

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 23 August, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the Public Service Act, 1902, with respect to the power of the Public Service Board to enter into agreements with associations or organisations of officers or employees and with respect to qualifications for admission to the Public Service.

BE

Public Service (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 Short
(Amendment) Act, 1977". title.

2. The Public Service Act, 1902, is amended—

Amend-
ment of
Act No.
31, 1902.

10 (a) (i) by omitting from section 14B the words "salaries, fees, allowances, and grades, and may by regulations prescribe the salaries, fees, allowances, and grades so agreed upon" and by inserting instead the words "any industrial matters";

Sec. 14B.
(Agree-
ments with
associa-
tions,
etc.)

15 (ii) by inserting at the end of section 14B the following subsection :—

20 (2) For the purposes of subsection (1), "industrial matters" has the meaning ascribed to that expression in section 5 (1) of the Industrial Arbitration Act, 1940, subject to the following modifications :—

(a) the references to "employers" and "their employer" shall be construed as references to the Crown;

25 (b) the references to "employees" shall be construed as references to officers and employees;

30 (c) the references to "any industry" and "an industry" shall be construed as references to the Public Service; and

(d)

Public Service (Amendment).

5 (d) the references to "industrial unions" and "trade union" shall be construed as references to any association or organisation representing any group or class of officers or employees.

(b) by omitting section 28 (1) and (2) and by inserting **Sec. 28.** instead the following subsections :—

(Qualifica-
tion for
appoint-
ment.)

10 (1) Except as provided in subsection (3) and in sections 35 and 36, a person shall not be admitted to the Public Service as an officer unless he has successfully passed the prescribed examination.

15 (2) Where a person admitted to the Public Service as an officer does not have the status of a British subject, that person shall cease to be eligible for employment as an officer in that Service on the expiration of 6 months after the date on which he becomes eligible to be granted a certificate of Australian citizenship, unless he has previously been granted such a certificate or has otherwise obtained the status of a British subject.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]

Section 1077

(b) The provisions of this Act shall apply to any person who is engaged in any business or profession or occupation or calling or other activity in which a license is required by law.

(c) Any person who is engaged in any business or profession or occupation or calling or other activity in which a license is required by law shall be deemed to be engaged in such activity if he is engaged in such activity for a substantial part of his time.

(d) If a person is engaged in any business or profession or occupation or calling or other activity in which a license is required by law, he shall be deemed to be engaged in such activity if he is engaged in such activity for a substantial part of his time.

(e) If a person is engaged in any business or profession or occupation or calling or other activity in which a license is required by law, he shall be deemed to be engaged in such activity if he is engaged in such activity for a substantial part of his time.

PUBLIC SERVICE (AMENDMENT) BILL, 1977

No. , 1977.

A BILL FOR

An Act to amend the Public Service Act, 1902, with respect to the power of the Public Service Board to enter into agreements with associations or organisations of officers or employees and with respect to qualifications for admission to the Public Service.

[MR WRAN—8 June, 1977.]

BE

Public Service (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 Short title.
(Amendment) Act, 1977".

2. The Public Service Act, 1902, is amended—

Amend-
ment of
Act No.
31, 1902.

10 (a) (i) by omitting from section 14B the words "salaries, fees, allowances, and grades, and may by regulations prescribe the salaries, fees, allowances, and grades so agreed upon" and by inserting instead the words "any industrial matters";

Sec. 14B.
(Agree-
ments with
associa-
tions,
etc.)

15 (ii) by inserting at the end of section 14B the following subsection :—

20 (2) For the purposes of subsection (1), "industrial matters" has the meaning ascribed to that expression in section 5 (1) of the Industrial Arbitration Act, 1940, subject to the following modifications :—

(a) the references to "employers" and "their employer" shall be construed as references to the Crown;

25 (b) the references to "employees" shall be construed as references to officers and employees;

30 (c) the references to "any industry" and "an industry" shall be construed as references to the Public Service; and

(d)

Public Service (Amendment).

5 (d) the references to "industrial unions"
and "trade union" shall be construed
as references to any association or
organisation representing any group
or class of officers or employees.

(b) by omitting section 28 (1) and (2) and by inserting **Sec. 28.**
instead the following subsections : —

10 (1) Except as provided in subsection (3) and
in sections 35 and 36, a person shall not be admitted
to the Public Service as an officer unless he has
successfully passed the prescribed examination.

15 (2) Where a person admitted to the Public
Service as an officer does not have the status of a
British subject, that person shall cease to be eligible
for employment as an officer in that Service on the
expiration of 6 months after the date on which he
becomes eligible to be granted a certificate of Aus-
tralian citizenship, unless he has previously been
granted such a certificate or has otherwise obtained
the status of a British subject.

(Qualifica-
tion for
appoint-
ment.)

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]

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PUBLIC SERVICE (AMENDMENT) BILL, 1977

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE objects of this Bill are—

- (a) to extend the power of the Public Service Board under section 14B of the Public Service Act, 1902, in relation to agreements with associations or organisations representing groups or classes of officers or employees of the Public Service by enabling the Board to enter into such agreements with respect to all industrial matters and not, as is presently the case, only with respect to salaries, fees, allowances and grades; and
 - (b) to amend section 28 of that Act by removing the need to obtain the permission of the Governor before a person who is not a natural born or naturalised subject of Her Majesty may be admitted to the Public Service as an officer.
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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

REPORT OF THE PHYSICS DEPARTMENT

FOR THE YEAR 1900

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PUBLIC SERVICE (AMENDMENT) BILL, 1977

No. , 1977.

A BILL FOR

An Act to amend the Public Service Act, 1902, with respect to the power of the Public Service Board to enter into agreements with associations or organisations of officers or employees and with respect to qualifications for admission to the Public Service.

[MR WRAN—8 June, 1977.]

BE

Public Service (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 Short
(Amendment) Act, 1977". title.

2. The Public Service Act, 1902, is amended—

Amend-
ment of
Act No.
31, 1902.

10 (a) (i) by omitting from section 14B the words Sec. 14B.
"salaries, fees, allowances, and grades, and (Agree-
may by regulations prescribe the salaries, fees, ments with
allowances, and grades so agreed upon" and associa-
by inserting instead the words "any industrial tions,
matters"; etc.)

15 (ii) by inserting at the end of section 14B the
following subsection :—

20 (2) For the purposes of subsection (1),
"industrial matters" has the meaning ascribed
to that expression in section 5 (1) of the
Industrial Arbitration Act, 1940, subject to
the following modifications :—

(a) the references to "employers" and
"their employer" shall be construed
as references to the Crown;

25 (b) the references to "employees" shall
be construed as references to officers
and employees;

30 (c) the references to "any industry" and
"an industry" shall be construed as
references to the Public Service; and

(d)

Public Service (Amendment).

5 (d) the references to "industrial unions" and "trade union" shall be construed as references to any association or organisation representing any group or class of officers or employees.

(b) by omitting section 28 (1) and (2) and by inserting instead the following subsections :—

Sec. 28.
(Qualification for appointment.)

10 (1) Except as provided in subsection (3) and in sections 35 and 36, a person shall not be admitted to the Public Service as an officer unless he has successfully passed the prescribed examination.

15 (2) Where a person admitted to the Public Service as an officer does not have the status of a British subject, that person shall cease to be eligible for employment as an officer in that Service on the expiration of 6 months after the date on which he becomes eligible to be granted a certificate of Australian citizenship, unless he has previously been granted such a certificate or has otherwise obtained the status of a British subject.

Article 2

and the provisions in industrial property law shall be applied to the rights in industrial property which are transferred to the State in accordance with the provisions of this Act.

(b) In addition to the provisions in sections 20 and 21 and in section 22, the provisions in sections 23 and 24 shall apply to the rights in industrial property which are transferred to the State in accordance with the provisions of this Act.

10. Except as provided in sub-section 1, the provisions in sections 25 and 26 shall apply to the rights in industrial property which are transferred to the State in accordance with the provisions of this Act.

11. Where a person who is not a citizen of the State has obtained a patent or a trademark in the State, the provisions in sections 27 and 28 shall apply to the rights in industrial property which are transferred to the State in accordance with the provisions of this Act.

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 21 September, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 76, 1977.

An Act to amend the Public Service Act, 1902, with respect to the power of the Public Service Board to enter into agreements with associations or organisations of officers or employees and with respect to qualifications for admission to the Public Service. [Assented to, 10th October, 1977.]

BE

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

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Public Service (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 (Amendment) Act, 1977".

Amend-
ment of
Act No.
31, 1902.

Sec. 14B.
(Agree-
ments with
associa-
tions,
etc.)

2. The Public Service Act, 1902, is amended—

(a) (i) by omitting from section 14B the words "salaries, fees, allowances, and grades, and may by regulations prescribe the salaries, fees, allowances, and grades so agreed upon" and by inserting instead the words "any industrial matters";

(ii) by inserting at the end of section 14B the following subsection :—

(2) For the purposes of subsection (1), "industrial matters" has the meaning ascribed to that expression in section 5 (1) of the Industrial Arbitration Act, 1940, subject to the following modifications :—

(a) the references to "employers" and "their employer" shall be construed as references to the Crown;

(b) the references to "employees" shall be construed as references to officers and employees;

(c) the references to "any industry" and "an industry" shall be construed as references to the Public Service; and

(d)

Public Service (Amendment).

(d) the references to "industrial unions" and "trade union" shall be construed as references to any association or organisation representing any group or class of officers or employees.

(b) by omitting section 28 (1) and (2) and by inserting **Sec. 28.** instead the following subsections : —

(Qualifica-
tion for
appoint-
ment.)

(1) Except as provided in subsection (3) and in sections 35 and 36, a person shall not be admitted to the Public Service as an officer unless he has successfully passed the prescribed examination.

(2) Where a person admitted to the Public Service as an officer does not have the status of a British subject, that person shall cease to be eligible for employment as an officer in that Service on the expiration of 6 months after the date on which he becomes eligible to be granted a certificate of Australian citizenship, unless he has previously been granted such a certificate or has otherwise obtained the status of a British subject.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 10th October, 1977.*

(Continued from page 7)

the person to whom the contract was assigned, and the assignor shall not be liable for any loss or damage sustained by the assignee in the performance of the contract.

Sec. 28

1. If a person who is not a citizen of the United States is employed in the service of the Government, he shall be deemed to be an alien and shall not be eligible for appointment to any office in the service of the Government. 2. If a person who is not a citizen of the United States is employed in the service of the Government, he shall be deemed to be an alien and shall not be eligible for appointment to any office in the service of the Government.

3. If a person who is not a citizen of the United States is employed in the service of the Government, he shall be deemed to be an alien and shall not be eligible for appointment to any office in the service of the Government. 4. If a person who is not a citizen of the United States is employed in the service of the Government, he shall be deemed to be an alien and shall not be eligible for appointment to any office in the service of the Government.

In the presence and hearing of the undersigned witnesses:

A. J. CANTON

Witness

Witness
Subscribed and sworn to before me this 1st day of October, 1977.