

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 22 April, 1971.*

New South Wales



ANNO VICESIMO

ELIZABETHÆ II REGINÆ

Act No. , 1971.

An Act 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 Teaching Service Act, 1970, 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.

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,
1971".

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

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

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; and

(b) after service in excess of ten years, to—

20 (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 five months on full
pay, or ten months on half pay, for
ten years served after service for ten
years.

(1A)

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

(1A) 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, 1971;

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 officer’s serious and wilful misconduct”.

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

3. The Teaching Service Act, 1970, is amended—

Amendment
of Act No.
4, 1970.

(a) by omitting subsections one and two of section thirty-four and by inserting in lieu thereof the following subsections :—

Sec. 34.
(Long
service
leave en-
titlement.)

5 (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; and

10 (b) after service in excess of ten years, to—

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

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

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

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

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

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

taken

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

- 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 or the Public Service (Amendment) Act, 1919; and
- (b) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,
- 10 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 (a) of this subsection and subsection seven of section three of
- 15 the Transferred Officers Extended Leave Act, 1961.
- (b) by omitting subsection three of the same section;
- (c) by inserting in subsection four of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct";
- 20 (d) by omitting subsection five of the same section;
- (e) by omitting from paragraph (a) of subsection six of the same section the words "subsections one, two and three" and by inserting in lieu thereof the words "subsection one";
- 25 (f) by omitting from subparagraph (i) of the same paragraph the words "this Act, under" and by inserting in lieu thereof the words "the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1971, under this Act or".
- 30

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

4. The Irrigation Act, 1912, is amended—

Amendment
of Act No.
73, 1912.

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

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

5 (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; and

10 (b) after service in excess of ten years, to—

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

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

20 (2) For the purpose of calculating the entitle-
ment 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, 1971;

(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)

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

- 5 (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
- 10 (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.
- 15
- 20 (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".

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

Amendment of Act No. 24, 1924.

- 25 (a) by omitting subsection one of section 7A and by inserting in lieu thereof the following subsections :—
(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—
- 30 (a) after service for ten years, to leave for two months on full pay or four months on half pay; and
(b)

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

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

- (b) after service in excess of ten years, to—
- (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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(1A) 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, 1971;
- (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

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

5 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".

10 6. 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.)

15 (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; and

(b) after service in excess of ten years, to—

20 (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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(2A)

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

(2A) 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, 1971;

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 omitting from subsection (2B) of the same section the words "Governor or the Commissioner for Railways for any reason" and by inserting in lieu thereof the words "Commissioner for Railways

or

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

or officer at the head of a branch of the railway service for any reason other than the officer's serious and wilful misconduct".

7. The Transport Act, 1930, is amended—

Amendment
of Act No.
18, 1930.

5 (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—

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

(b) after service in excess of ten years, to—

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

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

25 (2A) 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, 1971;

(b)

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

- (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 omitting from subsection (2B) of the same section the words “Governor, the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason” and by inserting in lieu thereof the words “Commissioner for Government Transport, the Commissioner for Motor Transport or the officer at the head of a
- 30 branch of the service of the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason other than the officer’s serious and wilful misconduct”.

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

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

Amendment
of Act No.
20, 1899.

- (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.)

5 (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;

10 (b) after service in excess of ten years, to—

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

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

20 (2) For the purpose of calculating the entitle-
ment 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, 1971;

(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)

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

(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

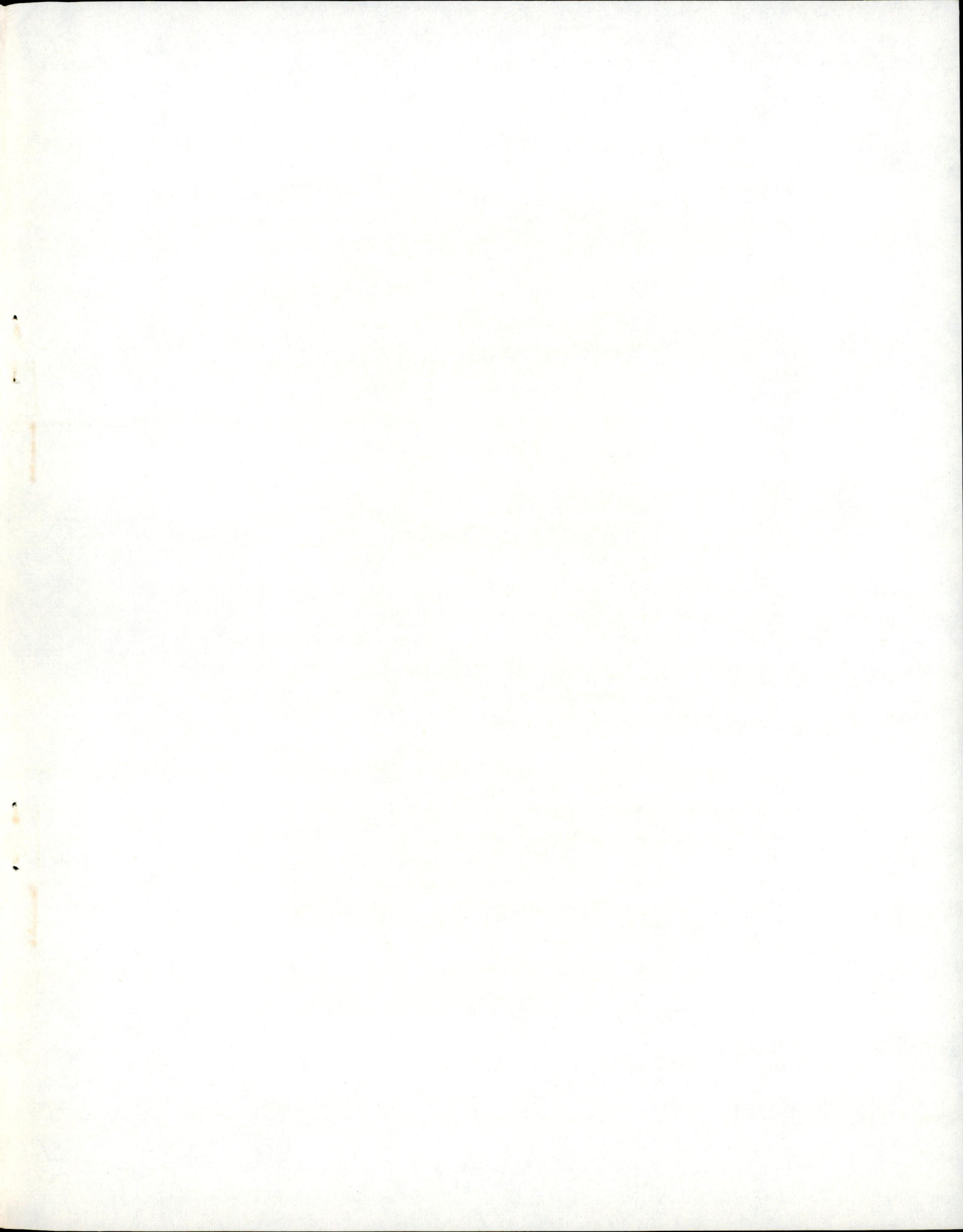
10 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,

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 three of the same section after the words "for any reason" the words "other than the member's serious and wilful misconduct".

9. Where, pursuant to an Act amended by this Act, a person was entitled, on or after the first day of January, one thousand nine hundred and seventy-one, and before the commencement of this Act, to extended leave, or leave in the nature of extended leave, or a benefit in lieu of extended leave or leave in the nature of extended leave, and was so entitled by virtue of service for not less than ten years, that person shall be deemed to have been so entitled as if this Act had commenced on the first day of January, one thousand nine hundred and seventy-one.

Amendments to operate in respect of certain past entitlements.



No. , 1971.

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 Teaching Service Act, 1970, 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—20 April, 1971.]

BE

25567 11—(2)

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

5 **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 Short title.
Other Statutory Bodies (Extended Leave) Amendment Act,
1971".

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

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

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; and

(b) after service in excess of ten 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
25 service after ten years, calculated on
the basis of five months on full
pay, or ten months on half pay, for
ten years served after service for ten
years.

(1A)

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

(1A) 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, 1971;

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 officer's serious and wilful misconduct".

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

3. The Teaching Service Act, 1970, is amended—

Amendment
of Act No.
4, 1970.

- (a) by omitting subsections one and two of section thirty-four and by inserting in lieu thereof the following subsections :—

Sec. 34.
(Long
service
leave en-
titlement.)

5 (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; and

10 (b) after service in excess of ten years, to—

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

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

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

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

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

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

taken

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

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 or the Public Service (Amendment) Act, 1919; and

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

10 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 (a) of this subsection and subsection seven of section three of
15 the Transferred Officers Extended Leave Act, 1961.

(b) by omitting subsection three of the same section;

20 (c) by inserting in subsection four of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct";

(d) by omitting subsection five of the same section;

25 (e) by omitting from paragraph (a) of subsection six of the same section the words "subsections one, two and three" and by inserting in lieu thereof the words "subsection one";

30 (f) by omitting from subparagraph (i) of the same paragraph the words "this Act, under" and by inserting in lieu thereof the words "the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1971, under this Act or".

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

4. The Irrigation Act, 1912, is amended—

Amendment
of Act No.
73, 1912.

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

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

5 (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; and

10 (b) after service in excess of ten years, to—

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

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

20 (2) For the purpose of calculating the entitle-
ment 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, 1971;

(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)

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

- 5 (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
- 10 (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.
- 15
- 20 (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".

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

Amendment
of Act No.
24, 1924.

- 25 (a) by omitting subsection one of section 7A and
by inserting in lieu thereof the following
subsections :—
- (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—
- 30 (a) after service for ten years, to leave for two
months on full pay or four months on half
pay; and

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

(b)

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

(b) after service in excess of ten 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 five months on full pay, or
10 ten months on half pay, for ten years served after service for ten years.

(1A) 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, 1971;

20 (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

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

30 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

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

5 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".

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

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

15 (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; and

(b) after service in excess of ten years, to—

20 (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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(2A)

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

(2A) 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, 1971;

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 omitting from subsection (2B) of the same section the words "Governor or the Commissioner for Railways for any reason" and by inserting in lieu thereof the words "Commissioner for Railways

or

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

or officer at the head of a branch of the railway service for any reason other than the officer's serious and wilful misconduct".

7. The Transport Act, 1930, is amended—

Amendment
of Act No.
18, 1930.

5 (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—

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

(b) after service in excess of ten years, to—

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

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

25 (2A) 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, 1971;

(b)

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

- (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 omitting from subsection (2B) of the same section the words "Governor, the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason" and by inserting in lieu thereof the words "Commissioner for Government Transport, the Commissioner for Motor Transport or the officer at the head of a branch of the service of the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason other than the officer's serious and wilful misconduct".
- 30

(d)

8.

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

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

Amendment of Act No. 20, 1899.

(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.)

5 (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;

10 (b) after service in excess of ten years, to—

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

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

20 (2) 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, 1971;

(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

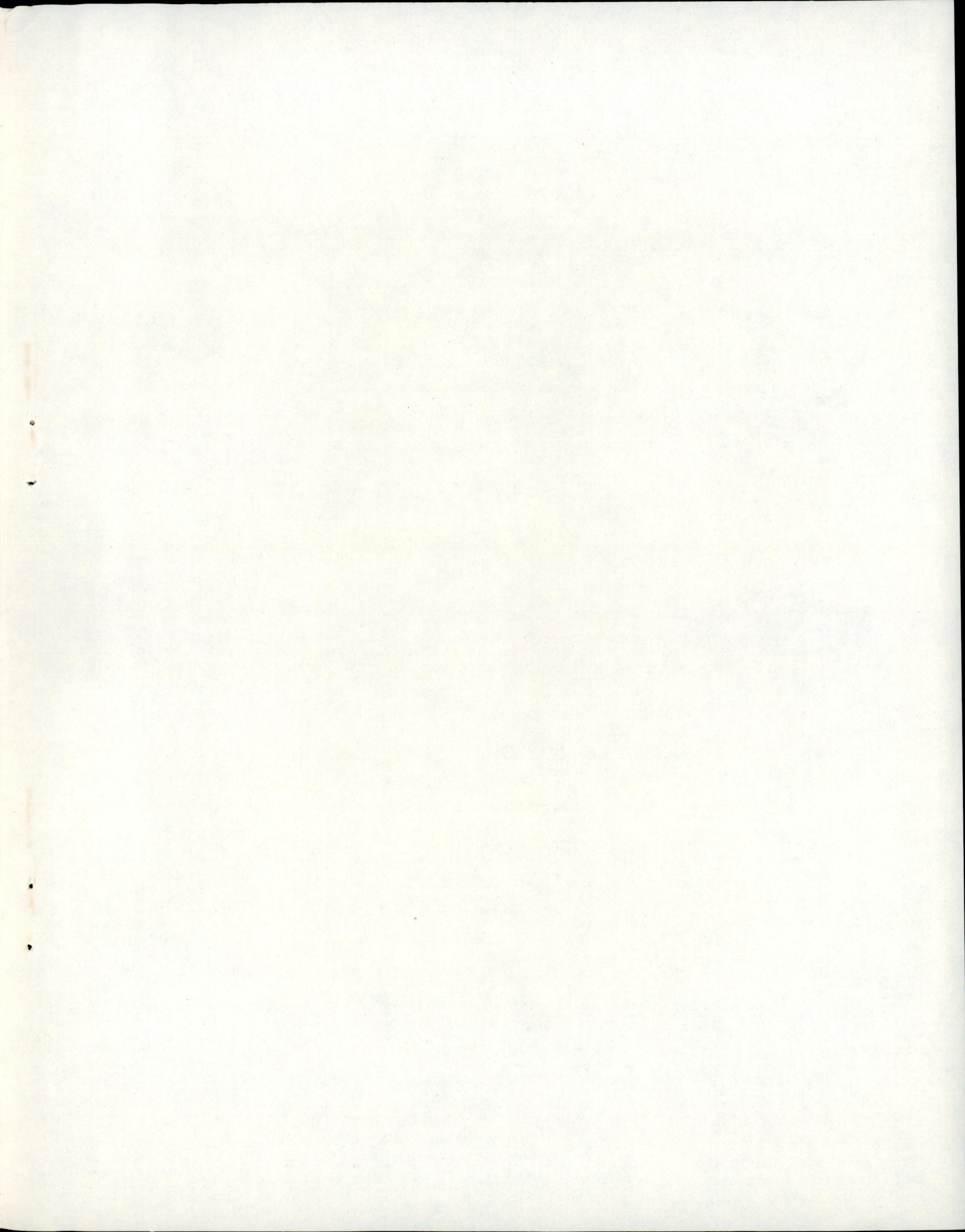
(ii)

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

- (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,
but nothing in this subsection shall be construed as authorising, in respect of the same period of leave
15 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 three of the same section after the words "for any reason" the words "other than the member's serious and wilful misconduct".

9. Where, pursuant to an Act amended by this Act, a person was entitled, on or after the first day of January, one thousand nine hundred and seventy-one, and before the
25 commencement of this Act, to extended leave, or leave in the nature of extended leave, or a benefit in lieu of extended leave or leave in the nature of extended leave, and was so entitled by virtue of service for not less than ten years, that
30 person shall be deemed to have been so entitled as if this Act had commenced on the first day of January, one thousand nine hundred and seventy-one.

Amendments
to operate
in respect
of certain
past en-
titlements.



PROOF

**PUBLIC SERVICE AND OTHER STATUTORY BODIES
(EXTENDED LEAVE) AMENDMENT BILL, 1971**

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to grant additional extended leave to officers of the Public Service, the Teaching 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.

PROOF

THE EFFECT OF TEMPERATURE ON THE
GROWTH OF BACTERIA IN A
LIQUID MEDIUM

BY J. H. HAYES

The effect of temperature on the growth of bacteria in a liquid medium was studied. The results show that the rate of growth is dependent on the temperature of the medium. The optimum temperature for growth is 37°C. The growth rate is highest at this temperature and lowest at 15°C and 45°C. The results are shown in the following table:

Temperature (°C)	Growth Rate
15	Low
25	Medium
37	High
45	Low

PROOF

No. , 1971.

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 Teaching Service Act, 1970, 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—20 April, 1971.]

BE

25567 11—(2)

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 follows :—

1. This Act may be cited as the "Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1971".

2. The Public Service (Amendment) Act, 1919, is amended—

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

(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; and

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

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

(1A) 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, 1971;

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 officer’s serious and wilful misconduct”.

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

3. The Teaching Service Act, 1970, is amended—

Amendment
of Act No.
4, 1970.

(a) by omitting subsections one and two of section thirty-four and by inserting in lieu thereof the following subsections :—

Sec. 34.
(Long
service
leave en-
titlement.)

5 (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; and

10 (b) after service in excess of ten years, to—

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

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

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

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

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

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

taken

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

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 or the Public Service (Amendment) Act, 1919; and

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

10 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 (a) of this subsection and subsection seven of section three of
15 the Transferred Officers Extended Leave Act, 1961.

(b) by omitting subsection three of the same section;

(c) by inserting in subsection four of the same section
20 after the words "for any reason" the words "other than the officer's serious and wilful misconduct";

(d) by omitting subsection five of the same section;

(e) by omitting from paragraph (a) of subsection six
25 of the same section the words "subsections one, two and three" and by inserting in lieu thereof the words "subsection one";

(f) by omitting from subparagraph (i) of the same
30 paragraph the words "this Act, under" and by inserting in lieu thereof the words "the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1971, under this Act or".

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

4. The Irrigation Act, 1912, is amended—

Amendment
of Act No.
73, 1912.

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

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

5 (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; and

10 (b) after service in excess of ten years, to—

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

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

20 (2) For the purpose of calculating the entitle-
ment 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, 1971;

(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)

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

(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 (2A) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

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

Amendment
of Act No.
24, 1924.

25 (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.)

(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—

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

(b)

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

- (b) after service in excess of ten years, to—
- (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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(1A) 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, 1971;
- (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

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

5 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".

10 6. 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 Sec. 100A. (Annual leave, extended leave and retiring leave of officers.) subsections :—

15 (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; and

(b) after service in excess of ten years, to—

20 (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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(2A)

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

(2A) 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, 1971;

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 omitting from subsection (2B) of the same section the words "Governor or the Commissioner for Railways for any reason" and by inserting in lieu thereof the words "Commissioner for Railways

or

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

or officer at the head of a branch of the railway service for any reason other than the officer's serious and wilful misconduct".

7. The Transport Act, 1930, is amended—

Amendment of Act No. 18, 1930.

5 (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—

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

(b) after service in excess of ten years, to—

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

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

25 (2A) 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, 1971;

(b)

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

- (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.
- 20
- 25 (b) by omitting from subsection (2B) of the same section the words "Governor, the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason" and by inserting in lieu thereof the words "Commissioner for Government Transport, the Commissioner for Motor Transport or the officer at the head of a branch of the service of the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason other than the officer's serious and wilful misconduct".
- 30

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

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

Amendment
of Act No.
20, 1899.

(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.)

5 (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;

10 (b) after service in excess of ten years, to—

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

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

20 (2) 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, 1971;

(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)

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

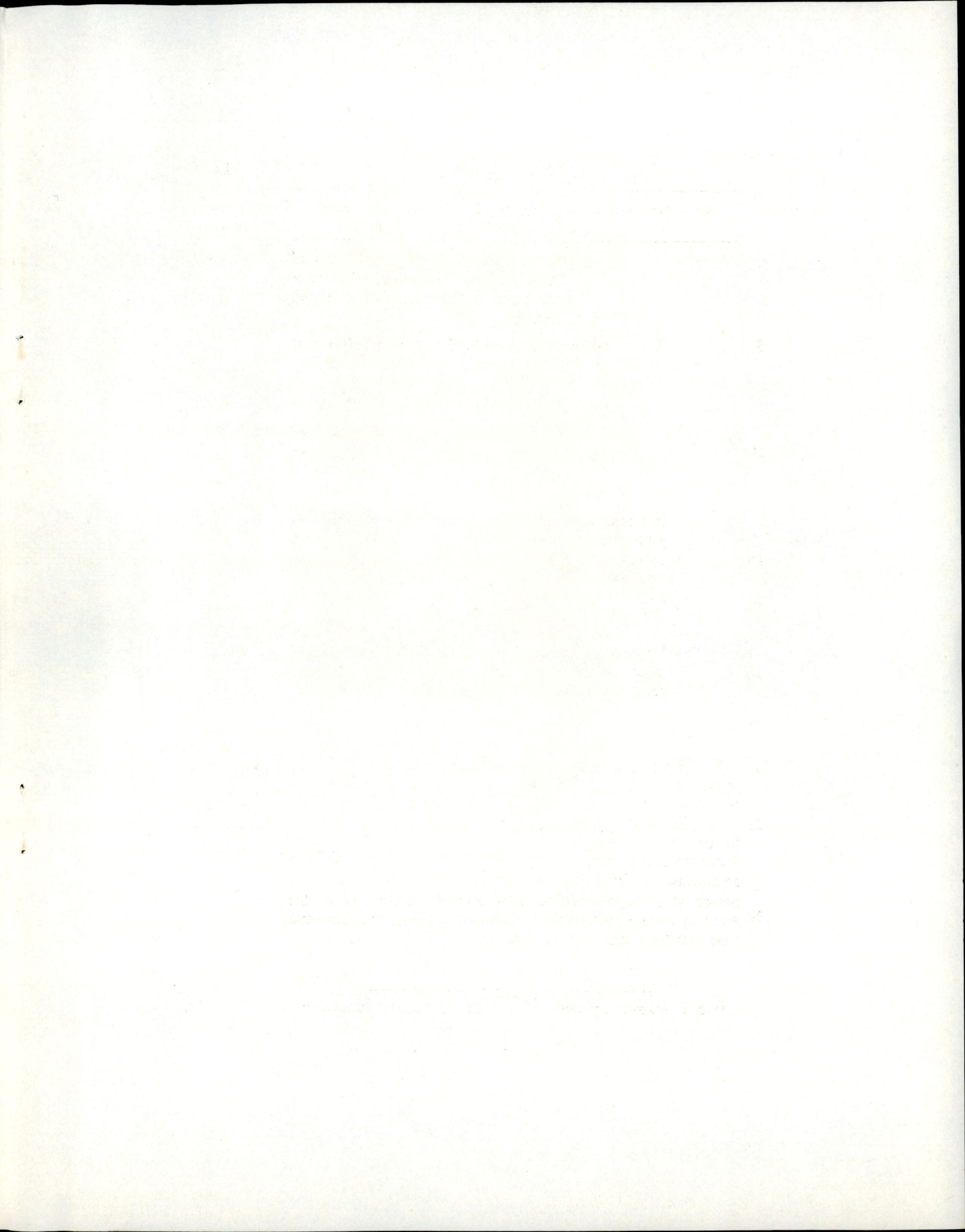
- (ii) the equivalent, in extended leave, of any benefit in lieu of extended leave or leave in the nature of extended leave,
- 5 taken or received by that person before that time, including any such leave taken, or benefit received, by that person before that commencement pursuant to a repealed provision of this Act; and
- 10 (c) the provisions of the Transferred Officers Extended Leave Act, 1961, shall have effect,
- 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.
- 15
- (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".
- 20

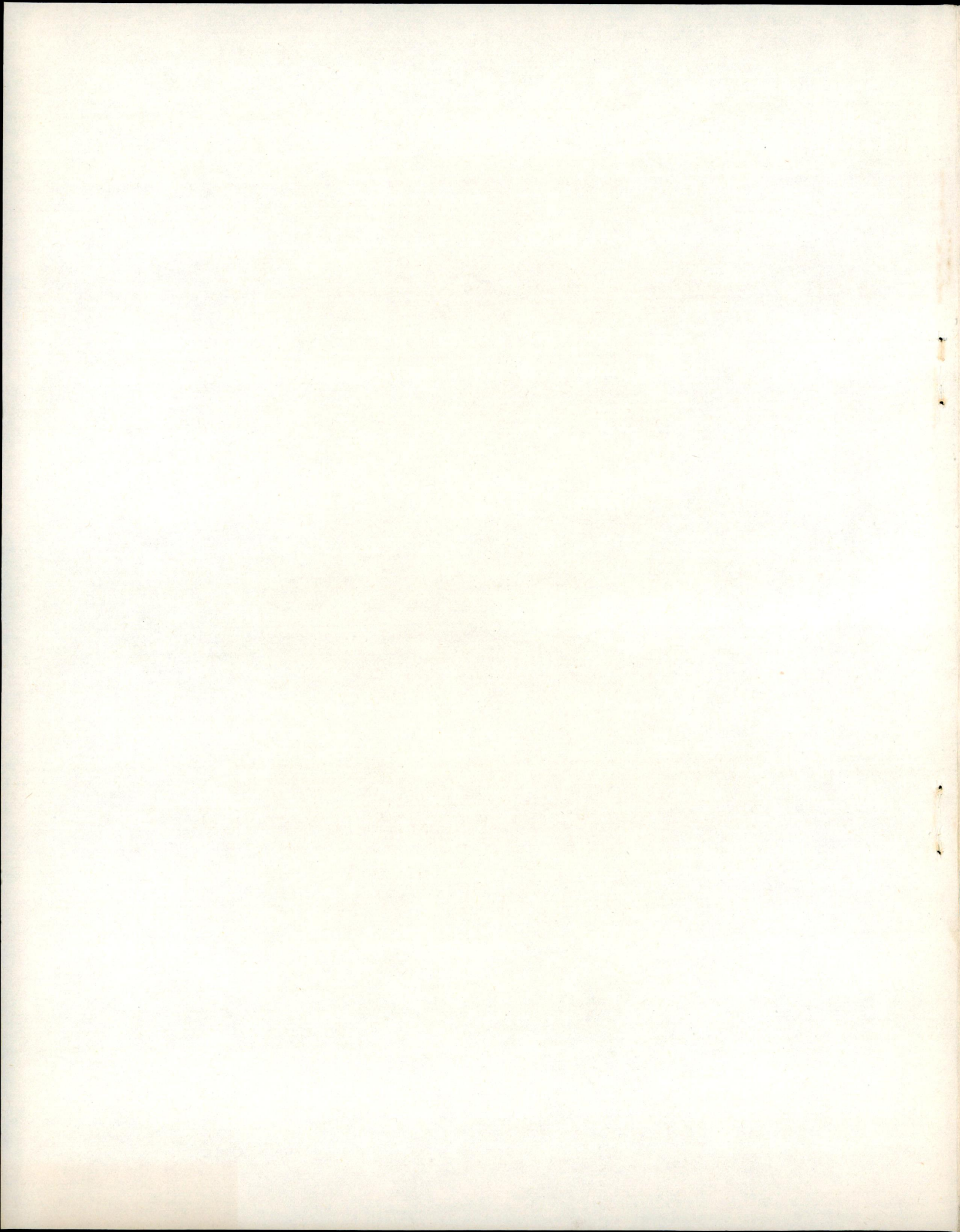
9. Where, pursuant to an Act amended by this Act, a person was entitled, on or after the first day of January, one thousand nine hundred and seventy-one, and before the commencement of this Act, to extended leave, or leave in the nature of extended leave, or a benefit in lieu of extended leave or leave in the nature of extended leave, and was so entitled by virtue of service for not less than ten years, that person shall be deemed to have been so entitled as if this Act had commenced on the first day of January, one thousand nine hundred and seventy-one.

25

30

Amendments to operate in respect of certain past entitlements.





Enacted by the Queen's most Excellent Majesty in Council 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:—

New South Wales



ANNO VICESIMO

ELIZABETHÆ II REGINÆ

Act No. 6, 1971.

An Act 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 Teaching Service Act, 1970, 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. [Assented to, 12th May, 1971.]

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 follows:—

Short title. 1. This Act may be cited as the "Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1971".

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

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

(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; and

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

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

(1A) 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, 1971;

(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 three of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

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

Amendment
of Act No.
4, 1970.

Sec. 34.
(Long
service
leave en-
titement.)

3. The Teaching Service Act, 1970, is amended—

(a) by omitting subsections one and two of section thirty-four and by inserting in lieu thereof the following subsections :—

(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; and

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

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

(a) 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

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

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 or the Public Service (Amendment) Act, 1919; and

- (b) 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 (a) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

- (b) by omitting subsection three of the same section;
- (c) by inserting in subsection four of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct";
- (d) by omitting subsection five of the same section;
- (e) by omitting from paragraph (a) of subsection six of the same section the words "subsections one, two and three" and by inserting in lieu thereof the words "subsection one";
- (f) by omitting from subparagraph (i) of the same paragraph the words "this Act, under" and by inserting in lieu thereof the words "the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1971, under this Act or".

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

Amendment
of Act No.
73, 1912.

Sec. 5c.

(Leave of
absence
after years
of service.)

4. The Irrigation Act, 1912, is amended—

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

(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; and

(b) after service in excess of ten years, to—

- (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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(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, 1971 ;

(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)

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

(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 (2A) of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct".

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

Amendment
of Act No.
24, 1924.

(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.)

(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; and

(b)

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

- (b) after service in excess of ten years, to—
- (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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(1A) 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, 1971;
- (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

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

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".

6. 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.)

(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; and

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

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

(2A) 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, 1971;

(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 omitting from subsection (2B) of the same section the words "Governor or the Commissioner for Railways for any reason" and by inserting in lieu thereof the words "Commissioner for Railways

or

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

or officer at the head of a branch of the railway service for any reason other than the officer's serious and wilful misconduct".

7. The Transport Act, 1930, is amended—

Amendment
of Act No.
18, 1930.

- (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—

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

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(2A) 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, 1971;

(b)

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

(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 omitting from subsection (2B) of the same section the words "Governor, the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason" and by inserting in lieu thereof the words "Commissioner for Government Transport, the Commissioner for Motor Transport or the officer at the head of a branch of the service of the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason other than the officer's serious and wilful misconduct".

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

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

Amendment
of Act No.
20, 1899.

- (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—

(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, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(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, 1971;

(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)

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

(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.

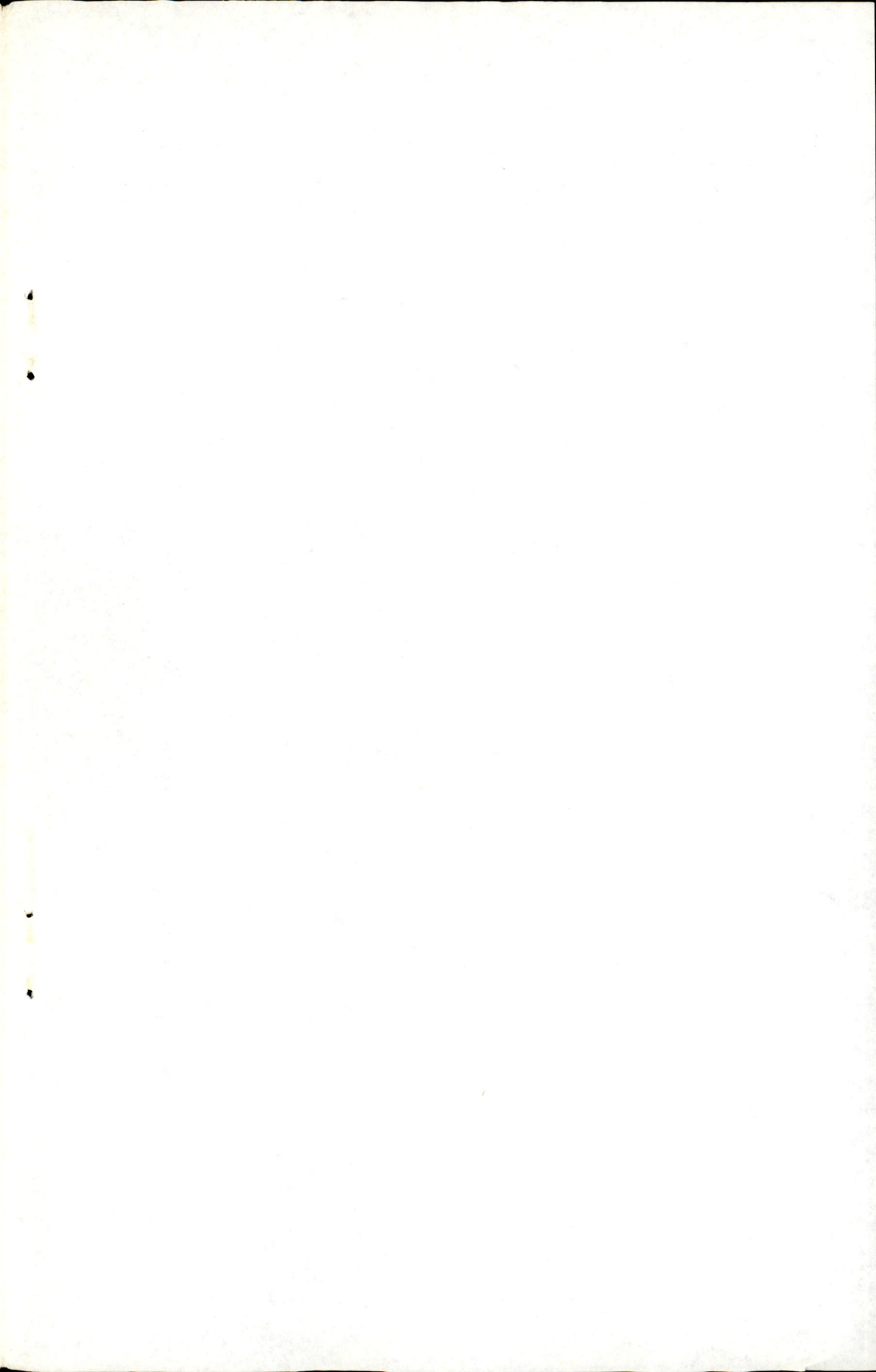
(b) by inserting in subsection three of the same section after the words "for any reason" the words "other than the member's serious and wilful misconduct".

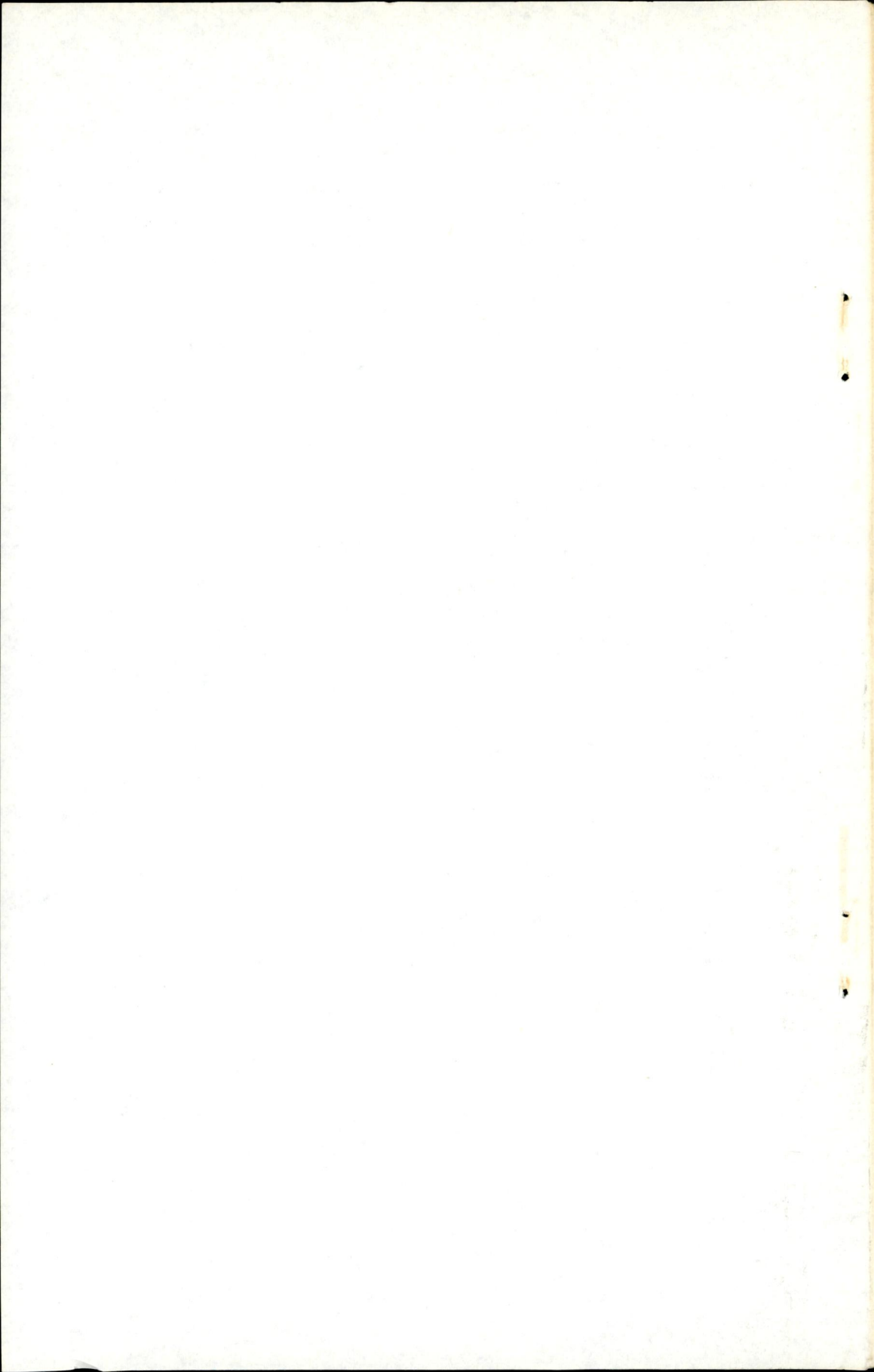
Amendments
to operate
in respect
of certain
past en-
titlements.

9. Where, pursuant to an Act amended by this Act, a person was entitled, on or after the first day of January, one thousand nine hundred and seventy-one, and before the commencement of this Act, to extended leave, or leave in the nature of extended leave, or a benefit in lieu of extended leave or leave in the nature of extended leave, and was so entitled by virtue of service for not less than ten years, that person shall be deemed to have been so entitled as if this Act had commenced on the first day of January, one thousand nine hundred and seventy-one.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971





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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 April, 1971.*

New South Wales



ANNO VICESIMO

ELIZABETHÆ II REGINÆ

Act No. 6, 1971.

An Act 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 Teaching Service Act, 1970, 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. [Assented to, 12th May, 1971.]

BE

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

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

*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 follows :—

Short title. **1.** This Act may be cited as the "Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1971".

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

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

(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; and

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(1A)

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

(1A) 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, 1971;

(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 three of the same section after the words “for any reason” the words “other than the officer’s serious and wilful misconduct”.

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

Amendment
of Act No.
4, 1970.

Sec. 34.
(Long
service
leave en-
titlement.)

3. The Teaching Service Act, 1970, is amended—

(a) by omitting subsections one and two of section thirty-four and by inserting in lieu thereof the following subsections :—

(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; and

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

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

(a) 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

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

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 or the Public Service (Amendment) Act, 1919; and

- (b) 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 (a) of this subsection and subsection seven of section three of the Transferred Officers Extended Leave Act, 1961.

- (b) by omitting subsection three of the same section;
- (c) by inserting in subsection four of the same section after the words "for any reason" the words "other than the officer's serious and wilful misconduct";
- (d) by omitting subsection five of the same section;
- (e) by omitting from paragraph (a) of subsection six of the same section the words "subsections one, two and three" and by inserting in lieu thereof the words "subsection one";
- (f) by omitting from subparagraph (i) of the same paragraph the words "this Act, under" and by inserting in lieu thereof the words "the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1971, under this Act or".

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

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

4. The Irrigation Act, 1912, is amended—

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

(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; and

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(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, 1971;

(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)

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

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

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

Amendment
of Act No.
24, 1924.

- (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.)

(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; and

(b)

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

- (b) after service in excess of ten years, to—
- (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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(1A) 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, 1971;
- (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

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

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".

6. 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.)

(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; and

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(2A)

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

(2A) 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, 1971;
- (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 omitting from subsection (2B) of the same section the words "Governor or the Commissioner for Railways for any reason" and by inserting in lieu thereof the words "Commissioner for Railways

or

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

or officer at the head of a branch of the railway service for any reason other than the officer's serious and wilful misconduct".

7. The Transport Act, 1930, is amended—

Amendment
of Act No.
18, 1930.

- (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—

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

(b) after service in excess of ten years, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(2A) 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, 1971;

(b)

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

(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 omitting from subsection (2B) of the same section the words "Governor, the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason" and by inserting in lieu thereof the words "Commissioner for Government Transport, the Commissioner for Motor Transport or the officer at the head of a branch of the service of the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason other than the officer's serious and wilful misconduct".

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

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

Amendment
of Act No.
20, 1899.

- (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—

(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, to—

(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 five months on full pay, or ten months on half pay, for ten years served after service for ten years.

(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, 1971;

(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)

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

- (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 three of the same section after the words "for any reason" the words "other than the member's serious and wilful misconduct".

Amendments
to operate
in respect
of certain
past en-
titlements.

9. Where, pursuant to an Act amended by this Act, a person was entitled, on or after the first day of January, one thousand nine hundred and seventy-one, and before the commencement of this Act, to extended leave, or leave in the nature of extended leave, or a benefit in lieu of extended leave or leave in the nature of extended leave, and was so entitled by virtue of service for not less than ten years, that person shall be deemed to have been so entitled as if this Act had commenced on the first day of January, one thousand nine hundred and seventy-one.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 12th May, 1971.*

