

*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, 4 DEC 1963*

## New South Wales



ANNO DUODECIMO

**ELIZABETHÆ II REGINÆ**

\*\*\*\*\*

**Act No.           , 1963.**

An Act to alter the name of the Clerical Division of the Public Service; to make further provision relating to long service leave in respect of officers of the Public Service, the Water Conservation and Irrigation Commission, the Departments of Main Roads, Railways, Government Transport and Motor Transport, and members of the Police Force; for these purposes to amend the Public Service Act, 1902, the Public Service (Amendment) Act, 1919, the Irrigation Act, 1912, the Main Roads Act, 1924, the Government Railways Act, 1912, the Transport Act, 1930, the Police Regulation Act, 1899, and certain other Acts; and for purposes connected therewith.



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

**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 Other Statutory Bodies (Extended Leave) Amendment Act, 1963". Short title.
  
2. (1) The Public Service Act, 1902, as amended by 10 subsequent Acts, is amended— Amendment of Act No. 31, 1902.
  - (a) by omitting from subsection four of section 14A the words "Special, Professional, and Clerical Divisions" and by inserting in lieu thereof the words "Special Division, Professional Division and Administrative and Clerical Division"; Sec. 14A. (Determination of grades and salaries.)
  - 15 (b) by omitting from section twenty-one the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 21. (Divisions of Service.)
  - (c) by omitting from section twenty-four the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 24. (Clerical Division.)
  - 20 (d) by omitting from section twenty-six the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 26. (General Division.)
  - 25 (e) by omitting from section twenty-nine the words "Professional, Clerical, and Educational Divisions" and by inserting in lieu thereof the words "Professional Division, Administrative and Clerical Division and Educational Division"; Sec. 29. (Separate examinations to be held for the different Divisions.)
  - 30 (f) by omitting from subsection one of section thirty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 39. (Age of appointees: Clerical Division.)
  - (g)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- (g) by omitting from section forty-seven the words "Professional or Clerical Divisions" and by inserting in lieu thereof the words "Professional Division or Administrative and Clerical Division"; Sec. 47.  
(Order of promotions, etc.)
- 5 (h) by omitting from subsection one of section forty-eight the words "Professional and Clerical Divisions" and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division"; Sec. 48.  
(Higher and lower grades.)
- 10 (i) by omitting from subsection one of section forty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 49.  
(How vacancies to be filled.)
- 15 (j) by omitting from section fifty the words "Professional and Clerical Divisions" wherever occurring and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division". Sec. 50.  
(Examination before promotion to higher grades of Professional and Clerical Divisions.)
- (2) In the construction, and for the purposes of any Act, by-law, regulation, award, agreement or any other instrument or document whatsoever, of the same or a different kind or nature, any reference to, or to be read and taken to refer to the Clerical Division of the Public Service shall be a reference to, or be read and taken to refer to the Administrative and Clerical Division of the Public Service.
- 25 **3.** The Public Service Act, 1902, as amended by subsequent Acts, is further amended— Further amendment of Act No. 31, 1902.
- (a) by omitting from paragraph (d) of subsection two of section fifty-six the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 56.  
(Punishment of offences.)
- 30 (b) by omitting from subsection one of section sixty-one the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 61.  
(Officers convicted of felonies, etc.)
- (c)



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

(c) by omitting section 61A.

Sec. 61A.  
(Forfeiture of leave and appeals therefrom.)

4. The Public Service (Amendment) Act, 1919, as amended by subsequent Acts, is amended—  
Amendment of Act No. 43, 1919.

5 (a) by omitting subsections two and three of section thirteen and by inserting in lieu thereof the following subsections :—  
Sec. 13.  
(Leave of absence after years of service.)

10 (2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

15 (3) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Crown, the Governor or the Board for any reason, or by  
20 the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated  
25 on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

30 For the purposes of this subsection "service as an adult"—in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts,



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts or an agreement or determination made pursuant to the Public Service Act, 1902, as amended by  
5 subsequent Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award, industrial agreement, agree-  
10 ment or determination for an adult male or adult female in the same trade, classification, calling, group or grade as the officer.

(4) For the purposes of subsections one and two of this section “service” shall include any period of leave without pay taken before the commence-  
15 ment of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being  
20 included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of  
25 subsection three of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

30 (b) by omitting section 13A and by inserting in lieu thereof the following section : — Substituted  
sec. 13A.

35 13A. An officer who has acquired a right to extended leave with pay under section thirteen of this Act shall upon the termination of his services 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. Any pension to which any such officer is entitled under the Superannuation Gratuity in  
lieu of  
extended  
leave.



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

- 5 (c) (i) by omitting from subsection two of section  
fourteen the words "which would have accrued  
to such officer had his services terminated  
as referred to in subsection two of section  
10 thirteen of this Act" and by inserting in lieu  
thereof the words "accrued under subsection  
two of section thirteen of this Act upon ter-  
mination of his or her services by reason of  
his or her death";
- (ii) by inserting next after the same subsection the  
15 following new subsection :—
- (2A) Where an officer with at least five  
years service as an adult and less than ten  
years service as referred to in subsection three  
of section thirteen of this Act dies, the widow  
or the widower of such officer, or if there is  
20 no such widow or widower the children of  
such officer, or if there is no such widow,  
widower, or children such person who, in the  
opinion of the Board, was, at the time of the  
25 death of such officer, a dependent relative of  
such officer, shall be entitled to receive the  
money value of the leave which would have  
accrued to such officer had his or her services  
terminated as referred to in the said subsection  
30 three, computed at the rate of salary such  
officer received at the time of his or her  
death.
- (iii) by omitting from subsection three of the same  
35 section the words "or two" and by inserting in  
lieu thereof the words and symbols " , two or  
(2A)";
- (iv) by omitting from subsection four of the same  
40 section the words "or two" and by inserting  
in lieu thereof the words and symbols " , two  
or (2A)".

Sec. 14.  
(Payment  
of money  
value of  
leave not  
taken or  
completed.)



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

5. (1) The Irrigation Act, 1912, as amended by subsequent Acts, is amended— Amendment of Act No. 73, 1912.

(a) by omitting subsection two of section 5c and by inserting in lieu thereof the following subsections : — Sec. 5c. (Leave of absence after years of service.)

5 (2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

10 (2A) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commission for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for 15 five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

20 For the purposes of this subsection "service as an adult"—

25 (a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification or calling as the officer ;

5

(b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.

10

(2B) For the purposes of subsections one and two of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein, and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2A) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

15

20

25

30

(b) (i) by omitting from subsection two of section 5D the words “which would have accrued to such officer had his services terminated as referred to in subsection two of section 5C of this Act” and by inserting in lieu thereof the words “accrued under subsection two of section 5C of this Act upon termination of his or her services by reason of his or her death”;

35

Sec. 5D.  
(Payment of money value of leave not taken or completed.)

(ii)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

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

(2A) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2A) of section 5C of this Act dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Commission, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2A), computed at the rate of salary such officer received at the time of his or her death.

(iii) by omitting from subsection three of the same section the words “or two” and by inserting in lieu thereof the words and symbols “, two or (2A)”;

(iv) by omitting from subsection four of the same section the words “or two” and by inserting in lieu thereof the words and symbols “, two or (2A)”;

(c) by omitting section 5E and by inserting in lieu thereof the following section :—

5E. An officer who has acquired a right to extended leave with pay under subsection one, two or (2A) of section 5C of this Act shall upon the termination of his services 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. Any pension to which such officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

Substituted  
sec. 5E.

Gratuity in  
lieu of  
extended  
leave.



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

(2) The Irrigation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Irrigation Act, 1912-1963.

6. (1) The Main Roads Act, 1924, as amended by 5 subsequent Acts, is amended— Amendment of Act No. 24, 1924.

(a) by omitting subsection (1A) of section 7A and by inserting in lieu thereof the following subsections : — Sec. 7A. (Leave of absence after years of service.)

10 (1A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

15 (1B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

20 For the purposes of this subsection "service as an adult"—

25 (a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts,



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- 5 Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts or a determination made pursuant to this Act—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award, industrial agreement or determination for an adult male or adult female in the same trade, classification or calling as the officer ;
- 10
- (b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award, industrial agreement or determination referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- 15
- (b) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—
- 20
- (2) A Commissioner, an Assistant Commissioner or an officer who has acquired a right to extended leave with pay under subsection one, (1A) or (1B) of this section shall upon the termination of his services 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. Any pension to which any such Commissioner, Assistant Commissioner or officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.
- 25
- 30
- (c) by omitting subsection (2A) of the same section ;
- 35
- (d) by omitting from paragraph (b) of subsection (4A) of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (1A) of this section”



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

section” and by inserting in lieu thereof the words “accrued under subsection (1A) of this section upon termination of his or her services by reason of his or her death”;

- 5 (e) by inserting next after paragraph (b) of the same subsection the following new paragraph :—

10 (b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (1B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Commissioner, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (1B), computed at the rate of salary such officer received at the time of his or her death.

- 25 (f) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

- 30 (g) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

- (h) by inserting at the end of the same section the following new subsection :—

35 (6) For the purposes of subsections one and (1A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory

Bodies



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

5 Bodies (Extended Leave) Amendment Act, 1963,  
and shall in the case of an officer who has com-  
pleted at least ten years service (any period of  
leave without pay taken before such commencement  
being included therein and any period of leave with-  
out pay taken after such commencement being  
excluded therefrom) include any period of leave  
without pay taken after such commencement where  
such period does not exceed six months. For the  
10 purposes of subsection (1B) of this section, "service"  
shall not include any period of leave without pay  
whether taken before or after the commencement  
of the Public Service and Other Statutory Bodies  
(Extended Leave) Amendment Act, 1963.

15 (2) The Main Roads Act, 1924, as amended by sub-  
sequent Acts and by this Act, may be cited as the Main Roads  
Act, 1924-1963.

7. (1) The Government Railways Act, 1912, as amended  
by subsequent Acts, is amended—

20 (a) by omitting subsection three of section eighty;

Amendment  
of Act No.  
30, 1912.

Sec. 80.  
(Officers  
convicted of  
felonies or  
imprisoned,  
etc.)

(b) by omitting paragraph (b) of subsection one of  
section ninety-three;

Sec. 93.  
(Effect of  
decision of  
Board.)

25 (c) (i) by omitting subsection (2A) of section 100A  
and by inserting in lieu thereof the following  
subsections :—

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

(2A) Where the services of an officer with  
at least ten years and less than fifteen years  
service are terminated or cease for any reason  
he shall be entitled for ten years service to two  
30 months leave on full pay and for service after  
ten



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

5 (2B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for Railways for any reason, or by the officer on account of illness, incapacity or domestic or other  
10 pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen  
15 years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

20 (a) in the case of an officer employed to do any work for which the rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the  
25 Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of  
30 service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female  
35 in the same trade, classification, rank, position, grade or calling as the officer;

(b)



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

- 5 (b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in
- 10 the same trade, classification, rank, position, grade or calling as the officer ;
- 15 (c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- 20 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection :—
- 25 (3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services 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.
- 30 (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his or her services by reason of his or her death”;
- 35 (iv)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

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

5 (b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person  
10 who, in the opinion of the Commissioner for Railways, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.

20 (v) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

25 (vi) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

30 (vii) by omitting from subsection six of the same section the word and symbols “or (2A)” and by inserting in lieu thereof the word and symbols “, (2A) or (2B)”;

35 (viii) by omitting from subsection seven of the same section the words “For the purposes of subsections two and (2A) of this section ‘service’ includes any period of leave without pay not exceeding six months.” and by inserting in lieu thereof the following paragraph :—

For the purposes of subsections two and (2A) of this section “service” shall include any period of leave without pay taken before the commencement



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

5 commencement of the Public Service and  
 Other Statutory Bodies (Extended Leave)  
 Amendment Act, 1963, and shall in the  
 case of an officer who has completed at  
 10 least ten years service (any period of  
 leave without pay taken before such com-  
 mencement being included therein and any  
 period of leave without pay taken after such  
 commencement being excluded therefrom)  
 include any period of leave without pay taken  
 after such commencement where such period  
 does not exceed six months. For the purposes  
 of subsection (2B) of this section "service"  
 15 shall not include any period of leave without  
 pay whether taken before or after the com-  
 mencement of the Public Service and Other  
 Statutory Bodies (Extended Leave) Amend-  
 ment Act, 1963.

(2) The Government Railways Act, 1912, as amended  
 20 by subsequent Acts and by this Act, may be cited as the  
 Government Railways Act, 1912-1963.

8. (1) The Transport Act, 1930, as amended by subse-  
 25 quent Acts, is amended—

(a) by omitting subsection three of section one hundred  
 and seven;  
 25 (Officers convicted of felonies, or imprisoned, etc.)

(b) by omitting paragraph (b) of subsection one of  
 section 115F;  
 (Effect of decision of Board.)

(c) (i) by omitting subsection (2A) of section one  
 hundred and twenty-three and by inserting in  
 30 lieu thereof the following subsections : —

(2A) Where the services of an officer with  
 at least ten years and less than fifteen years  
 service are terminated or cease for any reason  
 he shall be entitled for ten years service to two



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

5 (2B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor, the Commissioner for Government  
10 Transport or the Commissioner for Motor Transport for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full  
15 pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

20 For the purposes of this subsection "service as an adult"—

(a) in the case of an officer employed to do any work for which the rate or wage has been fixed by an award made under  
25 the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement  
30 made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed  
35 under the award or industrial agreement for an adult male or adult female in the same trade, classification, rank, position, grade or calling as the officer;

(b)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- 5 (b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in the same trade, classification, rank, position, grade or calling as the officer;
- 10
- 15 (c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- 20 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection :—
- 25 (3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services 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.
- 30 (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his (d) or her services upon his or her death”;
- 35 (iv)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

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

5 (b1) Where an officer with at least five  
years service as an adult and less than ten  
years service as referred to in subsection (2B)  
of this section dies, the widow or widower of  
such officer, or if there is no such widow or  
widower the children of such officer, or if there  
10 is no such widow, widower or children such  
person who, in the opinion of the Commis-  
sioner for Government Transport or the  
Commissioner for Motor Transport, as the  
case may require, was, at the time of the death  
of such officer, a dependent relative of such  
15 officer, shall be entitled to receive the money  
value of the leave which would have accrued  
to such officer had his or her services ter-  
minated as referred to in the said subsection  
(2B), computed at the rate of salary such  
20 officer received at the time of his or her death.

(v) by omitting from paragraph (c) of the same  
subsection the word and symbols “or (b)” and  
by inserting in lieu thereof the word and sym-  
bols “; (b) or (b1)”;

25 (vi) by omitting from paragraph (d) of the same  
subsection the word and symbols “or (b)” and  
by inserting in lieu thereof the word and  
symbols “; (b) or (b1)”;

30 (vii) by omitting from subsection six of the same  
section the word and symbols “or (2A)” and  
by inserting in lieu thereof the word and sym-  
bols “; (2A) or (2B)”;

35 (viii) by omitting from subsection seven of the same  
section the words “For the purposes of sub-  
sections two and (2A) of this section ‘service’

includes



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

includes any period of leave without pay not exceeding six months” and by inserting in lieu thereof the following new paragraph :—

5 For the purposes of subsections two and (2A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2B) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

25 (2) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

9. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended—

30 (a) by omitting subsection two of section 12A and by inserting in lieu thereof the following subsections :—

(2) Where the services of a member of the police force with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(3)

Amendment  
of Act No.  
20, 1899.

Sec. 12A.  
(Leave of  
absence  
after years  
of service.)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

5 (3) Where the services of a member of the  
police force with at least five years service as an  
adult and less than ten years service are terminated  
by the Governor or the Commissioner for any  
reason, or by the member on account of illness,  
incapacity or domestic or other pressing necessity,  
he shall be entitled for five years service to one  
months leave on full pay and for service after five  
10 years to a proportionate amount of leave on full  
pay calculated on the basis of three months leave  
for fifteen years service (such service to include  
service as an adult and otherwise than as an adult).

15 For the purposes of this subsection "service as  
an adult" means the period of service during which  
the remuneration applicable to the member was at  
a rate not less than the rate for a constable fixed  
under an award made pursuant to the Industrial  
Arbitration Act, 1940, as amended by subsequent  
20 Acts, or under an industrial agreement made or  
registered pursuant to that Act.

25 (4) For the purposes of subsections one and two  
of this section "service" shall include any period  
of leave without pay taken before the commence-  
ment of the Public Service and Other Statutory  
Bodies (Extended Leave) Amendment Act, 1963,  
and shall in the case of a member of the police  
force who has completed at least ten years service  
(any period of leave without pay taken before such  
30 commencement being included therein and any  
period of leave without pay taken after such  
commencement being excluded therefrom) include any  
period of leave without pay taken after such  
commencement where such period does not exceed  
35 six months. For the purposes of subsection three of  
this section "service" shall not include any period  
of leave without pay whether taken before or after  
the commencement of the Public Service and Other  
Statutory Bodies (Extended Leave) Amendment  
Act, 1963. (b)



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

- (b) (i) by omitting from subsection two of section 12B the words "which would have accrued to such member had his services terminated as referred to in subsection two of section 12A of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section 12A of this Act upon termination of his services upon his death";
- (ii) by inserting next after the same subsection the following new subsection : —
- (2A) Where a member of the police force with at least five years service as an adult and less than ten years service as referred to in subsection three of section 12A of this Act dies, the widow of such member, or if there is no such widow the children of such member, or if there is no such widow or children such person who, in the opinion of the Commissioner, was, at the time of the death of such member, a dependent relative of such member, shall be entitled to receive the money value of the leave which would have accrued to such member had his services terminated as referred to in the said subsection three, computed at the rate of salary such member received at the time of his death.
- (iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (c) by omitting section 12C and by inserting in lieu thereof the following section : —
- 12C. A member of the police force who has acquired a right to extended leave with pay under section 12A of this Act shall upon the termination of

Sec. 12B.  
(Payment of money value of leave not taken or completed.)

Substituted sec. 12C.

Gratuity in lieu of extended leave.



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

of his services 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. Any annual superannuation allowance to  
5 which a member of the police force is entitled under  
the Police Regulation (Superannuation) Act, 1906,  
as amended by subsequent Acts, or which may be  
granted to any such member under that Act as so  
amended, shall commence from the date upon  
10 which his extended leave, if taken, would have  
commenced.

(d) by omitting section 12E.

Sec. 12E.  
(Money  
value of  
leave where  
member  
dismissed.)

(2) The Police Regulation Act, 1899, as amended by  
subsequent Acts and by this Act, may be cited as the Police  
15 Regulation Act, 1899-1963.

**10.** The Government Railways and Transport (Amend-  
ment) Act, 1963, is amended—

Amendment  
of Act No.  
10, 1963.  
(Conse-  
quential.)

(a) by omitting subsections two and three of section  
one;

Sec. 1.  
(Short title  
and  
citation.)

20 (b) by omitting paragraph (b) of section two;

Sec. 2.  
(Annual  
leave,  
extended  
leave and  
retiring  
leave of  
officers.)

(c) by omitting paragraph (b) of section three.

Sec. 3.  
(Annual  
leave and  
leave after  
years of  
service.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

[2s.]



No. , 1963.

---

---

## A BILL

To alter the name of the Clerical Division of the Public Service; to make further provision relating to long service leave in respect of officers of the Public Service, the Water Conservation and Irrigation Commission, the Departments of Main Roads, Railways, Government Transport and Motor Transport, and members of the Police Force; for these purposes to amend the Public Service Act, 1902, the Public Service (Amendment) Act, 1919, the Irrigation Act, 1912, the Main Roads Act, 1924, the Government Railways Act, 1912, the Transport Act, 1930, the Police Regulation Act, 1899, and certain other Acts; and for purposes connected therewith.

[MR. HEFFRON;—3 December, 1963.]



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

**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 Other Statutory Bodies (Extended Leave) Amendment Act, 1963". Short title.
  
2. (1) The Public Service Act, 1902, as amended by 10 subsequent Acts, is amended— Amendment of Act No. 31, 1902.
  - (a) by omitting from subsection four of section 14A the words "Special, Professional, and Clerical Divisions" and by inserting in lieu thereof the words "Special Division, Professional Division and Administrative and Clerical Division"; Sec. 14A. (Determination of grades and salaries.)
  - 15 (b) by omitting from section twenty-one the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 21. (Divisions of Service.)
  - 20 (c) by omitting from section twenty-four the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 24. (Clerical Division.)
  - (d) by omitting from section twenty-six the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 26. (General Division.)
  - 25 (e) by omitting from section twenty-nine the words "Professional, Clerical, and Educational Divisions" and by inserting in lieu thereof the words "Professional Division, Administrative and Clerical Division and Educational Division"; Sec. 29. (Separate examinations to be held for the different Divisions.)
  - 30 (f) by omitting from subsection one of section thirty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 39. (Age of appointees: Clerical Division.)
  - (g) Clerical Division.)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- (g) by omitting from section forty-seven the words "Professional or Clerical Divisions" and by inserting in lieu thereof the words "Professional Division or Administrative and Clerical Division"; Sec. 47.  
(Order of promotions, etc.)
- 5 (h) by omitting from subsection one of section forty-eight the words "Professional and Clerical Divisions" and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division"; Sec. 48.  
(Higher and lower grades.)
- 10 (i) by omitting from subsection one of section forty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 49.  
(How vacancies to be filled.)
- 15 (j) by omitting from section fifty the words "Professional and Clerical Divisions" wherever occurring and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division". Sec. 50.  
(Examination before promotion to higher grades of Professional and Clerical Divisions.)
- (2) In the construction, and for the purposes of any Act, by-law, regulation, award, agreement or any other  
20 instrument or document whatsoever, of the same or a different kind or nature, any reference to, or to be read and taken to refer to the Clerical Division of the Public Service shall be a reference to, or be read and taken to refer to the Administrative and Clerical Division of the Public Service.
- 25 **3.** The Public Service Act, 1902, as amended by subsequent Acts, is further amended— Further amendment of Act No. 31, 1902.
- (a) by omitting from paragraph (d) of subsection two of section fifty-six the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 56.  
(Punishment of offences.)
- 30 (b) by omitting from subsection one of section sixty-one the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 61.  
(Officers convicted of felonies, etc.)
- (c)



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

(c) by omitting section 61A.

Sec. 61A.  
(Forfeiture of leave and appeals therefrom.)

4. The Public Service (Amendment) Act, 1919, as amended by subsequent Acts, is amended—

Amendment of Act No. 43, 1919.

5 (a) by omitting subsections two and three of section thirteen and by inserting in lieu thereof the following subsections : —

Sec. 13.  
(Leave of absence after years of service.)

10 (2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

15 (3) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Crown, the Governor or the Board for any reason, or by  
20 the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated  
25 on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

30 For the purposes of this subsection "service as an adult"—in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts,



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

5 Acts, or has been fixed by an industrial agreement  
made pursuant to or registered under the said Acts  
or an agreement or determination made pursuant  
to the Public Service Act, 1902, as amended by  
subsequent Acts—means the period of service  
during which the remuneration applicable to the  
officer was at a rate not less than the lowest rate  
fixed under the award, industrial agreement, agree-  
ment or determination for an adult male or adult  
10 female in the same trade, classification, calling,  
group or grade as the officer.

15 (4) For the purposes of subsections one and two  
of this section “service” shall include any period  
of leave without pay taken before the commence-  
ment of the Public Service and Other Statutory  
Bodies (Extended Leave) Amendment Act, 1963,  
and shall in the case of an officer who has completed  
at least ten years service (any period of leave  
without pay taken before such commencement being  
included therein and any period of leave without  
20 pay taken after such commencement being excluded  
therefrom) include any period of leave without pay  
taken after such commencement where such period  
does not exceed six months. For the purposes of  
subsubsection three of this section “service” shall not  
25 include any period of leave without pay whether  
taken before or after the commencement of the  
Public Service and Other Statutory Bodies  
(Extended Leave) Amendment Act, 1963.

30 (b) by omitting section 13A and by inserting in lieu thereof the following section :— Substituted  
sec. 13A.

35 13A. An officer who has acquired a right to extended leave with pay under section thirteen of this Act shall upon the termination of his services 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. Any pension to which any such officer is entitled under the  
Superannuation Gratuity in  
lieu of  
extended  
leave.



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

- 5 (c) (i) by omitting from subsection two of section fourteen the words "which would have accrued to such officer had his services terminated as referred to in subsection two of section thirteen of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section thirteen of this Act upon termination of his or her services by reason of his or her death";
- 10
- (ii) by inserting next after the same subsection the following new subsection :—
- 15 (2A) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection three of section thirteen of this Act dies, the widow or the widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Board, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection three, computed at the rate of salary such officer received at the time of his or her death.
- 20
- 25
- 30
- (iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- 35
- (iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)".
- 40
- 5.

Sec. 14.  
(Payment of money value of leave not taken or completed.)



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

5. (1) The Irrigation Act, 1912, as amended by subsequent Acts, is amended—

Amendment of Act No. 73, 1912.

5 (a) by omitting subsection two of section 5c and by inserting in lieu thereof the following subsections :—

Sec. 5c. (Leave of absence after years of service.)

10 (2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

15 (2A) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commission for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for 20 five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such 25 service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

30 (a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent 35 Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable

(ii)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification or calling as the officer ;

5

(b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.

10

(2B) For the purposes of subsections one and two of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein, and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2A) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

15

20

25

30

(b) (i) by omitting from subsection two of section 5D the words “which would have accrued to such officer had his services terminated as referred to in subsection two of section 5C of this Act” and by inserting in lieu thereof the words “accrued under subsection two of section 5C of this Act upon termination of his or her services by reason of his or her death” ;

35

(ii)

Sec. 5D.  
(Payment of money value of leave not taken or completed.)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

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

5 (2A) Where an officer with at least five  
years service as an adult and less than ten  
years service as referred to in subsection (2A)  
of section 5C of this Act dies, the widow or  
widower of such officer, or if there is no such  
widow or widower the children of such officer,  
10 or if there is no such widow, widower, or  
children such person who, in the opinion of  
the Commission, was, at the time of the death  
of such officer, a dependent relative of such  
officer, shall be entitled to receive the money  
15 value of the leave which would have accrued  
to such officer had his or her services ter-  
minated as referred to in the said subsection  
(2A), computed at the rate of salary such  
officer received at the time of his or her death.

20 (iii) by omitting from subsection three of the same  
section the words “or two” and by inserting in  
lieu thereof the words and symbols “, two or  
(2A)”;

25 (iv) by omitting from subsection four of the same  
section the words “or two” and by inserting in  
lieu thereof the words and symbols “, two or  
(2A)”;

(c) by omitting section 5E and by inserting in lieu thereof the following section :—

30 5E. An officer who has acquired a right to  
extended leave with pay under subsection one, two  
or (2A) of section 5C of this Act shall upon the  
termination of his services be paid forthwith in lieu  
of such leave the money value thereof as a gratuity  
35 in addition to any gratuity to which he may be  
otherwise entitled. Any pension to which such  
officer is entitled under the Superannuation Act,  
1916, as amended by subsequent Acts, shall  
commence from the date upon which his extended  
leave, if taken, would have commenced.

Substituted  
sec. 5E.

Gratuity in  
lieu of  
extended  
leave.



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

(2) The Irrigation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Irrigation Act, 1912-1963.

6. (1) The Main Roads Act, 1924, as amended by Amendment of Act No. 24, 1924.  
5 subsequent Acts, is amended—

(a) by omitting subsection (1A) of section 7A and by inserting in lieu thereof the following subsections :—  
Sec. 7A.  
(Leave of absence after years of service.)

10 (1A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated  
15 on the basis of three months leave for fifteen years service.

(1B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount  
20 of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

30 For the purposes of this subsection "service as an adult"—

(a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent  
35 Acts,



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- 5 Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts or a determination made pursuant to this Act—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award, industrial agreement or determination for an adult male or adult female in the same trade, classification or calling as the officer ;
- 10
- 15 (b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award, industrial agreement or determination referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- 20 (b) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—
- 25 (2) A Commissioner, an Assistant Commissioner or an officer who has acquired a right to extended leave with pay under subsection one, (1A) or (1B) of this section shall upon the termination of his services 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. Any pension to which any such Commissioner, Assistant Commissioner or officer is entitled under the Superannuation Act, 30 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.
- 35 (c) by omitting subsection (2A) of the same section ;
- (d) by omitting from paragraph (b) of subsection (4A) of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (1A) of this section”



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

section” and by inserting in lieu thereof the words  
“accrued under subsection (1A) of this section upon  
termination of his or her services by reason of his  
or her death”;

- 5 (e) by inserting next after paragraph (b) of the same  
subsection the following new paragraph :—

(b1) Where an officer with at least five years  
service as an adult and less than ten years  
10 service as referred to in subsection (1B) of  
this section dies, the widow or widower of  
such officer, or if there is no such widow or  
widower the children of such officer, or if  
there is no such widow, widower, or  
15 children such person who, in the opinion of  
the Commissioner, was, at the time of the  
death of such officer, a dependent relative  
of such officer, shall be entitled to receive  
the money value of the leave which would  
20 have accrued to such officer had his or her  
services terminated as referred to in the said  
subsection (1B), computed at the rate of  
salary such officer received at the time of  
his or her death.

- 25 (f) by omitting from paragraph (c) of the same sub-  
section the word and symbols “or (b)” and by  
inserting in lieu thereof the word and symbols  
“; (b) or (b1)”;

- (g) by omitting from paragraph (d) of the same sub-  
30 section the word and symbols “or (b)” and by  
inserting in lieu thereof the word and symbols  
“; (b) or (b1)”;

- (h) by inserting at the end of the same section the  
following new subsection :—

35 (6) For the purposes of subsections one and  
(1A) of this section “service” shall include any  
period of leave without pay taken before the com-  
mencement of the Public Service and Other Statutory

**Bodies**



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

5 Bodies (Extended Leave) Amendment Act, 1963,  
and shall in the case of an officer who has com-  
pleted at least ten years service (any period of  
leave without pay taken before such commencement  
being included therein and any period of leave with-  
out pay taken after such commencement being  
excluded therefrom) include any period of leave  
without pay taken after such commencement where  
such period does not exceed six months. For the  
10 purposes of subsection (1B) of this section, "service"  
shall not include any period of leave without pay  
whether taken before or after the commencement  
of the Public Service and Other Statutory Bodies  
(Extended Leave) Amendment Act, 1963.

15 (2) The Main Roads Act, 1924, as amended by sub-  
sequent Acts and by this Act, may be cited as the Main Roads  
Act, 1924-1963.

7. (1) The Government Railways Act, 1912, as amended  
by subsequent Acts, is amended—

- 20 (a) by omitting subsection three of section eighty; Amendment  
of Act No.  
30, 1912.  
  
Sec. 80.  
(Officers  
convicted of  
felonies or  
imprisoned,  
etc.)
- (b) by omitting paragraph (b) of subsection one of Sec. 93.  
(Effect of  
decision of  
Board.)  
section ninety-three;
- (c) (i) by omitting subsection (2A) of section 100A Sec. 100A.  
(Annual  
leave,  
extended  
leave and  
retiring  
leave of  
officers.)  
and by inserting in lieu thereof the following  
25 subsections :—
- (2A) Where the services of an officer with  
at least ten years and less than fifteen years  
service are terminated or cease for any reason  
he shall be entitled for ten years service to two  
30 months leave on full pay and for service after  
ten



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

5 (2B) Where the services of an officer with  
at least five years service as an adult and less  
than ten years service are terminated by the  
Governor or the Commissioner for Railways  
for any reason, or by the officer on account  
10 of illness, incapacity or domestic or other  
pressing necessity, he shall be entitled for five  
years service to one months leave on full pay  
and for service after five years to a propor-  
tionate amount of leave on full pay calculated  
on the basis of three months leave for fifteen  
15 years service (such service to include service  
as an adult and otherwise than as an adult).

For the purposes of this subsection "service  
as an adult"—

20 (a) in the case of an officer employed to  
do any work for which the rate or  
wage has been fixed by an award made  
under the Commonwealth Conciliation  
and Arbitration Act 1904 as amended  
25 by subsequent Acts, or made under the  
Industrial Arbitration Act, 1940, as  
amended by subsequent Acts, or has  
been fixed by an industrial agreement  
made pursuant to or registered under  
30 the said Acts—means the period of  
service during which the remuneration  
applicable to the officer was at a rate  
not less than the lowest rate fixed  
under the award or industrial agree-  
ment for an adult male or adult female  
35 in the same trade, classification, rank,  
position, grade or calling as the  
officer ;

(b)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- 5 (b) in the case of an officer being an  
apprentice the terms of whose employ-  
ment are governed by an award appli-  
cable only to apprentices—means the  
period of service during which the  
remuneration applicable to the officer  
was at a rate not less than the rate  
prescribed by the award covering a  
10 journeyman carrying out work in  
the same trade, classification, rank,  
position, grade or calling as the officer ;
- 15 (c) in the case of an officer employed to  
do any work for which no rate or wage  
has been fixed by an award or indus-  
trial agreement referred to in para-  
graph (a) of this subsection—means  
the period of service during which the  
officer was not less than twenty-one  
years of age.
- 20 (ii) by omitting subsection three of the same  
section and by inserting in lieu thereof the  
following subsection :—
- 25 (3) Any officer who has acquired a right to  
leave under subsection two, (2A) or (2B) of  
this section shall upon the termination of his  
services be paid forthwith in lieu of such leave  
the money value thereof as a gratuity in addi-  
tion to any gratuity to which he may be  
otherwise entitled.
- 30 (iii) by omitting from paragraph (b) of subsection  
five of the same section the words “which  
would have accrued to such officer had his  
services terminated as referred to in subsection  
(2A) of this section” and by inserting in lieu  
35 thereof the words “accrued under subsection  
(2A) of this section upon termination of his or  
her services by reason of his or her death” ;  
(iv)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

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

(b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person who, in the opinion of the Commissioner for Railways, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.

(v) by omitting from paragraph (c) of the same subsection the word and symbols "or (b)" and by inserting in lieu thereof the word and symbols ", (b) or (b1)";

(vi) by omitting from paragraph (d) of the same subsection the word and symbols "or (b)" and by inserting in lieu thereof the word and symbols ", (b) or (b1)";

(vii) by omitting from subsection six of the same section the word and symbols "or (2A)" and by inserting in lieu thereof the word and symbols ", (2A) or (2B)";

(viii) by omitting from subsection seven of the same section the words "For the purposes of subsections two and (2A) of this section 'service' includes any period of leave without pay not exceeding six months." and by inserting in lieu thereof the following paragraph :—

For the purposes of subsections two and (2A) of this section "service" shall include any period of leave without pay taken before the commencement



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

5 commencement of the Public Service and  
 Other Statutory Bodies (Extended Leave)  
 Amendment Act, 1963, and shall in the  
 case of an officer who has completed at  
 least ten years service (any period of  
 leave without pay taken before such com-  
 10 mence- ment being included therein and any  
 period of leave without pay taken after such  
 commencement being excluded therefrom)  
 include any period of leave without pay taken  
 after such commencement where such period  
 does not exceed six months. For the purposes  
 of subsection (2B) of this section "service"  
 15 shall not include any period of leave without  
 pay whether taken before or after the com-  
 mence- ment of the Public Service and Other  
 Statutory Bodies (Extended Leave) Amend-  
 ment Act, 1963.

(2) The Government Railways Act, 1912, as amended  
 20 by subsequent Acts and by this Act, may be cited as the  
 Government Railways Act, 1912-1963.

8. (1) The Transport Act, 1930, as amended by subse-  
 25 quent Acts, is amended—
- (a) by omitting subsection three of section one hundred  
 and seven; Amendment  
 of Act No.  
 18, 1930.  
 Sec. 107.  
 (Officers  
 convicted of  
 felonies, or  
 imprisoned,  
 etc.)
  - (b) by omitting paragraph (b) of subsection one of  
 section 115F; Sec. 115F.  
 (Effect of  
 decision of  
 Board.)
  - (c) (i) by omitting subsection (2A) of section one  
 hundred and twenty-three and by inserting in  
 30 lieu thereof the following subsections :— Sec. 123.  
 (Annual  
 leave and  
 leave of  
 absence  
 after years  
 of service.)
    - (2A) Where the services of an officer with  
 at least ten years and less than fifteen years  
 service are terminated or cease for any reason  
 he shall be entitled for ten years service to two  
 326—B months



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

5           (2B) Where the services of an officer with  
at least five years service as an adult and less  
than ten years service are terminated by the  
Governor, the Commissioner for Government  
10           Transport or the Commissioner for Motor  
Transport for any reason, or by the officer on  
account of illness, incapacity or domestic or  
other pressing necessity, he shall be entitled for  
five years service to one months leave on full  
15           pay and for service after five years to a pro-  
portionate amount of leave on full pay calcu-  
lated on the basis of three months leave for  
fifteen years service (such service to include  
service as an adult and otherwise than as an  
adult).

20           For the purposes of this subsection "service  
as an adult"—

(a) in the case of an officer employed to do  
any work for which the rate or wage  
has been fixed by an award made under  
25           the Commonwealth Conciliation and  
Arbitration Act 1904 as amended by  
subsequent Acts, or made under the  
Industrial Arbitration Act, 1940, as  
amended by subsequent Acts, or has  
30           been fixed by an industrial agreement  
made pursuant to or registered under  
the said Acts—means the period of  
service during which the remuneration  
applicable to the officer was at a rate  
35           not less than the lowest rate fixed  
under the award or industrial agree-  
ment for an adult male or adult female  
in the same trade, classification, rank,  
position, grade or calling as the officer ;

(b)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- 5 (b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in the same trade, classification, rank, position, grade or calling as the officer ;
- 10
- 15 (c) in the case of an officer employed to do work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- 20 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection :—
- 25 (3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services 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.
- 30 (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his or her services upon his or her death”;
- 35 (iv)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

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

5 (b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person who, in the opinion of the Commissioner for Government Transport or the Commissioner for Motor Transport, as the case may require, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.

10

15

20

(v) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

25 (vi) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

30 (vii) by omitting from subsection six of the same section the word and symbols “or (2A)” and by inserting in lieu thereof the word and symbols “, (2A) or (2B)”;

35 (viii) by omitting from subsection seven of the same section the words “For the purposes of subsections two and (2A) of this section ‘service’

(C) includes



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

includes any period of leave without pay not exceeding six months” and by inserting in lieu thereof the following new paragraph :—

5 For the purposes of subsections two and (2A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2B) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

25 (2) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

9. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended—

30 (a) by omitting subsection two of section 12A and by inserting in lieu thereof the following subsections :—

(2) Where the services of a member of the police force with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service. (3)

Amendment of Act No. 20, 1899. Sec. 12A. (Leave of absence after years of service.)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

5 (3) Where the services of a member of the  
police force with at least five years service as an  
adult and less than ten years service are terminated  
by the Governor or the Commissioner for any  
reason, or by the member on account of illness,  
incapacity or domestic or other pressing necessity,  
he shall be entitled for five years service to one  
months leave on full pay and for service after five  
10 years to a proportionate amount of leave on full  
pay calculated on the basis of three months leave  
for fifteen years service (such service to include  
service as an adult and otherwise than as an adult).

15 For the purposes of this subsection "service as  
an adult" means the period of service during which  
the remuneration applicable to the member was at  
a rate not less than the rate for a constable fixed  
under an award made pursuant to the Industrial  
Arbitration Act, 1940, as amended by subsequent  
20 Acts, or under an industrial agreement made or  
registered pursuant to that Act.

25 (4) For the purposes of subsections one and two  
of this section "service" shall include any period  
of leave without pay taken before the commence-  
ment of the Public Service and Other Statutory  
Bodies (Extended Leave) Amendment Act, 1963,  
and shall in the case of a member of the police  
force who has completed at least ten years service  
(any period of leave without pay taken before such  
30 commencement being included therein and any  
period of leave without pay taken after such com-  
mencement being excluded therefrom) include any  
period of leave without pay taken after such  
commencement where such period does not exceed  
six months. For the purposes of subsection three of  
35 this section "service" shall not include any period  
of leave without pay whether taken before or after  
the commencement of the Public Service and Other  
Statutory Bodies (Extended Leave) Amendment  
Act, 1963. (b)



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

- (b) (i) by omitting from subsection two of section 12B the words "which would have accrued to such member had his services terminated as referred to in subsection two of section 12A of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section 12A of this Act upon termination of his services upon his death";
- (ii) by inserting next after the same subsection the following new subsection :—
- (2A) Where a member of the police force with at least five years service as an adult and less than ten years service as referred to in subsection three of section 12A of this Act dies, the widow of such member, or if there is no such widow the children of such member, or if there is no such widow or children such person who, in the opinion of the Commissioner, was, at the time of the death of such member, a dependent relative of such member, shall be entitled to receive the money value of the leave which would have accrued to such member had his services terminated as referred to in the said subsection three, computed at the rate of salary such member received at the time of his death.
- (iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (c) by omitting section 12C and by inserting in lieu thereof the following section :—
- 12C. A member of the police force who has acquired a right to extended leave with pay under section 12A of this Act shall upon the termination of

Sec. 12B.  
(Payment of money value of leave not taken or completed.)

Substituted sec. 12C.

Gratuity in lieu of extended leave.



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

5 of his services 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. Any annual superannuation allowance to  
10 which a member of the police force is entitled under  
the Police Regulation (Superannuation) Act, 1906,  
as amended by subsequent Acts, or which may be  
granted to any such member under that Act as so  
amended, shall commence from the date upon  
which his extended leave, if taken, would have  
commenced.

(d) by omitting section 12E.

Sec. 12E.  
(Money  
value of  
leave where  
member  
dismissed.)

(2) The Police Regulation Act, 1899, as amended by  
subsequent Acts and by this Act, may be cited as the Police  
15 Regulation Act, 1899-1963.

**10.** The Government Railways and Transport (Amend-  
ment) Act, 1963, is amended—

Amendment  
of Act No.  
10, 1963.  
(Conse-  
quential.)

(a) by omitting subsections two and three of section  
one;

Sec. 1.  
(Short title  
and  
citation.)

20 (b) by omitting paragraph (b) of section two;

Sec. 2.  
(Annual  
leave,  
extended  
leave and  
retiring  
leave of  
officers.)

(c) by omitting paragraph (b) of section three.

Sec. 3.  
(Annual  
leave and  
leave after  
years of  
service.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

[2s.]



## PUBLIC SERVICE AND OTHER STATUTORY BODIES (EXTENDED LEAVE) AMENDMENT BILL, 1963.

---

### EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to alter the name of the Clerical Division of the Public Service to “Administrative and Clerical Division”;
- (b) in relation to officers of the Public Service, the Water Conservation and Irrigation Commission, the Departments of Main Roads, Railways, Government Transport and Motor Transport and members of the Police Force to extend existing long service leave benefits by providing for—
  - (i) payment of the monetary value of accrued long service leave on dismissal after at least fifteen years service;
  - (ii) payment of the monetary value of a proportionate amount of long service leave on termination of services for any reason after at least ten years service but less than fifteen years service;
  - (iii) payment of the monetary value of a proportionate amount of long service leave on termination of services after five years service as an adult, where such termination is brought about by the employer for any reason or by the employee on account of illness, incapacity or domestic or other pressing necessity; and
  - (iv) the method of calculating the period of service where leave without pay has been taken;
- (c) to make provisions incidental and ancillary to the foregoing.



THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

LECTURE 1

MECHANICS

LECTURE 2

LECTURE 3

LECTURE 4



No. , 1963.

---

---

## A BILL

To alter the name of the Clerical Division of the Public Service; to make further provision relating to long service leave in respect of officers of the Public Service, the Water Conservation and Irrigation Commission, the Departments of Main Roads, Railways, Government Transport and Motor Transport, and members of the Police Force; for these purposes to amend the Public Service Act, 1902, the Public Service (Amendment) Act, 1919, the Irrigation Act, 1912, the Main Roads Act, 1924, the Government Railways Act, 1912, the Transport Act, 1930, the Police Regulation Act, 1899, and certain other Acts; and for purposes connected therewith.

[Mr. HEFFRON;—3 December, 1963.]



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

**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 Other Statutory Bodies (Extended Leave) Amendment Act, 1963". Short title.
  
2. (1) The Public Service Act, 1902, as amended by 10 subsequent Acts, is amended— Amendment of Act No. 31, 1902.
  - (a) by omitting from subsection four of section 14A the words "Special, Professional, and Clerical Divisions" and by inserting in lieu thereof the words "Special Division, Professional Division and Administrative and Clerical Division"; Sec. 14A. (Determination of grades and salaries.)
  - 15 (b) by omitting from section twenty-one the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 21. (Divisions of Service.)
  - (c) by omitting from section twenty-four the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 24. (Clerical Division.)
  - 20 (d) by omitting from section twenty-six the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 26. (General Division.)
  - 25 (e) by omitting from section twenty-nine the words "Professional, Clerical, and Educational Divisions" and by inserting in lieu thereof the words "Professional Division, Administrative and Clerical Division and Educational Division"; Sec. 29. (Separate examinations to be held for the different Divisions.)
  - 30 (f) by omitting from subsection one of section thirty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 39. (Age of appointees: Clerical Division.)
  - (g)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- (g) by omitting from section forty-seven the words "Professional or Clerical Divisions" and by inserting in lieu thereof the words "Professional Division or Administrative and Clerical Division"; Sec. 47.  
(Order of promotions, etc.)
- 5 (h) by omitting from subsection one of section forty-eight the words "Professional and Clerical Divisions" and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division"; Sec. 48.  
(Higher and lower grades.)
- 10 (i) by omitting from subsection one of section forty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 49.  
(How vacancies to be filled.)
- 15 (j) by omitting from section fifty the words "Professional and Clerical Divisions" wherever occurring and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division". Sec. 50.  
(Examination before promotion to higher grades of Professional and Clerical Divisions.)
- (2) In the construction, and for the purposes of any Act, by-law, regulation, award, agreement or any other instrument or document whatsoever, of the same or a different kind or nature, any reference to, or to be read and taken to refer to the Clerical Division of the Public Service shall be a reference to, or be read and taken to refer to the Administrative and Clerical Division of the Public Service.
- 25 **3.** The Public Service Act, 1902, as amended by subsequent Acts, is further amended— Further amendment of Act No. 31, 1902.
- (a) by omitting from paragraph (d) of subsection two of section fifty-six the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 56.  
(Punishment of offences.)
- 30 (b) by omitting from subsection one of section sixty-one the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 61.  
(Officers convicted of felonies, etc.)
- (c)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

(c) by omitting section 61A.

Sec. 61A.  
(Forfeiture  
of leave  
and appeals  
therefrom.)

4. The Public Service (Amendment) Act, 1919, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
43, 1919.

5 (a) by omitting subsections two and three of section thirteen and by inserting in lieu thereof the following subsections :—

Sec. 13.  
(Leave of  
absence  
after years  
of service.)

10 (2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

15 (3) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Crown, the Governor or the Board for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be

20 entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years

25 service (such service to include service as an adult and otherwise than as an adult).

30 For the purposes of this subsection "service as an adult"—in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent

Acts,



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

5 Acts, or has been fixed by an industrial agreement  
made pursuant to or registered under the said Acts  
or an agreement or determination made pursuant  
to the Public Service Act, 1902, as amended by  
subsequent Acts—means the period of service  
during which the remuneration applicable to the  
officer was at a rate not less than the lowest rate  
fixed under the award, industrial agreement, agree-  
ment or determination for an adult male or adult  
10 female in the same trade, classification, calling,  
group or grade as the officer.

15 (4) For the purposes of subsections one and two  
of this section “service” shall include any period  
of leave without pay taken before the commence-  
ment of the Public Service and Other Statutory  
Bodies (Extended Leave) Amendment Act, 1963,  
and shall in the case of an officer who has completed  
at least ten years service (any period of leave  
without pay taken before such commencement being  
20 included therein and any period of leave without  
pay taken after such commencement being excluded  
therefrom) include any period of leave without pay  
taken after such commencement where such period  
does not exceed six months. For the purposes of  
25 subsection three of this section “service” shall not  
include any period of leave without pay whether  
taken before or after the commencement of the  
Public Service and Other Statutory Bodies  
(Extended Leave) Amendment Act, 1963.

30 (b) by omitting section 13A and by inserting in lieu thereof the following section :— Substituted  
sec. 13A.

35 13A. An officer who has acquired a right to extended leave with pay under section thirteen of this Act shall upon the termination of his services 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. Any pension to which any such officer is entitled under the  
Superannuation



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

- 5 (c) (i) by omitting from subsection two of section  
fourteen the words "which would have accrued  
to such officer had his services terminated  
as referred to in subsection two of section  
10 thirteen of this Act" and by inserting in lieu  
thereof the words "accrued under subsection  
two of section thirteen of this Act upon ter-  
mination of his or her services by reason of  
his or her death";
- (ii) by inserting next after the same subsection the  
15 following new subsection :—
- (2A) Where an officer with at least five  
years service as an adult and less than ten  
years service as referred to in subsection three  
of section thirteen of this Act dies, the widow  
20 or the widower of such officer, or if there is  
no such widow or widower the children of  
such officer, or if there is no such widow,  
widower, or children such person who, in the  
opinion of the Board, was, at the time of the  
25 death of such officer, a dependent relative of  
such officer, shall be entitled to receive the  
money value of the leave which would have  
accrued to such officer had his or her services  
terminated as referred to in the said subsection  
30 three, computed at the rate of salary such  
officer received at the time of his or her  
death.
- (iii) by omitting from subsection three of the same  
section the words "or two" and by inserting in  
35 lieu thereof the words and symbols ", two or  
(2A)";
- (iv) by omitting from subsection four of the same  
section the words "or two" and by inserting  
in lieu thereof the words and symbols ", two  
40 or (2A)".

Sec. 14.  
(Payment  
of money  
value of  
leave not  
taken or  
completed.)



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

5. (1) The Irrigation Act, 1912, as amended by subsequent Acts, is amended— Amendment of Act No. 73, 1912.

5 (a) by omitting subsection two of section 5c and by inserting in lieu thereof the following subsections :— Sec. 5c.  
(Leave of absence after years of service.)

10 (2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

15 (2A) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commission for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for 20 five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult). 25

For the purposes of this subsection "service as an adult"—

30 (a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of 35 service during which the remuneration applicable



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

5 applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification or calling as the officer ;

10 (b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.

15 (2B) For the purposes of subsections one and two of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein, and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2A) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

25 (b) (i) by omitting from subsection two of section 5D the words “which would have accrued to such officer had his services terminated as referred to in subsection two of section 5c of this Act” and by inserting in lieu thereof the words “accrued under subsection two of section 5c of this Act upon termination of his or her services by reason of his or her death”;

Sec. 5D.  
(Payment of money value of leave not taken or completed.)

(ii)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

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

(2A) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2A) of section 5C of this Act dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Commission, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2A), computed at the rate of salary such officer received at the time of his or her death.

(iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";

(iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";

(c) by omitting section 5E and by inserting in lieu thereof the following section :—

5E. An officer who has acquired a right to extended leave with pay under subsection one, two or (2A) of section 5C of this Act shall upon the termination of his services 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. Any pension to which such officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

Substituted  
sec. 5E.

Gratuity in  
lieu of  
extended  
leave.



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

(2) The Irrigation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Irrigation Act, 1912-1963.

6. (1) The Main Roads Act, 1924, as amended by 5 subsequent Acts, is amended— Amendment of Act No. 24, 1924.

(a) by omitting subsection (1A) of section 7A and by inserting in lieu thereof the following subsections :— Sec. 7A. (Leave of absence after years of service.)

10 (1A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

15 (1B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

20 For the purposes of this subsection "service as an adult"—

25 (a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts,



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- 5 Acts, or has been fixed by an industrial  
agreement made pursuant to or registered  
under the said Acts or a determination  
made pursuant to this Act—means the  
period of service during which the  
remuneration applicable to the officer was  
at a rate not less than the lowest rate  
fixed under the award, industrial agreement  
or determination for an adult male or adult  
10 female in the same trade, classification or  
calling as the officer ;
- (b) in the case of an officer employed to do any  
work for which no price, rate or wage has  
been fixed by an award, industrial agree-  
15 ment or determination referred to in  
paragraph (a) of this subsection—means  
the period of service during which the officer  
was not less than twenty-one years of age.
- (b) by omitting subsection two of the same section and  
20 by inserting in lieu thereof the following subsec-  
tion :—
- (2) A Commissioner, an Assistant Commis-  
sioner or an officer who has acquired a right to  
extended leave with pay under subsection one,  
25 (1A) or (1B) of this section shall upon the termina-  
tion of his services 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. Any pension to which any  
30 such Commissioner, Assistant Commissioner or  
officer is entitled under the Superannuation Act,  
1916, as amended by subsequent Acts, shall com-  
mence from the date upon which his extended  
leave, if taken, would have commenced.
- 35 (c) by omitting subsection (2A) of the same section ;  
(d) by omitting from paragraph (b) of subsection  
(4A) of the same section the words “which would  
have accrued to such officer had his services ter-  
minated as referred to in subsection (1A) of this  
section”



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

section” and by inserting in lieu thereof the words  
“accrued under subsection (1A) of this section upon  
termination of his or her services by reason of his  
or her death”;

- 5 (e) by inserting next after paragraph (b) of the same  
subsection the following new paragraph :—

10 (b1) Where an officer with at least five years  
service as an adult and less than ten years  
service as referred to in subsection (1B) of  
this section dies, the widow or widower of  
such officer, or if there is no such widow or  
widower the children of such officer, or if  
15 there is no such widow, widower, or  
children such person who, in the opinion of  
the Commissioner, was, at the time of the  
death of such officer, a dependent relative  
of such officer, shall be entitled to receive  
the money value of the leave which would  
20 have accrued to such officer had his or her  
services terminated as referred to in the said  
subsection (1B), computed at the rate of  
salary such officer received at the time of  
his or her death.

- 25 (f) by omitting from paragraph (c) of the same sub-  
section the word and symbols “or (b)” and by  
inserting in lieu thereof the word and symbols  
“; (b) or (b1)”;

- 30 (g) by omitting from paragraph (d) of the same sub-  
section the word and symbols “or (b)” and by  
inserting in lieu thereof the word and symbols  
“; (b) or (b1)”;

- (h) by inserting at the end of the same section the  
following new subsection :—

35 (6) For the purposes of subsections one and  
(1A) of this section “service” shall include any  
period of leave without pay taken before the com-  
mencement of the Public Service and Other Statutory

Bodies



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- 5 Bodies (Extended Leave) Amendment Act, 1963,  
and shall in the case of an officer who has com-  
pleted at least ten years service (any period of  
leave without pay taken before such commencement  
being included therein and any period of leave with-  
out pay taken after such commencement being  
excluded therefrom) include any period of leave  
without pay taken after such commencement where  
such period does not exceed six months. For the  
10 purposes of subsection (1B) of this section, "service"  
shall not include any period of leave without pay  
whether taken before or after the commencement  
of the Public Service and Other Statutory Bodies  
(Extended Leave) Amendment Act, 1963.
- 15 (2) The Main Roads Act, 1924, as amended by sub-  
sequent Acts and by this Act, may be cited as the Main Roads  
Act, 1924-1963.
7. (1) The Government Railways Act, 1912, as amended  
by subsequent Acts, is amended—
- 20 (a) by omitting subsection three of section eighty; Amendment  
of Act No.  
30, 1912.  
Sec. 80.  
(Officers  
convicted of  
felonies or  
imprisoned,  
etc.)
- (b) by omitting paragraph (b) of subsection one of Sec. 93.  
(Effect of  
decision of  
Board.)  
section ninety-three;
- (c) (i) by omitting subsection (2A) of section 100A Sec. 100A.  
(Annual  
leave,  
extended  
leave and  
retiring  
leave of  
officers.)  
and by inserting in lieu thereof the following  
25 subsections :—
- (2A) Where the services of an officer with  
at least ten years and less than fifteen years  
service are terminated or cease for any reason  
he shall be entitled for ten years service to two  
30 months leave on full pay and for service after  
ten



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

5 (2B) Where the services of an officer with  
at least five years service as an adult and less  
than ten years service are terminated by the  
Governor or the Commissioner for Railways  
for any reason, or by the officer on account  
10 of illness, incapacity or domestic or other  
pressing necessity, he shall be entitled for five  
years service to one months leave on full pay  
and for service after five years to a propor-  
tionate amount of leave on full pay calculated  
15 on the basis of three months leave for fifteen  
years service (such service to include service  
as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

20 (a) in the case of an officer employed to  
do any work for which the rate or  
wage has been fixed by an award made  
under the Commonwealth Conciliation  
and Arbitration Act 1904 as amended  
25 by subsequent Acts, or made under the  
Industrial Arbitration Act, 1940, as  
amended by subsequent Acts, or has  
been fixed by an industrial agreement  
made pursuant to or registered under  
30 the said Acts—means the period of  
service during which the remuneration  
applicable to the officer was at a rate  
not less than the lowest rate fixed  
under the award or industrial agree-  
ment for an adult male or adult female  
35 in the same trade, classification, rank,  
position, grade or calling as the  
officer ;

(b)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- 5 (b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in
- 10 the same trade, classification, rank, position, grade or calling as the officer ;
- 15 (c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- 20 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection :—
- 25 (3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services 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.
- 30 (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his or
- 35 her services by reason of his or her death” ;
- (iv)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

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

5 (b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no  
10 such widow, widower or children such person who, in the opinion of the Commissioner for Railways, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such  
15 officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.

20 (v) by omitting from paragraph (c) of the same subsection the word and symbols "or (b)" and by inserting in lieu thereof the word and symbols ", (b) or (b1)";

25 (vi) by omitting from paragraph (d) of the same subsection the word and symbols "or (b)" and by inserting in lieu thereof the word and symbols ", (b) or (b1)";

30 (vii) by omitting from subsection six of the same section the word and symbols "or (2A)" and by inserting in lieu thereof the word and symbols ", (2A) or (2B)";

35 (viii) by omitting from subsection seven of the same section the words "For the purposes of subsections two and (2A) of this section 'service' includes any period of leave without pay not exceeding six months." and by inserting in lieu thereof the following paragraph :—

For the purposes of subsections two and (2A) of this section "service" shall include any period of leave without pay taken before the commencement



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

5 commencement of the Public Service and  
 Other Statutory Bodies (Extended Leave)  
 Amendment Act, 1963, and shall in the  
 case of an officer who has completed at  
 least ten years service (any period of  
 leave without pay taken before such com-  
 10 mence- ment being included therein and any  
 period of leave without pay taken after such  
 commencement being excluded therefrom)  
 include any period of leave without pay taken  
 after such commencement where such period  
 does not exceed six months. For the purposes  
 of subsection (2B) of this section "service"  
 shall not include any period of leave without  
 15 pay whether taken before or after the com-  
 mence- ment of the Public Service and Other  
 Statutory Bodies (Extended Leave) Amend-  
 ment Act, 1963.

(2) The Government Railways Act, 1912, as amended  
 20 by subsequent Acts and by this Act, may be cited as the  
 Government Railways Act, 1912-1963.

8. (1) The Transport Act, 1930, as amended by subse-  
 25 quent Acts, is amended—

- (a) by omitting subsection three of section one hundred  
 and seven ;
  - (b) by omitting paragraph (b) of subsection one of  
 section 115F ;
  - (c) (i) by omitting subsection (2A) of section one  
 hundred and twenty-three and by inserting in  
 lieu thereof the following subsections : —
- (2A) Where the services of an officer with  
 at least ten years and less than fifteen years  
 service are terminated or cease for any reason  
 he shall be entitled for ten years service to two  
 30 months

Amendment  
 of Act No.  
 18, 1930.  
 Sec. 107.  
 (Officers  
 convicted of  
 felonies, or  
 imprisoned,  
 etc.)  
 Sec. 115F.  
 (Effect of  
 decision of  
 Board.)  
 Sec. 123.  
 (Annual  
 leave and  
 leave of  
 absence  
 after years  
 of service.)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

5 (2B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor, the Commissioner for Government Transport or the Commissioner for Motor  
10 Transport for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for  
15 fifteen years service (such service to include service as an adult and otherwise than as an adult).

20 For the purposes of this subsection "service as an adult"—

(a) in the case of an officer employed to do any work for which the rate or wage has been fixed by an award made under  
25 the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable to the officer was at a rate  
30 not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification, rank, position, grade or calling as the officer ;

(b)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- 5 (b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in the same trade, classification, rank, position, grade or calling as the officer;
- 10
- 15 (c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- 20 (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection : —
- 25 (3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services 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.
- 30 (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his or her services upon his or her death”;
- 35 (iv)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

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

5 (b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person who, in the opinion of the Commissioner for Government Transport or the Commissioner for Motor Transport, as the case may require, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.

10

15

20

(v) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

25 (vi) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

30 (vii) by omitting from subsection six of the same section the word and symbols “or (2A)” and by inserting in lieu thereof the word and symbols “, (2A) or (2B)”;

35 (viii) by omitting from subsection seven of the same section the words “For the purposes of subsections two and (2A) of this section ‘service’

includes



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

includes any period of leave without pay not exceeding six months” and by inserting in lieu thereof the following new paragraph :—

5 For the purposes of subsections two and (2A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed 10 at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any 15 period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2B) of this section “service” shall 20 not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

25 (2) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

9. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended—

30 (a) by omitting subsection two of section 12A and by inserting in lieu thereof the following subsections :—

Amendment  
of Act No.  
20, 1899.  
Sec. 12A.  
(Leave of  
absence  
after years  
of service.)

35 (2) Where the services of a member of the police force with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave 40 for fifteen years service. (3)

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

5 (3) Where the services of a member of the  
police force with at least five years service as an  
adult and less than ten years service are terminated  
by the Governor or the Commissioner for any  
reason, or by the member on account of illness,  
incapacity or domestic or other pressing necessity,  
he shall be entitled for five years service to one  
months leave on full pay and for service after five  
10 years to a proportionate amount of leave on full  
pay calculated on the basis of three months leave  
for fifteen years service (such service to include  
service as an adult and otherwise than as an adult).

15 For the purposes of this subsection "service as  
an adult" means the period of service during which  
the remuneration applicable to the member was at  
a rate not less than the rate for a constable fixed  
under an award made pursuant to the Industrial  
Arbitration Act, 1940, as amended by subsequent  
20 Acts, or under an industrial agreement made or  
registered pursuant to that Act.

25 (4) For the purposes of subsections one and two  
of this section "service" shall include any period  
of leave without pay taken before the commence-  
ment of the Public Service and Other Statutory  
Bodies (Extended Leave) Amendment Act, 1963,  
and shall in the case of a member of the police  
force who has completed at least ten years service  
(any period of leave without pay taken before such  
commencement being included therein and any  
30 period of leave without pay taken after such com-  
mencement being excluded therefrom) include any  
period of leave without pay taken after such  
commencement where such period does not exceed  
six months. For the purposes of subsection three of  
35 this section "service" shall not include any period  
of leave without pay whether taken before or after  
the commencement of the Public Service and Other  
Statutory Bodies (Extended Leave) Amendment  
Act, 1963. (b)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- (b) (i) by omitting from subsection two of section 12B the words "which would have accrued to such member had his services terminated as referred to in subsection two of section 12A of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section 12A of this Act upon termination of his services upon his death";
- (ii) by inserting next after the same subsection the following new subsection :—
- (2A) Where a member of the police force with at least five years service as an adult and less than ten years service as referred to in subsection three of section 12A of this Act dies, the widow of such member, or if there is no such widow the children of such member, or if there is no such widow or children such person who, in the opinion of the Commissioner, was, at the time of the death of such member, a dependent relative of such member, shall be entitled to receive the money value of the leave which would have accrued to such member had his services terminated as referred to in the said subsection three, computed at the rate of salary such member received at the time of his death.
- (iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (c) by omitting section 12C and by inserting in lieu thereof the following section :—
- 12C. A member of the police force who has acquired a right to extended leave with pay under section 12A of this Act shall upon the termination of
- Sec. 12B.  
(Payment of money value of leave not taken or completed.)
- Substituted sec. 12C.  
Gratuity in lieu of extended leave.

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

5 of his services 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. Any annual superannuation allowance to  
10 which a member of the police force is entitled under  
the Police Regulation (Superannuation) Act, 1906,  
as amended by subsequent Acts, or which may be  
granted to any such member under that Act as so  
amended, shall commence from the date upon  
which his extended leave, if taken, would have  
commenced.

(d) by omitting section 12E.

Sec. 12E.  
(Money  
value of  
leave where  
member  
dismissed.)

(2) The Police Regulation Act, 1899, as amended by  
subsequent Acts and by this Act, may be cited as the Police  
15 Regulation Act, 1899-1963.

**10.** The Government Railways and Transport (Amend-  
ment) Act, 1963, is amended—

Amendment  
of Act No.  
10, 1963.  
(Conse-  
quential.)

(a) by omitting subsections two and three of section  
one;

Sec. 1.  
(Short title  
and  
citation.)

20 (b) by omitting paragraph (b) of section two;

Sec. 2.  
(Annual  
leave,  
extended  
leave and  
retiring  
leave of  
officers.)

(c) by omitting paragraph (b) of section three.

Sec. 3.  
(Annual  
leave and  
leave after  
years of  
service.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963



New South Wales



ANNO DUODECIMO

ELIZABETHÆ II REGINÆ

\*\*\*\*\*

**Act No. 50, 1963.**

An Act to alter the name of the Clerical Division of the Public Service; to make further provision relating to long service leave in respect of officers of the Public Service, the Water Conservation and Irrigation Commission, the Departments of Main Roads, Railways, Government Transport and Motor Transport, and members of the Police Force; for these purposes to amend the Public Service Act, 1902, the Public Service (Amendment) Act, 1919, the Irrigation Act, 1912, the Main Roads Act, 1924, the Government Railways Act, 1912, the Transport Act, 1930, the Police Regulation Act, 1899, and certain other Acts; and for purposes connected therewith. [Assented to, 13th December, 1963.]

BE

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

**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 :—

Short title.     **1.** This Act may be cited as the "Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963".

Amendment of Act No. 31, 1902.     **2.** (1) The Public Service Act, 1902, as amended by subsequent Acts, is amended—

- Sec. 14A. (Determination of grades and salaries.)     (a) by omitting from subsection four of section 14A the words "Special, Professional, and Clerical Divisions" and by inserting in lieu thereof the words "Special Division, Professional Division and Administrative and Clerical Division";
- Sec. 21. (Divisions of Service.)     (b) by omitting from section twenty-one the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";
- Sec. 24. (Clerical Division.)     (c) by omitting from section twenty-four the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";
- Sec. 26. (General Division.)     (d) by omitting from section twenty-six the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";
- Sec. 29. (Separate examinations to be held for the different Divisions.)     (e) by omitting from section twenty-nine the words "Professional, Clerical, and Educational Divisions" and by inserting in lieu thereof the words "Professional Division, Administrative and Clerical Division and Educational Division";
- Sec. 39. (Age of appointees: Clerical Division.)     (f) by omitting from subsection one of section thirty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";
- (g)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- (g) by omitting from section forty-seven the words "Professional or Clerical Divisions" and by inserting in lieu thereof the words "Professional Division or Administrative and Clerical Division"; Sec. 47.  
(Order of promotions, etc.)
- (h) by omitting from subsection one of section forty-eight the words "Professional and Clerical Divisions" and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division"; Sec. 48.  
(Higher and lower grades.)
- (i) by omitting from subsection one of section forty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 49.  
(How vacancies to be filled.)
- (j) by omitting from section fifty the words "Professional and Clerical Divisions" wherever occurring and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division". Sec. 50.  
(Examination before promotion to higher grades of Professional and Clerical Divisions.)

(2) In the construction, and for the purposes of any Act, by-law, regulation, award, agreement or any other instrument or document whatsoever, of the same or a different kind or nature, any reference to, or to be read and taken to refer to the Clerical Division of the Public Service shall be a reference to, or be read and taken to refer to the Administrative and Clerical Division of the Public Service.

3. The Public Service Act, 1902, as amended by subsequent Acts, is further amended— Further amendment of Act No. 31, 1902.

- (a) by omitting from paragraph (d) of subsection two of section fifty-six the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 56.  
(Punishment of offences.)
- (b) by omitting from subsection one of section sixty-one the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 61.  
(Officers convicted of felonies, etc.)

(c)

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

Sec. 61A.  
(Forfeiture  
of leave  
and appeals  
therefrom.)

(c) by omitting section 61A.

Amendment  
of Act No.  
43, 1919.

4. The Public Service (Amendment) Act, 1919, as amended by subsequent Acts, is amended—

Sec. 13.  
(Leave of  
absence  
after years  
of service.)

(a) by omitting subsections two and three of section thirteen and by inserting in lieu thereof the following subsections : —

(2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(3) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Crown, the Governor or the Board for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection “service as an adult”—in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent

Acts,



---

*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

---

Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts or an agreement or determination made pursuant to the Public Service Act, 1902, as amended by subsequent Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award, industrial agreement, agreement or determination for an adult male or adult female in the same trade, classification, calling, group or grade as the officer.

(4) For the purposes of subsections one and two of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection three of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

- (b) by omitting section 13A and by inserting in lieu thereof the following section :—

Substituted  
sec. 13A.

13A. An officer who has acquired a right to extended leave with pay under section thirteen of this Act shall upon the termination of his services 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. Any pension to which any such officer is entitled under the

Gratuity in  
lieu of  
extended  
leave.

Superannuation

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

Sec. 14.  
(Payment  
of money  
value of  
leave not  
taken or  
completed.)

- (c) (i) by omitting from subsection two of section fourteen the words "which would have accrued to such officer had his services terminated as referred to in subsection two of section thirteen of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section thirteen of this Act upon termination of his or her services by reason of his or her death";

- (ii) by inserting next after the same subsection the following new subsection :—

(2A) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection three of section thirteen of this Act dies, the widow or the widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Board, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection three, computed at the rate of salary such officer received at the time of his or her death.

- (iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";

- (iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)".



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

5. (1) The Irrigation Act, 1912, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
73, 1912.

- (a) by omitting subsection two of section 5c and by inserting in lieu thereof the following subsections :—

Sec. 5c.  
(Leave of  
absence  
after years  
of service.)

(2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(2A) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commission for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

- (a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification or calling as the officer ;

- (b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.

(2B) For the purposes of subsections one and two of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein, and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2A) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

Sec. 5D.

(Payment of money value of leave not taken or completed.)

- (b) (i) by omitting from subsection two of section 5D the words “which would have accrued to such officer had his services terminated as referred to in subsection two of section 5C of this Act” and by inserting in lieu thereof the words “accrued under subsection two of section 5C of this Act upon termination of his or her services by reason of his or her death”;
- (ii)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- (ii) by inserting next after the same subsection the following new subsection :—

(2A) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2A) of section 5c of this Act dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Commission, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2A), computed at the rate of salary such officer received at the time of his or her death.

- (iii) by omitting from subsection three of the same section the words “or two” and by inserting in lieu thereof the words and symbols “, two or (2A)”;

- (iv) by omitting from subsection four of the same section the words “or two” and by inserting in lieu thereof the words and symbols “, two or (2A)”;

- (c) by omitting section 5E and by inserting in lieu thereof the following section :—

Substituted  
sec. 5E.

5E. An officer who has acquired a right to extended leave with pay under subsection one, two or (2A) of section 5c of this Act shall upon the termination of his services 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. Any pension to which such officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

Gratuity in  
lieu of  
extended  
leave.

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

(2) The Irrigation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Irrigation Act, 1912-1963.

Amendment  
of Act No.  
24, 1924.

Sec. 7A.  
(Leave of  
absence  
after years  
of service.)

**6.** (1) The Main Roads Act, 1924, as amended by subsequent Acts, is amended—

(a) by omitting subsection (1A) of section 7A and by inserting in lieu thereof the following subsections :—

(1A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(1B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection “service as an adult”—

(a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent

Acts,



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts or a determination made pursuant to this Act—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award, industrial agreement or determination for an adult male or adult female in the same trade, classification or calling as the officer ;

(b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award, industrial agreement or determination referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.

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

(2) A Commissioner, an Assistant Commissioner or an officer who has acquired a right to extended leave with pay under subsection one, (1A) or (1B) of this section shall upon the termination of his services 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. Any pension to which any such Commissioner, Assistant Commissioner or officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

(c) by omitting subsection (2A) of the same section ;  
 (d) by omitting from paragraph (b) of subsection (4A) of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (1A) of this section”

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

section” and by inserting in lieu thereof the words “accrued under subsection (1A) of this section upon termination of his or her services by reason of his or her death”;

(e) by inserting next after paragraph (b) of the same subsection the following new paragraph :—

(b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (1B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Commissioner, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (1B), computed at the rate of salary such officer received at the time of his or her death.

(f) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

(g) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

(h) by inserting at the end of the same section the following new subsection :—

(6) For the purposes of subsections one and (1A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory

Bodies



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (1B) of this section, "service" shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1963.

7. (1) The Government Railways Act, 1912, as amended by subsequent Acts, is amended—

Amendment of Act No. 30, 1912.

(a) by omitting subsection three of section eighty;

Sec. 80.  
(Officers convicted of felonies or imprisoned, etc.)

(b) by omitting paragraph (b) of subsection one of section ninety-three;

Sec. 93.  
(Effect of decision of Board.)

(c) (i) by omitting subsection (2A) of section 100A and by inserting in lieu thereof the following subsections :—

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

(2A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after

ten

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(2B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for Railways for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

- (a) in the case of an officer employed to do any work for which the rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification, rank, position, grade or calling as the officer;

(b)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in the same trade, classification, rank, position, grade or calling as the officer;
- (c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—
- (3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services 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.
- (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his or her services by reason of his or her death”;
- (iv)

---

*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

---

- (iv) by inserting next after the same paragraph the following new paragraph : —
- (b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person who, in the opinion of the Commissioner for Railways, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.
- (v) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (vi) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (vii) by omitting from subsection six of the same section the word and symbols “or (2A)” and by inserting in lieu thereof the word and symbols “, (2A) or (2B)”;
- (viii) by omitting from subsection seven of the same section the words “For the purposes of subsections two and (2A) of this section ‘service’ includes any period of leave without pay not exceeding six months.” and by inserting in lieu thereof the following paragraph : —

For the purposes of subsections two and (2A) of this section “service” shall include any period of leave without pay taken before the commencement



*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2B) of this section "service" shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1963.

8. (1) The Transport Act, 1930, as amended by subsequent Acts, is amended—

(a) by omitting subsection three of section one hundred and seven; Amendment of Act No. 18, 1930.  
Sec. 107.  
(Officers convicted of felonies, or imprisoned, etc.)

(b) by omitting paragraph (b) of subsection one of section 115F; Sec. 115F.  
(Effect of decision of Board.)

(c) (i) by omitting subsection (2A) of section one hundred and twenty-three and by inserting in lieu thereof the following subsections :— Sec. 123.  
(Annual leave and leave of absence after years of service.)

(2A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(2B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor, the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

- (a) in the case of an officer employed to do any work for which the rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification, rank, position, grade or calling as the officer ;

(b)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in the same trade, classification, rank, position, grade or calling as the officer;
- (c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection :—
- (3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services 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.
- (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his or her services upon his or her death”;
- (iv)

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (iv) by inserting next after the same paragraph the following new paragraph :—

(b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person who, in the opinion of the Commissioner for Government Transport or the Commissioner for Motor Transport, as the case may require, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.

- (v) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (vi) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (vii) by omitting from subsection six of the same section the word and symbols “or (2A)” and by inserting in lieu thereof the word and symbols “, (2A) or (2B)”;
- (viii) by omitting from subsection seven of the same section the words “For the purposes of subsections two and (2A) of this section ‘service’

includes



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

includes any period of leave without pay not exceeding six months” and by inserting in lieu thereof the following new paragraph :—

For the purposes of subsections two and (2A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2B) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

(2) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

9. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended—

(a) by omitting subsection two of section 12A and by inserting in lieu thereof the following subsections :—

(2) Where the services of a member of the police force with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(3)

Amendment  
of Act No.  
20, 1899.  
Sec. 12A.  
(Leave of  
absence  
after years  
of service.)

---

*Public Service and Other Statutory Bodies (Extended Leave) Amendment.*

---

(3) Where the services of a member of the police force with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for any reason, or by the member on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult" means the period of service during which the remuneration applicable to the member was at a rate not less than the rate for a constable fixed under an award made pursuant to the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or under an industrial agreement made or registered pursuant to that Act.

(4) For the purposes of subsections one and two of this section "service" shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of a member of the police force who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection three of this section "service" shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963. (b)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (b) (i) by omitting from subsection two of section 12B the words "which would have accrued to such member had his services terminated as referred to in subsection two of section 12A of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section 12A of this Act upon termination of his services upon his death"; Sec. 12B.  
(Payment of money value of leave not taken or completed.)
- (ii) by inserting next after the same subsection the following new subsection :—
- (2A) Where a member of the police force with at least five years service as an adult and less than ten years service as referred to in subsection three of section 12A of this Act dies, the widow of such member, or if there is no such widow the children of such member, or if there is no such widow or children such person who, in the opinion of the Commissioner, was, at the time of the death of such member, a dependent relative of such member, shall be entitled to receive the money value of the leave which would have accrued to such member had his services terminated as referred to in the said subsection three, computed at the rate of salary such member received at the time of his death.
- (iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (c) by omitting section 12C and by inserting in lieu thereof the following section :— Substituted sec. 12C.
- 12C. A member of the police force who has acquired a right to extended leave with pay under section 12A of this Act shall upon the termination of Gratuity in lieu of extended leave.

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

of his services 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. Any annual superannuation allowance to which a member of the police force is entitled under the Police Regulation (Superannuation) Act, 1906, as amended by subsequent Acts, or which may be granted to any such member under that Act as so amended, shall commence from the date upon which his extended leave, if taken, would have commenced.

Sec. 12E.  
(Money value of leave where member dismissed.)

(d) by omitting section 12E.

(2) The Police Regulation Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation Act, 1899-1963.

Amendment of Act No. 10, 1963.  
(Consequential.)

**10.** The Government Railways and Transport (Amendment) Act, 1963, is amended—

Sec. 1.  
(Short title and citation.)

(a) by omitting subsections two and three of section one;

Sec. 2.  
(Annual leave, extended leave and retiring leave of officers.)

(b) by omitting paragraph (b) of section two;

Sec. 3.  
(Annual leave and leave after years of service.)

(c) by omitting paragraph (b) of section three.

---

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1964



*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 December, 1963, A.M.*

## New South Wales



ANNO DUODECIMO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

### Act No 50, 1963.

An Act to alter the name of the Clerical Division of the Public Service; to make further provision relating to long service leave in respect of officers of the Public Service, the Water Conservation and Irrigation Commission, the Departments of Main Roads, Railways, Government Transport and Motor Transport, and members of the Police Force; for these purposes to amend the Public Service Act, 1902, the Public Service (Amendment) Act, 1919, the Irrigation Act, 1912, the Main Roads Act, 1924, the Government Railways Act, 1912, the Transport Act, 1930, the Police Regulation Act, 1899, and certain other Acts; and for purposes connected therewith. [Assented to, 13th December, 1963.] BE

*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 Other Statutory Bodies (Extended Leave)  
Amendment.*

**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 :—

Short title.      **1.** This Act may be cited as the "Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963".

Amendment of Act No. 31, 1902.      **2.** (1) The Public Service Act, 1902, as amended by subsequent Acts, is amended—

- |   |   |
|---|---|
| <p>Sec. 14A.<br/>(Determina<br/>tion of<br/>grades and<br/>salaries.)</p>                                 | <p>(a) by omitting from subsection four of section 14A the words "Special, Professional, and Clerical Divisions" and by inserting in lieu thereof the words "Special Division, Professional Division and Administrative and Clerical Division";</p> |
| <p>Sec. 21.<br/>(Divisions<br/>of Service.)</p>   | <p>(b) by omitting from section twenty-one the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";</p>  |
| <p>Sec. 24.<br/>(Clerical<br/>Division.)</p>  | <p>(c) by omitting from section twenty-four the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";</p>   |
| <p>Sec. 26.<br/>(General<br/>Division.)</p>   | <p>(d) by omitting from section twenty-six the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";</p>  |
| <p>Sec. 29.<br/>(Separate<br/>examina-<br/>tions to be<br/>held for the<br/>different<br/>Divisions.)</p> | <p>(e) by omitting from section twenty-nine the words "Professional, Clerical, and Educational Divisions" and by inserting in lieu thereof the words "Professional Division, Administrative and Clerical Division and Educational Division";</p>    |
| <p>Sec. 39.<br/>(Age of<br/>appointees:<br/>Clerical<br/>Division.)</p>                                   | <p>(f) by omitting from subsection one of section thirty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";</p>   |
- (g)



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

- (g) by omitting from section forty-seven the words "Professional or Clerical Divisions" and by inserting in lieu thereof the words "Professional Division or Administrative and Clerical Division"; Sec. 47.  
(Order of promotions, etc.)
- (h) by omitting from subsection one of section forty-eight the words "Professional and Clerical Divisions" and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division"; Sec. 48.  
(Higher and lower grades.)
- (i) by omitting from subsection one of section forty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical"; Sec. 49.  
(How vacancies to be filled.)
- (j) by omitting from section fifty the words "Professional and Clerical Divisions" wherever occurring and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division". Sec. 50.  
(Examination before promotion to higher grades of Professional and Clerical Divisions.)

(2) In the construction, and for the purposes of any Act, by-law, regulation, award, agreement or any other instrument or document whatsoever, of the same or a different kind or nature, any reference to, or to be read and taken to refer to the Clerical Division of the Public Service shall be a reference to, or be read and taken to refer to the Administrative and Clerical Division of the Public Service.

3. The Public Service Act, 1902, as amended by subsequent Acts, is further amended— Further amendment of Act No. 31, 1902.

- (a) by omitting from paragraph (d) of subsection two of section fifty-six the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 56.  
(Punishment of offences.)
- (b) by omitting from subsection one of section sixty-one the words "or deprive him of his leave of absence during such time as the Board thinks fit,"; Sec. 61.  
(Officers convicted of felonies, etc.)
- (c)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

Sec. 61A.  
(Forfeiture  
of leave  
and appeals  
therefrom.)

(c) by omitting section 61A.

Amendment  
of Act No.  
43, 1919.

4. The Public Service (Amendment) Act, 1919, as amended by subsequent Acts, is amended—

Sec. 13.  
(Leave of  
absence  
after years  
of service.)

(a) by omitting subsections two and three of section thirteen and by inserting in lieu thereof the following subsections : —

(2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(3) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Crown, the Governor or the Board for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent  
Acts,



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts or an agreement or determination made pursuant to the Public Service Act, 1902, as amended by subsequent Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award, industrial agreement, agreement or determination for an adult male or adult female in the same trade, classification, calling, group or grade as the officer.

(4) For the purposes of subsections one and two of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection three of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

- (b) by omitting section 13A and by inserting in lieu thereof the following section :—

13A. An officer who has acquired a right to extended leave with pay under section thirteen of this Act shall upon the termination of his services 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. Any pension to which any such officer is entitled under the Superannuation

Substituted  
sec. 13A.

Gratuity in  
lieu of  
extended  
leave.



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

Sec. 14.  
(Payment  
of money  
value of  
leave not  
taken or  
completed.)

- (c) (i) by omitting from subsection two of section fourteen the words "which would have accrued to such officer had his services terminated as referred to in subsection two of section thirteen of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section thirteen of this Act upon termination of his or her services by reason of his or her death";
- (ii) by inserting next after the same subsection the following new subsection : —
- (2A) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection three of section thirteen of this Act dies, the widow or the widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Board, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection three, computed at the rate of salary such officer received at the time of his or her death.
- (iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)".



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

5. (1) The Irrigation Act, 1912, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
73, 1912.

(a) by omitting subsection two of section 5c and by inserting in lieu thereof the following subsections :—

Sec. 5c.  
(Leave of  
absence  
after years  
of service.)

(2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(2A) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commission for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

(a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification or calling as the officer ;

- (b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.

(2B) For the purposes of subsections one and two of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein, and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2A) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

Sec. 5D.  
(Payment of money value of leave not taken or completed.)

- (b) (i) by omitting from subsection two of section 5D the words “which would have accrued to such officer had his services terminated as referred to in subsection two of section 5C of this Act” and by inserting in lieu thereof the words “accrued under subsection two of section 5C of this Act upon termination of his or her services by reason of his or her death”;
- (ii)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (ii) by inserting next after the same subsection the following new subsection :—

(2A) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2A) of section 5C of this Act dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Commission, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2A), computed at the rate of salary such officer received at the time of his or her death.

- (iii) by omitting from subsection three of the same section the words “or two” and by inserting in lieu thereof the words and symbols “, two or (2A)”;

- (iv) by omitting from subsection four of the same section the words “or two” and by inserting in lieu thereof the words and symbols “, two or (2A)”;

- (c) by omitting section 5E and by inserting in lieu thereof the following section :—

5E. An officer who has acquired a right to extended leave with pay under subsection one, two or (2A) of section 5C of this Act shall upon the termination of his services 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. Any pension to which such officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

Substituted  
sec. 5E.

Gratuity in  
lieu of  
extended  
leave.

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

(2) The Irrigation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Irrigation Act, 1912-1963.

Amendment  
of Act No.  
24, 1924.

Sec. 7A.  
(Leave of  
absence  
after years  
of service.)

6. (1) The Main Roads Act, 1924, as amended by subsequent Acts, is amended—

(a) by omitting subsection (1A) of section 7A and by inserting in lieu thereof the following subsections :—

(1A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(1B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

(a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts,



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts or a determination made pursuant to this Act—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award, industrial agreement or determination for an adult male or adult female in the same trade, classification or calling as the officer ;

- (b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award, industrial agreement or determination referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- (b) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—
- (2) A Commissioner, an Assistant Commissioner or an officer who has acquired a right to extended leave with pay under subsection one, (1A) or (1B) of this section shall upon the termination of his services 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. Any pension to which any such Commissioner, Assistant Commissioner or officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.
- (c) by omitting subsection (2A) of the same section ;
- (d) by omitting from paragraph (b) of subsection (4A) of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (1A) of this section”



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

section” and by inserting in lieu thereof the words “accrued under subsection (1A) of this section upon termination of his or her services by reason of his or her death”;

- (e) by inserting next after paragraph (b) of the same subsection the following new paragraph :—

(b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (1B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Commissioner, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (1B), computed at the rate of salary such officer received at the time of his or her death.

- (f) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

- (g) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;

- (h) by inserting at the end of the same section the following new subsection :—

(6) For the purposes of subsections one and (1A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory

**Bodies**



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (1B) of this section, "service" shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1963.

7. (1) The Government Railways Act, 1912, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
30, 1912.

(a) by omitting subsection three of section eighty;

Sec. 80.  
(Officers  
convicted of  
felonies or  
imprisoned,  
etc.)

(b) by omitting paragraph (b) of subsection one of section ninety-three;

Sec. 93.  
(Effect of  
decision of  
Board.)

(c) (i) by omitting subsection (2A) of section 100A and by inserting in lieu thereof the following subsections:—

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

(2A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after

**ten**

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(2B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for Railways for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

(a) in the case of an officer employed to do any work for which the rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification, rank, position, grade or calling as the officer;

(b)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in the same trade, classification, rank, position, grade or calling as the officer ;
  - (c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection :—
- (3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services 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.
- (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his or her services by reason of his or her death” ;
- (iv)

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (iv) by inserting next after the same paragraph the following new paragraph :—

(b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person who, in the opinion of the Commissioner for Railways, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.

- (v) by omitting from paragraph (c) of the same subsection the word and symbols "or (b)" and by inserting in lieu thereof the word and symbols ", (b) or (b1)";
- (vi) by omitting from paragraph (d) of the same subsection the word and symbols "or (b)" and by inserting in lieu thereof the word and symbols ", (b) or (b1)";
- (vii) by omitting from subsection six of the same section the word and symbols "or (2A)" and by inserting in lieu thereof the word and symbols ", (2A) or (2B)";
- (viii) by omitting from subsection seven of the same section the words "For the purposes of subsections two and (2A) of this section 'service' includes any period of leave without pay not exceeding six months." and by inserting in lieu thereof the following paragraph :—

For the purposes of subsections two and (2A) of this section "service" shall include any period of leave without pay taken before the commencement



*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2B) of this section "service" shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1963.

8. (1) The Transport Act, 1930, as amended by subsequent Acts, is amended—
- (a) by omitting subsection three of section one hundred and seven; Amendment of Act No. 18, 1930.  
Sec. 107.  
(Officers convicted of felonies, or imprisoned, etc.)
- (b) by omitting paragraph (b) of subsection one of section 115F; Sec. 115F.  
(Effect of decision of Board.)
- (c) (i) by omitting subsection (2A) of section one hundred and twenty-three and by inserting in lieu thereof the following subsections :— Sec. 123.  
(Annual leave and leave of absence after years of service.)
- (2A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two **months**

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(2B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor, the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

- (a) in the case of an officer employed to do any work for which the rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification, rank, position, grade or calling as the officer ;
- (b)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in the same trade, classification, rank, position, grade or calling as the officer ;
  - (c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- (ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection :—
- (3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services 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.
- (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his or her services upon his or her death”;
- (iv)

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (iv) by inserting next after the same paragraph the following new paragraph : —

(b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person who, in the opinion of the Commissioner for Government Transport or the Commissioner for Motor Transport, as the case may require, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.

- (v) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (vi) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (vii) by omitting from subsection six of the same section the word and symbols “or (2A)” and by inserting in lieu thereof the word and symbols “, (2A) or (2B)”;
- (viii) by omitting from subsection seven of the same section the words “For the purposes of subsections two and (2A) of this section ‘service’
- includes



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

includes any period of leave without pay not exceeding six months” and by inserting in lieu thereof the following new paragraph :—

For the purposes of subsections two and (2A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2B) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

(2) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

9. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended—

(a) by omitting subsection two of section 12A and by inserting in lieu thereof the following subsections :—

(2) Where the services of a member of the police force with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(3)

Amendment  
of Act No.  
20, 1899.  
Sec. 12A.  
(Leave of  
absence  
after years  
of service.)

---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

(3) Where the services of a member of the police force with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for any reason, or by the member on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult" means the period of service during which the remuneration applicable to the member was at a rate not less than the rate for a constable fixed under an award made pursuant to the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or under an industrial agreement made or registered pursuant to that Act.

(4) For the purposes of subsections one and two of this section "service" shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of a member of the police force who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection three of this section "service" shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963. (b)



---

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

---

- (b) (i) by omitting from subsection two of section 12B the words "which would have accrued to such member had his services terminated as referred to in subsection two of section 12A of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section 12A of this Act upon termination of his services upon his death"; Sec. 12B.  
(Payment of money value of leave not taken or completed.)
- (ii) by inserting next after the same subsection the following new subsection : —
- (2A) Where a member of the police force with at least five years service as an adult and less than ten years service as referred to in subsection three of section 12A of this Act dies, the widow of such member, or if there is no such widow the children of such member, or if there is no such widow or children such person who, in the opinion of the Commissioner, was, at the time of the death of such member, a dependent relative of such member, shall be entitled to receive the money value of the leave which would have accrued to such member had his services terminated as referred to in the said subsection three, computed at the rate of salary such member received at the time of his death.
- (iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (c) by omitting section 12C and by inserting in lieu thereof the following section : — Substituted sec. 12C.
- 12C. A member of the police force who has acquired a right to extended leave with pay under section 12A of this Act shall upon the termination of Gratuity in lieu of extended leave.

*Public Service and Other Statutory Bodies (Extended Leave)  
Amendment.*

of his services 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. Any annual superannuation allowance to which a member of the police force is entitled under the Police Regulation (Superannuation) Act, 1906, as amended by subsequent Acts, or which may be granted to any such member under that Act as so amended, shall commence from the date upon which his extended leave, if taken, would have commenced.

Sec. 12E.  
(Money value of leave where member dismissed.)

(d) by omitting section 12E.

(2) The Police Regulation Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation Act, 1899-1963.

Amendment of Act No. 10, 1963.  
(Consequential.)

**10.** The Government Railways and Transport (Amendment) Act, 1963, is amended—

Sec. 1.  
(Short title and citation.)

(a) by omitting subsections two and three of section one;

Sec. 2.  
(Annual leave, extended leave and retiring leave of officers.)

(b) by omitting paragraph (b) of section two;

Sec. 3.  
(Annual leave and leave after years of service.)

(c) by omitting paragraph (b) of section three.

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

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

*Government House,  
Sydney, 13th December, 1963.*