

*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, 29 March, 1973.*

## New South Wales



ANNO VICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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**Act No. , 1973.**

An Act to make further provision with respect to the entitlement to extended leave of certain persons employed in the Public Service or the Teaching Service or by certain State employers; for this and other purposes to amend the Transferred Officers Extended Leave Act, 1961; and for purposes connected therewith.

BE

*Transferred Officers 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 "Transferred Officers Extended Leave (Amendment) Act, 1973". Short title.

2. The Transferred Officers Extended Leave Act, 1961, is, in this Act, referred to as the Principal Act. Reference to Principal Act.

10 3. The Principal Act is amended— Amendment of Act No. 13, 1961.

(a) by inserting next after the definition of "Public service of the State" in section 2 (1) the following new definition :— Sec. 2. (Interpretation.)

"Regulations" means regulations under this Act.

15 (b) (i) by inserting in section 3 (1) after the matter "(4)" the matter ", (4A)"; Sec. 3. (Method of reckoning service of certain employees in the public service of the State and of certain State authorities.)

(ii) by inserting next after section 3 (4) the following new subsection :—

20 (4A) Where a person referred to in subsection (1)—

(a) is, under any Act, other than this Act, or under any regulation, by-law, award or industrial agreement, or by virtue of the conditions of his employment with his current employer, or by reason of any practice of his current

employer,

*Transferred Officers Extended Leave (Amendment)*

5 employer, entitled, but is not entitled by virtue of the provisions of subsection (4), to have any previous service with the employer who is his current employer reckoned, for the purpose of calculating his entitlement to extended leave, as service with his current employer;

10 (b) has had, before he commenced that previous service, any continuous governmental service that was continuous with that previous service;

15 (c) was under the age of sixty years when he commenced that previous service, then the period of continuous governmental service, referred to in paragraph (b), shall be a prescribed period for the purpose of subsection (1).

20 (c) by omitting from section 4 (2) the words "in any area prescribed as an operational area" and by inserting instead the words "of a kind or nature prescribed to be special service";

Sec. 4. (Qualifications on what amount to continuous periods of service and on the meaning of "continuous service", etc.)

(d) by omitting section 6 and by inserting instead the following section :—

Subst. sec. 6.

25 6. (1) The Governor may make regulations for or with respect to—

Regulations.

(a) prescribing the kind or nature of service with the armed forces of the Commonwealth to be special service for the purposes of subsection (2) of section 4; and

(b)

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*Transferred Officers Extended Leave (Amendment).*

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(b) generally for carrying out and giving effect to this Act.

(2) The regulations may be made so as—

5 (a) to apply differently according to such factors as may be specified in the regulations; and

10 (b) to apply to service with the armed forces of the Commonwealth before the commencement of the Transferred Officers Extended Leave (Amendment) Act, 1973, as well as to service after that commencement.

15 (3) Without affecting the generality of the foregoing provisions of this section, special service may be prescribed by reference to any service defined for the purposes of, or referred to in, any Commonwealth or other Act.

20 (4) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

25 **4.** Section 3 (4A) of the Principal Act, as inserted by Operation of amendment made by sec. 3 (b). this Act, does not apply to or in respect of a person who, though employed before the commencement of this Act in the service of a State employer, is employed neither at, nor at any time after, that commencement in the service of that State employer.

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BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[5c]

No. , 1973.

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## A BILL

To make further provision with respect to the entitlement to extended leave of certain persons employed in the Public Service or the Teaching Service or by certain State employers; for this and other purposes to amend the Transferred Officers Extended Leave Act, 1961; and for purposes connected therewith.

[Mr WADDY *on behalf of* Sir ROBERT ASKIN—  
21 March, 1973.]

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BE

*Transferred Officers Extended Leave (Amendment).*

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

1. This Act may be cited as the "Transferred Officers Short title.  
Extended Leave (Amendment) Act, 1973".

2. The Transferred Officers Extended Leave Act, 1961, Reference  
is, in this Act, referred to as the Principal Act. to Principal  
Act.

10 3. The Principal Act is amended— Amendment  
of Act No.  
13, 1961.

(a) by inserting next after the definition of "Public Sec. 2.  
service of the State" in section 2 (1) the following (Inter-  
new definition :— pretation.)

"Regulations" means regulations under this Act.

15 (b) (i) by inserting in section 3 (1) after the matter Sec. 3.  
"(4)" the matter ", (4A)"; (Method of  
reckoning  
service of  
certain  
employees  
in the  
public  
service of  
the State  
and of  
certain  
State  
authorities.)

(ii) by inserting next after section 3 (4) the  
following new subsection :—

20 (4A) Where a person referred to in  
subsection (1)—

(a) is, under any Act, other than this Act,  
or under any regulation, by-law, award or industrial agreement, or by  
virtue of the conditions of his employ-  
ment with his current employer, or by  
25 reason of any practice of his current

employer,

*Transferred Officers Extended Leave (Amendment)*

5 employer, entitled, but is not entitled by virtue of the provisions of subsection (4), to have any previous service with the employer who is his current employer reckoned, for the purpose of calculating his entitlement to extended leave, as service with his current employer;

10 (b) has had, before he commenced that previous service, any continuous governmental service that was continuous with that previous service;

15 (c) was under the age of sixty years when he commenced that previous service, then the period of continuous governmental service, referred to in paragraph (b), shall be a prescribed period for the purpose of subsection (1).

20 (c) by omitting from section 4 (2) the words "in any area prescribed as an operational area" and by inserting instead the words "of a kind or nature prescribed to be special service";

Sec. 4. (Qualifications on what amount to continuous periods of service and on the meaning of "continuous service", etc.)

(d) by omitting section 6 and by inserting instead the following section :—

Subst. sec. 6.

25 6. (1) The Governor may make regulations for or with respect to—

Regulations.

(a) prescribing the kind or nature of service with the armed forces of the Commonwealth to be special service for the purposes of subsection (2) of section 4; and

30 (b)

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*Transferred Officers Extended Leave (Amendment).*

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(b) generally for carrying out and giving effect to this Act.

(2) The regulations may be made so as—

5 (a) to apply differently according to such factors as may be specified in the regulations; and

10 (b) to apply to service with the armed forces of the Commonwealth before the commencement of the Transferred Officers Extended Leave (Amendment) Act, 1973, as well as to service after that commencement.

15 (3) Without affecting the generality of the foregoing provisions of this section, special service may be prescribed by reference to any service defined for the purposes of, or referred to in, any Commonwealth or other Act.

20 (4) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

25 **4.** Section 3 (4A) of the Principal Act, as inserted by <sup>Operation of</sup> this Act, does not apply to or in respect of a person who, <sup>amendment</sup> though employed before the commencement of this Act in <sup>made by</sup> the service of a State employer, is employed neither at, nor <sup>sec. 3 (b).</sup> at any time after, that commencement in the service of that State employer.

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BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[5c]



*PROOF*

**TRANSFERRED OFFICERS EXTENDED LEAVE (AMENDMENT)  
BILL, 1973**

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**EXPLANATORY NOTE**

THE objects of this Bill are—

- (a) to provide that, for the purpose of calculating entitlement to extended leave, a person in the service of a State employer is, in certain circumstances, entitled to reckon as service with that State employer any governmental service that was continuous with any previous service with that State employer;
- (b) to provide that a person's service with the armed forces of the Commonwealth (otherwise than during a period of war) is, for the purposes of the Principal Act, to be treated as continuous with subsequent service commenced within twelve months, if his service with the armed forces was wholly or partly of a kind or nature to be prescribed by regulations under the Principal Act;
- (c) to make other provisions of an ancillary character.



PROOF

No. , 1973.

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## A BILL

To make further provision with respect to the entitlement to extended leave of certain persons employed in the Public Service or the Teaching Service or by certain State employers; for this and other purposes to amend the Transferred Officers Extended Leave Act, 1961; and for purposes connected therewith.

[Mr WADDY *on behalf of* Sir ROBERT ASKIN—  
21 March, 1973.]

---

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BE

*Transferred Officers 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 "Transferred Officers Extended Leave (Amendment) Act, 1973". Short title.

2. The Transferred Officers Extended Leave Act, 1961, is, in this Act, referred to as the Principal Act. Reference to Principal Act.

10 3. The Principal Act is amended— Amendment of Act No. 13, 1961.

(a) by inserting next after the definition of "Public service of the State" in section 2 (1) the following new definition :— Sec. 2. (Interpretation.)

"Regulations" means regulations under this Act.

15 (b) (i) by inserting in section 3 (1) after the matter "(4)" the matter ", (4A)"; Sec. 3. (Method of reckoning service of certain employees in the public service of the State and of certain State authorities.)

(ii) by inserting next after section 3 (4) the following new subsection :—

20 (4A) Where a person referred to in subsection (1)—

(a) is, under any Act, other than this Act, or under any regulation, by-law, award or industrial agreement, or by virtue of the conditions of his employment with his current employer, or by reason of any practice of his current

employer,

*Transferred Officers Extended Leave (Amendment).*

5 employer, entitled, but is not entitled by virtue of the provisions of subsection (4), to have any previous service with the employer who is his current employer reckoned, for the purpose of calculating his entitlement to extended leave, as service with his current employer;

10 (b) has had, before he commenced that previous service, any continuous governmental service that was continuous with that previous service;

15 (c) was under the age of sixty years when he commenced that previous service, then the period of continuous governmental service, referred to in paragraph (b), shall be a prescribed period for the purpose of subsection (1).

20 (c) by omitting from section 4 (2) the words "in any area prescribed as an operational area" and by inserting instead the words "of a kind or nature prescribed to be special service";

Sec. 4.  
(Qualifications on what amount to continuous periods of service and on the meaning of "continuous service", etc.)

(d) by omitting section 6 and by inserting instead the following section :—

Subst. sec. 6.

25 6. (1) The Governor may make regulations for or with respect to—

Regulations.

(a) prescribing the kind or nature of service with the armed forces of the Commonwealth to be special service for the purposes of subsection (2) of section 4; and

(b)

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*Transferred Officers Extended Leave (Amendment).*

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(b) generally for carrying out and giving effect to this Act.

(2) The regulations may be made so as—

5 (a) to apply differently according to such factors as may be specified in the regulations; and

10 (b) to apply to service with the armed forces of the Commonwealth before the commencement of the Transferred Officers Extended Leave (Amendment) Act, 1973, as well as to service after that commencement.

15 (3) Without affecting the generality of the foregoing provisions of this section, special service may be prescribed by reference to any service defined for the purposes of, or referred to in, any Commonwealth or other Act.

20 (4) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

25 4. Section 3 (4A) of the Principal Act, as inserted by this Act, does not apply to or in respect of a person who, though employed before the commencement of this Act in the service of a State employer, is employed neither at, nor at any time after, that commencement in the service of that State employer.

Operation of amendment made by sec. 3 (b).

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BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

New South Wales



ANNO VICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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**Act No. 33, 1973.**

An Act to make further provision with respect to the entitlement to extended leave of certain persons employed in the Public Service or the Teaching Service or by certain State employers; for this and other purposes to amend the Transferred Officers Extended Leave Act, 1961; and for purposes connected therewith. [Assented to, 2nd May, 1973.]

BE

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*Transferred Officers Extended Leave (Amendment).*

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

Short title.      **1.** This Act may be cited as the "Transferred Officers Extended Leave (Amendment) Act, 1973".

Reference to Principal Act.      **2.** The Transferred Officers Extended Leave Act, 1961, is, in this Act, referred to as the Principal Act.

Amendment of Act No. 13, 1961.      **3.** The Principal Act is amended—

Sec. 2. (Interpretation.)      (a) by inserting next after the definition of "Public service of the State" in section 2 (1) the following new definition :—

"Regulations" means regulations under this Act.

Sec. 3. (Method of reckoning service of certain employees in the public service of the State and of certain State authorities.)      (b) (i) by inserting in section 3 (1) after the matter "(4)" the matter ", (4A)";

(ii) by inserting next after section 3 (4) the following new subsection :—

(4A) Where a person referred to in subsection (1)—

(a) is, under any Act, other than this Act, or under any regulation, by-law, award or industrial agreement, or by virtue of the conditions of his employment with his current employer, or by reason of any practice of his current employer,



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*Transferred Officers Extended Leave (Amendment).*

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employer, entitled, but is not entitled by virtue of the provisions of subsection (4), to have any previous service with the employer who is his current employer reckoned, for the purpose of calculating his entitlement to extended leave, as service with his current employer;

(b) has had, before he commenced that previous service, any continuous governmental service that was continuous with that previous service;

(c) was under the age of sixty years when he commenced that previous service,

then the period of continuous governmental service, referred to in paragraph (b), shall be a prescribed period for the purpose of subsection (1).

(c) by omitting from section 4 (2) the words "in any area prescribed as an operational area" and by inserting instead the words "of a kind or nature prescribed to be special service";

Sec. 4.  
(Qualifications on what amount to continuous periods of service and on the meaning of "continuous service", etc.)

(d) by omitting section 6 and by inserting instead the following section :—

Subst. sec. 6.

6. (1) The Governor may make regulations for or with respect to—

Regulations.

(a) prescribing the kind or nature of service with the armed forces of the Commonwealth to be special service for the purposes of subsection (2) of section 4; and

(b)

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*Transferred Officers Extended Leave (Amendment).*

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(b) generally for carrying out and giving effect to this Act.

(2) The regulations may be made so as—

(a) to apply differently according to such factors as may be specified in the regulations; and

(b) to apply to service with the armed forces of the Commonwealth before the commencement of the Transferred Officers Extended Leave (Amendment) Act, 1973, as well as to service after that commencement.

(3) Without affecting the generality of the foregoing provisions of this section, special service may be prescribed by reference to any service defined for the purposes of, or referred to in, any Commonwealth or other Act.

(4) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

Operation of  
amendment  
made by  
sec. 3 (b).

4. Section 3 (4A) of the Principal Act, as inserted by this Act, does not apply to or in respect of a person who, though employed before the commencement of this Act in the service of a State employer, is employed neither at, nor at any time after, that commencement in the service of that State employer.

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BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

*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, 4 April, 1973.*

## **New South Wales**



ANNO VICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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**Act No. 33, 1973.**

An Act to make further provision with respect to the entitlement to extended leave of certain persons employed in the Public Service or the Teaching Service or by certain State employers; for this and other purposes to amend the Transferred Officers Extended Leave Act, 1961; and for purposes connected therewith. [Assented to, 2nd May, 1973.]

BE

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

**J. H. BROWN,**  
*Chairman of Committees of the Legislative Assembly.*

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*Transferred Officers Extended Leave (Amendment).*

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**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 "Transferred Officers Extended Leave (Amendment) Act, 1973".

Reference to Principal Act.      2. The Transferred Officers Extended Leave Act, 1961, is, in this Act, referred to as the Principal Act.

Amendment of Act No. 13, 1961.      3. The Principal Act is amended—

Sec. 2. (Interpretation.)      (a) by inserting next after the definition of "Public service of the State" in section 2 (1) the following new definition:—

"Regulations" means regulations under this Act.

Sec. 3. (Method of reckoning service of certain employees in the public service of the State and of certain State authorities.)      (b) (i) by inserting in section 3 (1) after the matter "(4)" the matter ", (4A)";

(ii) by inserting next after section 3 (4) the following new subsection:—

(4A) Where a person referred to in subsection (1)—

(a) is, under any Act, other than this Act, or under any regulation, by-law, award or industrial agreement, or by virtue of the conditions of his employment with his current employer, or by reason of any practice of his current

employer,

*Transferred Officers Extended Leave (Amendment).*

employer, entitled, but is not entitled by virtue of the provisions of subsection (4), to have any previous service with the employer who is his current employer reckoned, for the purpose of calculating his entitlement to extended leave, as service with his current employer;

(b) has had, before he commenced that previous service, any continuous governmental service that was continuous with that previous service;

(c) was under the age of sixty years when he commenced that previous service,

then the period of continuous governmental service, referred to in paragraph (b), shall be a prescribed period for the purpose of subsection (1).

(c) by omitting from section 4 (2) the words "in any area prescribed as an operational area" and by inserting instead the words "of a kind or nature prescribed to be special service";

Sec. 4.  
(Qualifications on what amount to continuous periods of service and on the meaning of "continuous service", etc.)

(d) by omitting section 6 and by inserting instead the following section:—

Subst. sec. 6.

6. (1) The Governor may make regulations or with respect to—

Regulations.

(a) prescribing the kind or nature of service with the armed forces of the Commonwealth to be special service for the purposes of subsection (2) of section 4; and

(b)

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*Transferred Officers Extended Leave (Amendment).*

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(b) generally for carrying out and giving effect to this Act.

(2) The regulations may be made so as—

(a) to apply differently according to such factors as may be specified in the regulations; and

(b) to apply to service with the armed forces of the Commonwealth before the commencement of the Transferred Officers Extended Leave (Amendment) Act, 1973, as well as to service after that commencement.

(3) Without affecting the generality of the foregoing provisions of this section, special service may be prescribed by reference to any service defined for the purposes of, or referred to in, any Commonwealth or other Act.

(4) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

Operation of  
amendment  
made by  
sec. 3 (b).

4. Section 3 (4A) of the Principal Act, as inserted by this Act, does not apply to or in respect of a person who, though employed before the commencement of this Act in the service of a State employer, is employed neither at, nor at any time after, that commencement in the service of that State employer.

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

JOHN R. KERR,

*By Deputation from*

*His Excellency the Lieutenant-Governor.*

*Government House,*

*Sydney, 2nd May, 1973.*