

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*Public Service and Police Regulation (Amendment).*

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Amendment  
of Act No.  
31, 1902.

2. The Public Service Act, 1902, as amended by subsequent Acts, is amended—

Sec. 61.  
(Officers  
convicted  
of felonies,  
etc.)

(a) (i) by omitting subsection one of section sixty-one and by inserting in lieu thereof the following subsection :—

(1) If any officer is convicted of any felony or other infamous offence the Board may, according to the nature of the offence impose one or more of the following punishments, namely, reduce such officer to a lower grade in the Public Service, or to a lower salary, or fine him, or deprive him of his leave of absence during such time as the Board thinks fit, or with the approval of the Governor may dismiss such officer from the Public Service or require him to resign.

(ii) by omitting from subsection two of the same section the word “he” where firstly occurring and by inserting in lieu thereof the words “any officer”;

New sec.  
61A.

(b) by inserting next after section sixty-one the following new section :—

Forfeiture  
of leave  
and  
appeals  
therefrom.

61A. Where an officer has been dismissed from the Public Service in pursuance of the provisions of paragraph (d) of subsection two of section fifty-six, section fifty-seven, section fifty-eight or subsection one of section sixty-one, or where the services of an officer have been dispensed with under subsection two of section sixty-one, and such officer has acquired a right, under or by virtue of this Act or any Act amending the same, to leave with pay, the Board shall, at the time of the dismissal or dispensing with the services of such officer, direct whether such officer :—

(a) is to be paid the money value of the leave accrued and due to him immediately before the date of his dismissal or on which his services were dispensed with, or

(b)



*Public Service and Police Regulation (Amendment).*

(b) is to be paid a portion only of such money value, or

(c) is not to be paid such money value.

Where the Board has given a direction in accordance with paragraph (b) or (c) of this section the officer to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Crown Employees Appeal Board Act, 1944-1960. The Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

3. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended by inserting next after section 12D the following new section :—

Amendment  
of Act No.  
20, 1899.  
New sec.  
12E.

12E. Where a member of the police force has been dismissed from the police force and such member has acquired a right, under or by virtue of this Act, to leave with pay, the Commissioner shall, at the time of the dismissal, direct whether such member :—

Money  
value of  
leave  
where  
member  
dismissed.

(a) is to be paid the money value of the leave accrued and due to him immediately before the date of the dismissal, or

(b) is to be paid a portion only of such money value, or

(c) is not to be paid such money value.

Where the Commissioner has given a direction in accordance with paragraph (b) or (c) of this section the member of the police force to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Police Regulation (Appeals) Act, 1923-1958. The Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

(2)

---

*Public Service and Police Regulation (Amendment).*

---

(2) The Police Regulation Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation Act, 1899-1960.

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By Authority:

V. C. N. BLIGHT, Government Printer, Sydney, 1960

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, 5 April, 1960.

## New South Wales



ANNO NONO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

### Act No. 19, 1960.

An Act relating to the dismissal of officers of the Public Service and members of the Police Force; for this purpose to amend the Public Service Act, 1902, and the Police Regulation Act, 1899, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 7th April, 1960.]

**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. This Act may be cited as the "Public Service and Police Regulation (Amendment) Act, 1960". Short title.

2.

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

HOWARD T. FOWLES,  
Chairman of Committees of the Legislative Assembly.

*Public Service and Police Regulation (Amendment).*

Amendment  
of Act No.  
31, 1902.

**2.** The Public Service Act, 1902, as amended by subsequent Acts, is amended—

Sec. 61.  
(Officers  
convicted  
of felonies,  
etc.)

(a) (i) by omitting subsection one of section sixty-one and by inserting in lieu thereof the following subsection :—

(1) If any officer is convicted of any felony or other infamous offence the Board may, according to the nature of the offence impose one or more of the following punishments, namely, reduce such officer to a lower grade in the Public Service, or to a lower salary, or fine him, or deprive him of his leave of absence during such time as the Board thinks fit, or with the approval of the Governor may dismiss such officer from the Public Service or require him to resign.

(ii) by omitting from subsection two of the same section the word "he" where firstly occurring and by inserting in lieu thereof the words "any officer";

New sec.  
61A.

(b) by inserting next after section sixty-one the following new section :—

Forfeiture  
of leave  
and  
appeals  
therefrom.

61A. Where an officer has been dismissed from the Public Service in pursuance of the provisions of paragraph (d) of subsection two of section fifty-six, section fifty-seven, section fifty-eight or subsection one of section sixty-one, or where the services of an officer have been dispensed with under subsection two of section sixty-one, and such officer has acquired a right, under or by virtue of this Act or any Act amending the same, to leave with pay, the Board shall, at the time of the dismissal or dispensing with the services of such officer, direct whether such officer :—

(a) is to be paid the money value of the leave accrued and due to him immediately before the date of his dismissal or on which his services were dispensed with, or

(b)

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*Public Service and Police Regulation (Amendment).*

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(b) is to be paid a portion only of such money value, or

(c) is not to be paid such money value.

Where the Board has given a direction in accordance with paragraph (b) or (c) of this section the officer to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Crown Employees Appeal Board Act, 1944-1960. The Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

3. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended by inserting next after section 12D the following new section :—

Amendment  
of Act No.  
20, 1899.  
New sec.  
12E.

12E. Where a member of the police force has been dismissed from the police force and such member has acquired a right, under or by virtue of this Act, to leave with pay, the Commissioner shall, at the time of the dismissal, direct whether such member :—

Money  
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where  
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(a) is to be paid the money value of the leave accrued and due to him immediately before the date of the dismissal, or

(b) is to be paid a portion only of such money value, or

(c) is not to be paid such money value.

Where the Commissioner has given a direction in accordance with paragraph (b) or (c) of this section the member of the police force to whom such direction relates may appeal to the Crown Employees Appeal Board under and in accordance with the provisions of the Police Regulation (Appeals) Act, 1923-1958. The Crown Employees Appeal Board shall have jurisdiction to hear and determine the appeal.

(2)

*Public Service and Police Regulation (Amendment).*

(2) The Police Regulation Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation Act, 1899-1960.

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

**E. W. WOODWARD,**  
*Governor.*

*Government House,*  
*Sydney, 7th April, 1960.*