

**ELECTRICITY COMMISSION (APPEAL TRIBUNAL)
AMENDMENT BILL, 1980**

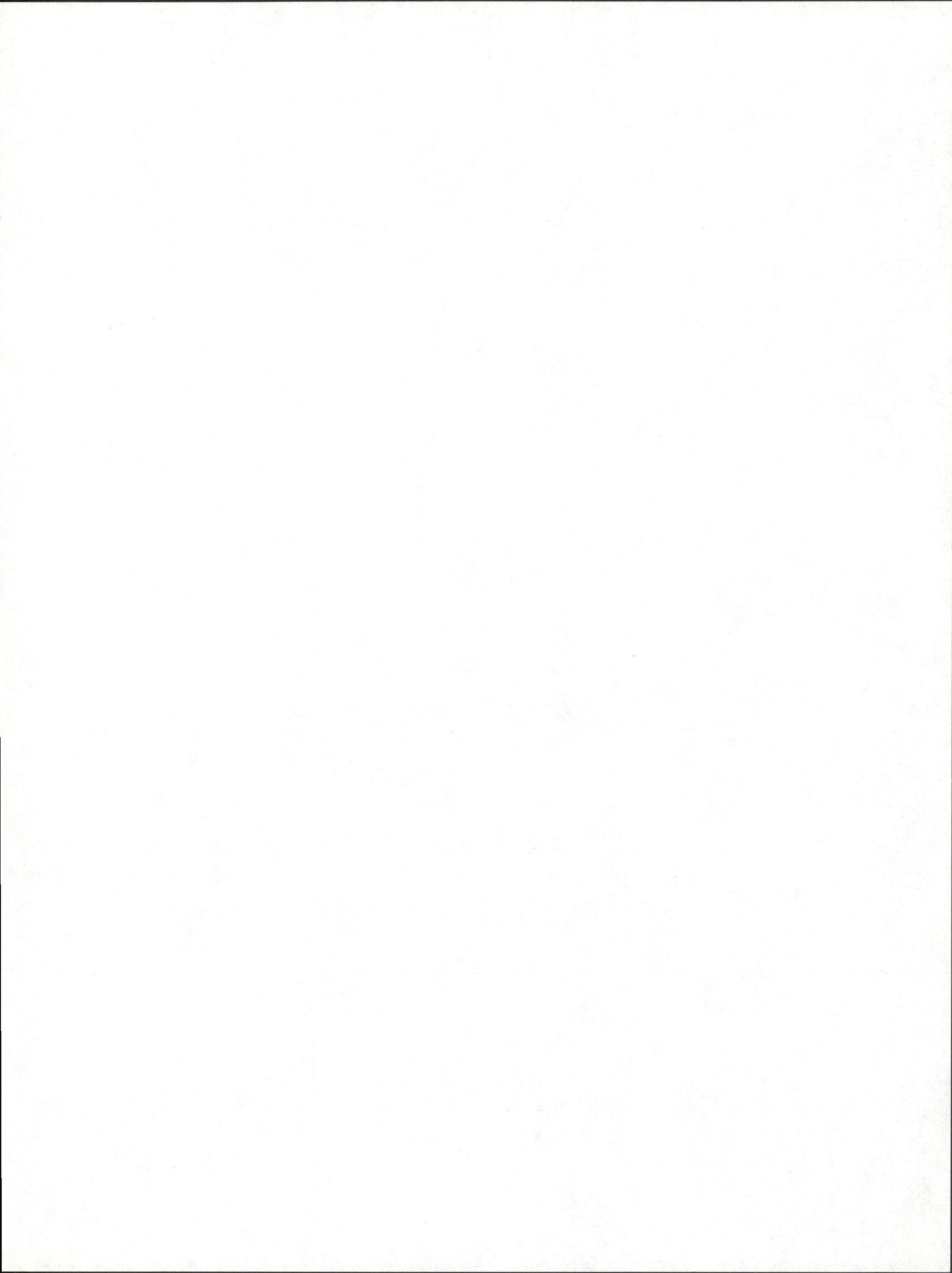
EXPLANATORY NOTE

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

This Bill is cognate with the Government and Related Employees Appeal Tribunal Bill, 1980.

The objects of this Bill are—

- (a) to abolish the Appeal Board established under Division 3 of Part VI of the Electricity Commission Act, 1950, for the purpose of hearing and determining appeals made by employees of the Electricity Commission of New South Wales against certain decisions of the Commission relating to their promotion and discipline (Schedule 1);
 - (b) to provide that appeals which, before the commencement of the proposed Act, lay to the Appeal Board referred to in paragraph (a) will, on and from that commencement, lie to the Government and Related Employees Appeal Tribunal established under the Government and Related Employees Appeal Tribunal Act, 1980 (Schedule 1);
 - (c) to enact certain savings, transitional and other provisions (clauses 5 and 6).
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**ELECTRICITY COMMISSION (APPEAL TRIBUNAL)
AMENDMENT BILL, 1980**

No. , 1980.

A BILL FOR

An Act to amend the Electricity Commission Act, 1950, to abolish the Appeal Board established under that Act and to provide for the making of certain appeals to the Government and Related Employees Appeal Tribunal.

[MR WRAN—20 *February*, 1980.]

Electricity Commission (Appeal Tribunal) 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 :—

5 **1.** This Act may be cited as the “Electricity Commission Short title.
(Appeal Tribunal) Amendment Act, 1980”.

2. (1) This section and section 1 shall commence on the date of assent to this Act. **Commence-**
ment.

(2) Except as provided by subsection (1), this Act shall
10 commence on the appointed day.

3. In this Act, “appointed day” means the day appointed and notified under section 2 (2) of the Government and Related **Interpre-**
Employees Appeal Tribunal Act, 1980. **tation.**

4. The Electricity Commission Act, 1950, is amended in the **Amendment**
15 manner set forth in Schedule 1. **of Act No.**
22, 1950.

5. (1) An appeal by a servant of the Electricity Commission **Savings—**
of New South Wales who has been dealt with, before the appointed **certain**
day, in a manner referred to in section 66 (1) of the Electricity **appeals and**
Commission Act, 1950, as in force immediately before the **objections.**
20 appointed day, may be made, continued and completed, and shall
be given effect to, in all respects as if this Act had not been enacted,
and not otherwise.

Electricity Commission (Appeal Tribunal) Amendment.

(2) An objection by a servant of the Electricity Commission of New South Wales against the adoption of a recommendation referred to in section 67 (1) of the Electricity Commission Act, 1950, as in force immediately before 5 the appointed day, may, where the recommendation was made before the appointed day, be lodged, investigated and decided, and the decision may be given effect to, in all respects as if this Act had not been enacted.

(3) For the purposes only of making, continuing or 10 completing an appeal referred to in subsection (1) and lodging, investigating and deciding an objection referred to in subsection (2), the provisions of the Electricity Commission Act, 1950, as in force immediately before the appointed day, and of any instrument made under that Act and so in force shall, notwithstanding any 15 other provision of this Act, continue in force.

(4) Nothing in this section limits any saving in the Interpretation Act, 1897.

6. On and from the appointed day, a reference in a provision of any other Act or of any regulation, by-law or other statutory 20 instrument or of any other document, whether of the same or of a different kind, to the Appeal Board established under Division 3 of Part VI of the Electricity Commission Act, 1950, as in force immediately before the appointed day, shall, except for the purposes of section 5, be read and construed as a reference to 25 Government and Related Employees Appeal Tribunal established under the Government and Related Employees Appeal Tribunal Act, 1980.

Construction
of certain
references.

Electricity Commission (Appeal Tribunal) Amendment.

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE ELECTRICITY COMMISSION ACT, 1950.

(1) Section 2—

Omit the matter relating to Division 3 of Part VI.

5 (2) (a) Section 66 (1)—

Omit “, and, if he is qualified to appeal to the Appeal Board established under Division 3, may appeal thereto in the manner hereinafter provided”.

(b) Section 66 (2)—

10 Omit the subsection.

(3) Section 67—

Omit the section.

(4) Part VI, Division 3—

Omit the Division.

15 (5) (a) Section 87 (c)—

Omit “Commission;”, insert instead “Commission.”.

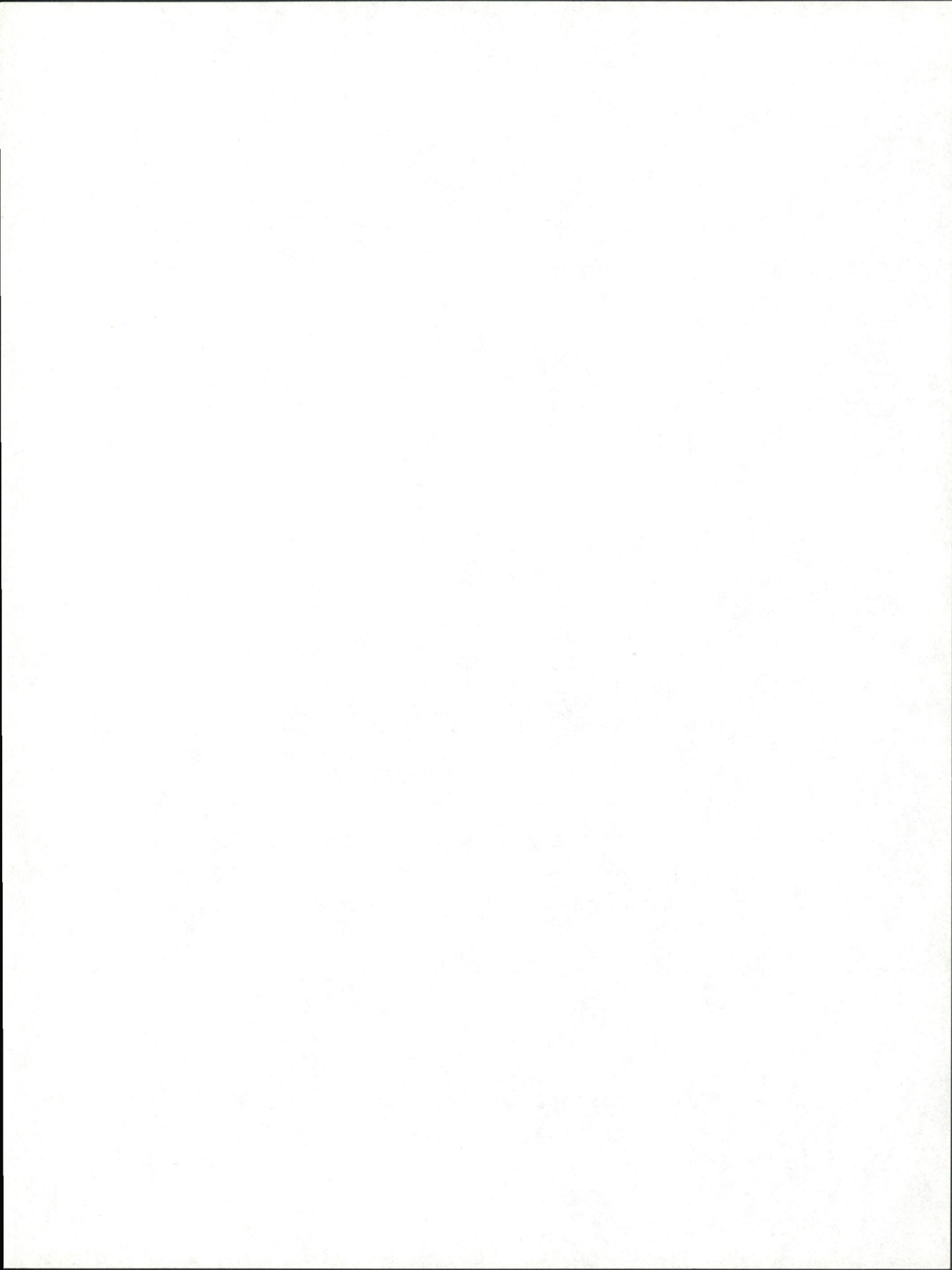
(b) Section 87 (d)—

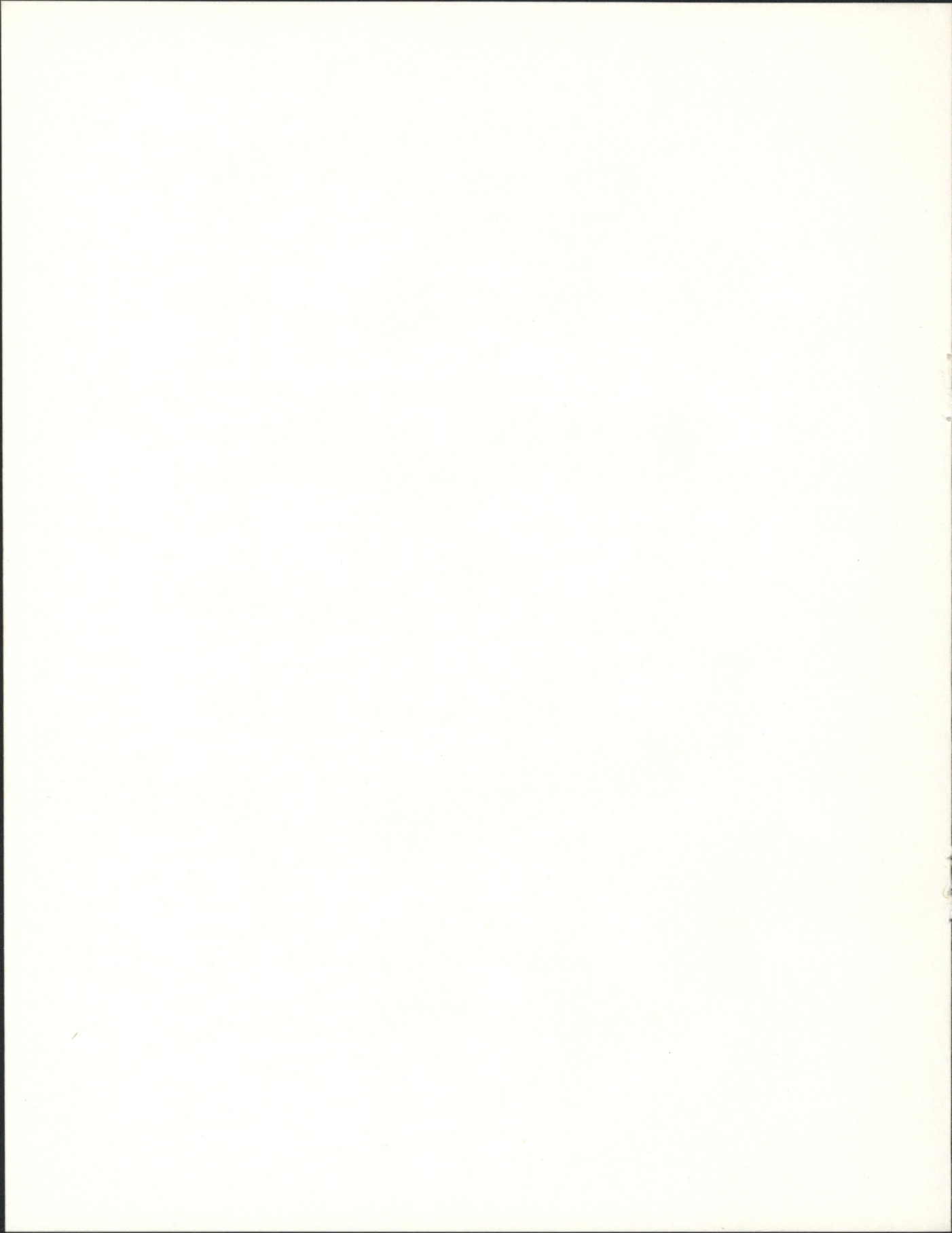
Omit the paragraph.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

(10c)





**ELECTRICITY COMMISSION (APPEAL TRIBUNAL)
AMENDMENT ACT, 1980, No. 43**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 43, 1980.

An Act to amend the Electricity Commission Act, 1950, to abolish the Appeal Board established under that Act and to provide for the making of certain appeals to the Government and Related Employees Appeal Tribunal. [Assented to, 28th April, 1980.]

Electricity Commission (Appeal Tribunal) 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 "Electricity Commission (Appeal Tribunal) Amendment Act, 1980".

Commence-ment. **2.** (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the appointed day.

Interpre-tation. **3.** In this Act, "appointed day" means the day appointed and notified under section 2 (2) of the Government and Related Employees Appeal Tribunal Act, 1980.

Amendment of Act No. 22, 1950. **4.** The Electricity Commission Act, 1950, is amended in the manner set forth in Schedule 1.

Savings— certain appeals and objections. **5.** (1) An appeal by a servant of the Electricity Commission of New South Wales who has been dealt with, before the appointed day, in a manner referred to in section 66 (1) of the Electricity Commission Act, 1950, as in force immediately before the appointed day, may be made, continued and completed, and shall be given effect to, in all respects as if this Act had not been enacted, and not otherwise.

Electricity Commission (Appeal Tribunal) Amendment.

(2) An objection by a servant of the Electricity Commission of New South Wales against the adoption of a recommendation referred to in section 67 (1) of the Electricity Commission Act, 1950, as in force immediately before the appointed day, may, where the recommendation was made before the appointed day, be lodged, investigated and decided, and the decision may be given effect to, in all respects as if this Act had not been enacted.

(3) For the purposes only of making, continuing or completing an appeal referred to in subsection (1) and lodging, investigating and deciding an objection referred to in subsection (2), the provisions of the Electricity Commission Act, 1950, as in force immediately before the appointed day, and of any instrument made under that Act and so in force shall, notwithstanding any other provision of this Act, continue in force.

(4) Nothing in this section limits any saving in the Interpretation Act, 1897.

6. On and from the appointed day, a reference in a provision of any other Act or of any regulation, by-law or other statutory instrument or of any other document, whether of the same or of a different kind, to the Appeal Board established under Division 3 of Part VI of the Electricity Commission Act, 1950, as in force immediately before the appointed day, shall, except for the purposes of section 5, be read and construed as a reference to the Government and Related Employees Appeal Tribunal established under the Government and Related Employees Appeal Tribunal Act, 1980.

Construction
of certain
references.

Electricity Commission (Appeal Tribunal) Amendment.

Sec. 4.

SCHEDULE 1.

AMENDMENTS TO THE ELECTRICITY COMMISSION ACT, 1950.

(1) Section 2—

Omit the matter relating to Division 3 of Part VI.

(2) (a) Section 66 (1)—

Omit “, and, if he is qualified to appeal to the Appeal Board established under Division 3, may appeal thereto in the manner hereinafter provided”.

(b) Section 66 (2)—

Omit the subsection.

(3) Section 67—

Omit the section.

(4) Part VI, Division 3—

Omit the Division.

(5) (a) Section 87 (c)—

Omit “Commission;”, insert instead “Commission.”.

(b) Section 87 (d)—

Omit the paragraph.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 28th April, 1980.*