

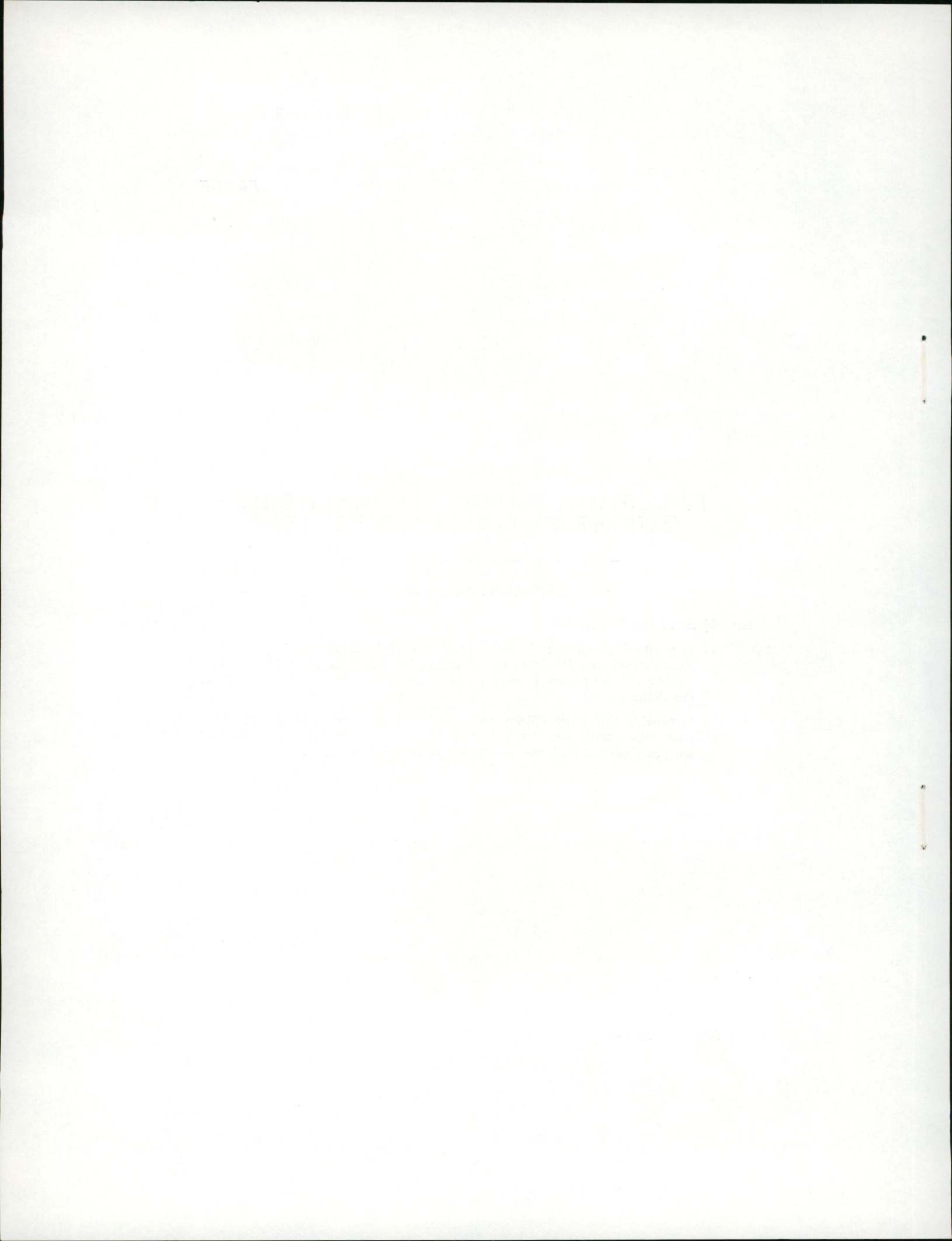
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**PUBLIC SERVICE AND OTHER STATUTORY BODIES
(EXTENDED LEAVE) AMENDMENT BILL, 1970**

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to grant additional extended leave to officers of the Public Service, the Water Conservation and Irrigation Commission, the Departments of Main Roads, Railways, Government Transport and Motor Transport, and to members of the Police Force;
- (b) to provide that those officers and members respectively who are dismissed from their employment for serious and wilful misconduct before completing ten years' service shall not be entitled to extended leave.



No. . 1970.

A BILL

To provide additional extended leave for certain persons; to withdraw certain rights relating to extended leave from certain persons dismissed from their employment for serious and wilful misconduct; for these purposes to amend the Public Service (Amendment) Act, 1919, the Irrigation Act, 1912, the Main Roads Act, 1924, the Government Railways Act, 1912, the Transport Act, 1930, and the Police Regulation Act, 1899; and for purposes connected therewith.

[MR FREUDENSTEIN—2 September, 1970.]

BE

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

5 **BE** it enacted by the Queen's Most Excellent Majesty, by
and with the advice and consent of the Legislative
Council and Legislative Assembly of New South Wales in
Parliament assembled, and by the authority of the same, as
follows :—

1. This Act may be cited as the "Public Service and Short title.
Other Statutory Bodies (Extended Leave) Amendment Act,
1970".

10 2. The Public Service (Amendment) Act, 1919, is Amendment
amended— of Act No.
43, 1919.

(a) by omitting subsection one of section thirteen and Sec. 13.
by inserting in lieu thereof the following sub- (Leave of
sections :— absence
after years
of service.)

15 (1) Subject to this section, an officer shall be
entitled—

(a) after service for ten years, to leave for two
months on full pay or four months on half
pay;

20 (b) after service in excess of ten years but less
than fifteen years, to—

(i) leave pursuant to paragraph (a) of
this subsection; and

25 (ii) in addition, an amount of leave
proportionate to his length of
service after ten years, calculated on
the basis of one month on full pay,
or two months on half pay, for five
years served after service for ten
years;

(c)

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- (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;
- 5 (d) after service in excess of fifteen years but less than thirty years, to—
 - (i) leave pursuant to paragraph (c) of this subsection; and
 - 10 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten years served after service for fifteen years;
- 15 (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- (f) after service in excess of thirty years, to—
 - 20 (i) leave pursuant to paragraph (e) of this subsection; and
 - 25 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay, for ten years served after service for thirty years.
- 30 (2) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—
 - 35 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;
 - (b)

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(b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—

5

(i) any extended leave, or leave in the nature of extended leave; and

(ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,

10

taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

15

(c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

20

but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

25

(b) by inserting in subsection three of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

3. The Irrigation Act, 1912, is amended—

30

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

Amendment of Act No. 73, 1912. Sec. 5c. (Leave of absence after years of service.)

(1) Subject to this section, an officer shall be entitled—

35

(a) after service for ten years, to leave for two months on full pay or four months on half pay;

(b)

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Amendment.*

- (b) after service in excess of ten years but less than fifteen years, to—
- (i) leave pursuant to paragraph (a) of this subsection; and
 - 5 (ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or 10 two months on half pay, for five years served after service for ten years;
- (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;
- 15 (d) after service in excess of fifteen years but less than thirty years, to—
- (i) leave pursuant to paragraph (c) of this subsection; and
 - 20 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten 25 years served after service for fifteen years;
- (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- (f) after service in excess of thirty years, to—
- 30 (i) leave pursuant to paragraph (e) of this subsection; and
 - (ii)

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5 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay, for ten years served after service for thirty years.

10 (2) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—

15 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;

(b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—

20 (i) any extended leave, or leave in the nature of extended leave; and

(ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,

25 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

30 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

but nothing in this subsection shall be construed as authorising, in respect of the same period of leave

taken

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Amendment.*

taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

- 5 (b) by inserting in subsection (2A) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

4. The Main Roads Act, 1924, is amended—

Amendment
of Act No.
24, 1924.

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

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

15 (1) Subject to this section, a Commissioner appointed under the Transport (Division of Functions) Act, 1932, an Assistant Commissioner so appointed and an officer shall be entitled—

- (a) after service for ten years, to leave for two months on full pay or four months on half pay;
- 20 (b) after service in excess of ten years but less than fifteen years, to—
- (i) leave pursuant to paragraph (a) of this subsection; and
- 25 (ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or two months on half pay, for five years served after service for ten years;
- 30 (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;

(d)

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- (d) after service in excess of fifteen years but less than thirty years, to—
- (i) leave pursuant to paragraph (c) of this subsection; and
 - 5 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten
10 years served after service for fifteen years;
- (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- 15 (f) after service in excess of thirty years, to—
- (i) leave pursuant to paragraph (e) of this subsection; and
 - 20 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay,
25 for ten years served after service for thirty years.
- (1A) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—
- 30 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;
 - (b)

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- (b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—
 - (i) any extended leave, or leave in the nature of extended leave; and
 - (ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,
- taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and
- (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

- (b) by inserting in subsection (1B) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

5. The Government Railways Act, 1912, is amended—

Amendment of Act No. 30, 1912.

- (a) by omitting subsection two of section 100A and by inserting in lieu thereof the following subsections :—
 - (2) Subject to this section, an officer shall be entitled—
 - (a) after service for ten years, to leave for two months on full pay or four months on half pay;
 - (b)

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

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Amendment.*

- (b) after service in excess of ten years but less than fifteen years, to—
 - (i) leave pursuant to paragraph (a) of this subsection; and
 - 5 (ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or two months on half pay, for five 10 years served after service for ten years;
- (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;
- 15 (d) after service in excess of fifteen years but less than thirty years, to—
 - (i) leave pursuant to paragraph (c) of this subsection; and
 - 20 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten 25 years served after service for fifteen years;
- (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- (f) after service in excess of thirty years, to—
 - 30 (i) leave pursuant to paragraph (e) of this subsection; and
 - (ii)

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Amendment.*

5 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay, for ten years served after service for thirty years.

10 (2A) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—

15 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;

(b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—

20 (i) any extended leave, or leave in the nature of extended leave; and

(ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,

25 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

30 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

35 but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under

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under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

5 (b) by inserting in subsection (2B) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

6. The Transport Act, 1930, is amended—

Amendment of Act No. 18, 1930.

10 (a) by omitting subsection two 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.)

(2) Subject to this section, an officer shall be entitled—

15 (a) after service for ten years, to leave for two months on full pay or four months on half pay;

(b) after service in excess of ten years but less than fifteen years, to—

20 (i) leave pursuant to paragraph (a) of this subsection; and

(ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or two months on half pay, for five years served after service for ten years;

(c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;

30 (d) after service in excess of fifteen years but less than thirty years, to—

(i) leave pursuant to paragraph (c) of this subsection; and

(ii)

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Amendment.*

- 5 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten years served after service for fifteen years;
- 10 (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- (f) after service in excess of thirty years, to—
- 15 (i) leave pursuant to paragraph (e) of this subsection; and
- 20 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay, for ten years served after service for thirty years.
- (2A) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—
- 25 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;
- (b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—
- 30 (i) any extended leave, or leave in the nature of extended leave; and

(ii)

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(ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,

5 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

10 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

15 but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

20 (b) by inserting in subsection (2B) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

7. The Police Regulation Act, 1899, is amended—

Amendment of Act No. 20, 1899.

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

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

(1) Subject to this section, a member of the police force shall be entitled—

30 (a) after service for ten years, to leave for two months on full pay or four months on half pay;

(b) after service in excess of ten years but less than fifteen years, to—

(i) leave pursuant to paragraph (a) of this subsection; and

(ii)

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Amendment.*

- 5 (ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or two months on half pay, for five years served after service for ten years;
- 10 (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;
- (d) after service in excess of fifteen years but less than thirty years, to—
- 15 (i) leave pursuant to paragraph (c) of this subsection; and
- 20 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten years served after service for fifteen years;
- (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- 25 (f) after service in excess of thirty years, to—
- (i) leave pursuant to paragraph (e) of this subsection; and
- 30 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay, for ten years served after service for thirty years.
- 35

(2)

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

(2) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—

5 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;

10 (b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—

(i) any extended leave, or leave in the nature of extended leave; and

15 (ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,

20 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

(c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

25 but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

30 (b) by inserting in subsection three of the same section after the words "for any reason" the words "other than the member's serious and wilful misconduct".

BY AUTHORITY:

Public Service and other Statutory Bodies (Extended Leave)

It is 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, 1970."

No. , 1970.

A BILL

To provide additional extended leave for certain persons; to withdraw certain rights relating to extended leave from certain persons dismissed from their employment for serious and wilful misconduct; for these purposes to amend the Public Service (Amendment) Act, 1919, the Irrigation Act, 1912, the Main Roads Act, 1924, the Government Railways Act, 1912, the Transport Act, 1930, and the Police Regulation Act, 1899; and for purposes connected therewith.

[MR FREUDENSTEIN—2 September, 1970.]

BE

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

BE it enacted by the Queen's Most Excellent Majesty, by
and with the advice and consent of the Legislative
Council and Legislative Assembly of New South Wales in
Parliament assembled, and by the authority of the same, as
5 follows :—

1. This Act may be cited as the "Public Service and Short title.
Other Statutory Bodies (Extended Leave) Amendment Act,
1970".

2. The Public Service (Amendment) Act, 1919, is Amendment
10 amended— of Act No.
43, 1919.

(a) by omitting subsection one of section thirteen and Sec. 13.
by inserting in lieu thereof the following sub- (Leave of
sections :— absence
after years
of service.)

(1) Subject to this section, an officer shall be
15 entitled—

(a) after service for ten years, to leave for two
months on full pay or four months on half
pay;

(b) after service in excess of ten years but less
20 than fifteen years, to—

(i) leave pursuant to paragraph (a) of
this subsection; and

(ii) in addition, an amount of leave
25 proportionate to his length of
service after ten years, calculated on
the basis of one month on full pay,
or two months on half pay, for five
years served after service for ten
years;

(c)

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Amendment.*

- (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;
- 5 (d) after service in excess of fifteen years but less than thirty years, to—
- (i) leave pursuant to paragraph (c) of this subsection; and
- 10 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten years served after service for fifteen years;
- 15 (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- (f) after service in excess of thirty years, to—
- 20 (i) leave pursuant to paragraph (e) of this subsection; and
- 25 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay, for ten years served after service for thirty years.
- 30 (2) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—
- (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;
- 35 (b)

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- (b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—
 - 5 (i) any extended leave, or leave in the nature of extended leave; and
 - (ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,
 - 10 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

- 15 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

- 25 (b) by inserting in subsection three of the same section after the words “for any reason” the words “other than the officer’s serious and wilful misconduct”.

3. The Irrigation Act, 1912, is amended—

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

Amendment of Act No. 73, 1912. Sec. 5c. (Leave of absence after years of service.)

- (1) Subject to this section, an officer shall be entitled—

- 35 (a) after service for ten years, to leave for two months on full pay or four months on half pay;

(b)

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Amendment.*

- (b) after service in excess of ten years but less than fifteen years, to—
 - (i) leave pursuant to paragraph (a) of this subsection; and
 - 5 (ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or 10 two months on half pay, for five years served after service for ten years;
- (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;
- 15 (d) after service in excess of fifteen years but less than thirty years, to—
 - (i) leave pursuant to paragraph (c) of this subsection; and
 - 20 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten 25 years served after service for fifteen years;
- (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- (f) after service in excess of thirty years, to—
 - 30 (i) leave pursuant to paragraph (e) of this subsection; and
 - (ii)

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Amendment.*

5 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay, for ten years served after service for thirty years.

10 (2) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—

15 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;

(b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—

20 (i) any extended leave, or leave in the nature of extended leave; and

(ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,

25 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

30 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

but nothing in this subsection shall be construed as authorising, in respect of the same period of leave

taken

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taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

- 5 (b) by inserting in subsection (2A) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

4. The Main Roads Act, 1924, is amended—

Amendment of Act No. 24, 1924.

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

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

15 (1) Subject to this section, a Commissioner appointed under the Transport (Division of Functions) Act, 1932, an Assistant Commissioner so appointed and an officer shall be entitled—

- (a) after service for ten years, to leave for two months on full pay or four months on half pay;
- 20 (b) after service in excess of ten years but less than fifteen years, to—
 - (i) leave pursuant to paragraph (a) of this subsection; and
 - 25 (ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or two months on half pay, for five years served after service for ten years;
 - 30 (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;

(d)

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Amendment.*

(d) after service in excess of fifteen years but less than thirty years, to—

(i) leave pursuant to paragraph (c) of this subsection; and

5 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay,
10 or six months on half pay, for ten years served after service for fifteen years;

(e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;

15 (f) after service in excess of thirty years, to—

(i) leave pursuant to paragraph (e) of this subsection; and

20 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven
25 and one half months on half pay, for ten years served after service for thirty years.

(1A) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—

30 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;

(b)

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(b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—

5 (i) any extended leave, or leave in the nature of extended leave; and

(ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,

10 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

15 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

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(b) by inserting in subsection (1B) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

25

5. The Government Railways Act, 1912, is amended— Amendment of Act No. 30, 1912.

(a) by omitting subsection two of section 100A and by inserting in lieu thereof the following subsections :— Sec. 100A. (Annual leave, extended leave and retiring leave of officers.)

30

(2) Subject to this section, an officer shall be entitled—

(a) after service for ten years, to leave for two months on full pay or four months on half pay;

35

(b)

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- (b) after service in excess of ten years but less than fifteen years, to—
- (i) leave pursuant to paragraph (a) of this subsection; and
 - 5 (ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or two months on half pay, for five
10 years served after service for ten years;
- (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;
- 15 (d) after service in excess of fifteen years but less than thirty years, to—
- (i) leave pursuant to paragraph (c) of this subsection; and
 - 20 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten
25 years served after service for fifteen years;
- (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- (f) after service in excess of thirty years, to—
- 30 (i) leave pursuant to paragraph (e) of this subsection; and
 - (ii)

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5 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay, for ten years served after service for thirty years.

10 (2A) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—

15 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;

(b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—

20 (i) any extended leave, or leave in the nature of extended leave; and

(ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,

25 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

30 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

35 but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under

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under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

5 (b) by inserting in subsection (2B) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

6. The Transport Act, 1930, is amended—

Amendment of Act No. 18, 1930.

10 (a) by omitting subsection two 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.)

(2) Subject to this section, an officer shall be entitled—

15 (a) after service for ten years, to leave for two months on full pay or four months on half pay;

(b) after service in excess of ten years but less than fifteen years, to—

20 (i) leave pursuant to paragraph (a) of this subsection; and

(ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or two months on half pay, for five years served after service for ten years;

25 (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;

30 (d) after service in excess of fifteen years but less than thirty years, to—

(i) leave pursuant to paragraph (c) of this subsection; and

(ii)

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5 (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten years served after service for fifteen years;

10 (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;

(f) after service in excess of thirty years, to—
(i) leave pursuant to paragraph (e) of this subsection; and

15 (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay,
20 for ten years served after service for thirty years.

(2A) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—

25 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;

(b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—

30 (i) any extended leave, or leave in the nature of extended leave; and

(ii)

(ii)

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- (ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,
- 5 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and
- 10 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,
- 15 but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.
- 20 (b) by inserting in subsection (2B) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".
7. The Police Regulation Act, 1899, is amended—
- 25 (a) by omitting subsection one of section 12A and by inserting in lieu thereof the following subsections :—
- (1) Subject to this section, a member of the police force shall be entitled—
- (a) after service for ten years, to leave for two months on full pay or four months on half pay;
- 30 (b) after service in excess of ten years but less than fifteen years, to—
- (i) leave pursuant to paragraph (a) of this subsection; and
- (ii)

Amendment
of Act No.
20, 1899.

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

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- 5 (ii) in addition, an amount of leave proportionate to his length of service after ten years, calculated on the basis of one month on full pay, or two months on half pay, for five years served after service for ten years;
- 10 (c) after service for fifteen years, to leave for four and one half months on full pay or nine months on half pay;
- (d) after service in excess of fifteen years but less than thirty years, to—
- 15 (i) leave pursuant to paragraph (c) of this subsection; and
- (ii) in addition, an amount of leave proportionate to his length of service after fifteen years, calculated on the basis of three months on full pay, or six months on half pay, for ten years served after service for fifteen years;
- 20 (e) after service for thirty years, to leave for nine months on full pay or eighteen months on half pay;
- 25 (f) after service in excess of thirty years, to—
- (i) leave pursuant to paragraph (e) of this subsection; and
- (ii) in addition, an amount of leave proportionate to his length of service after thirty years, calculated on the basis of three and three quarter months on full pay, or seven and one half months on half pay, for ten years served after service for thirty years.
- 30
- 35

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(2) For the purpose of calculating the entitlement of a person to extended leave under this section at any time—

5 (a) service referred to in this section includes service before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1970;

10 (b) there shall be deducted from the amount of extended leave to which, but for this paragraph, that person would be entitled—

(i) any extended leave, or leave in the nature of extended leave; and

15 (ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,

20 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and

(c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

25 but nothing in this subsection shall be construed as authorising, in respect of the same period of leave taken or the same benefit received, a deduction under both paragraph (b) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

30 (b) by inserting in subsection three of the same section after the words "for any reason" the words "other than the member's serious and wilful misconduct".

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970

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