

FIRST PRINT

INTERPRETATION (AMENDMENT) BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to enable, in certain circumstances, a part-time member of a statutory body to be re-appointed for a further term or terms after reaching the relevant age limit for holding office, but not beyond the age of 72 years.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will commence on assent.

Clause 3 inserts a new section 53A into the Interpretation Act 1987. The section allows the Governor-in-Council to extend the age limit applying to a part-time member of a statutory body, but not beyond the age of 72 years. It is necessary that a Minister first certify that it is in the public interest that the person concerned should be able to continue in office.

Such an extension cannot be made unless the person has reached the former age limit or is within 3 months of reaching it, and cannot be made unless the person is or has, within the previous 3 months, been a part-time member of the statutory body.

INTERPRETATION (AMENDMENT) BILL 1987

NEW SOUTH WALES



TABLE OF PROVISIONS

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 2. Commencement
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INTERPRETATION (AMENDMENT) BILL 1987

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Interpretation Act 1987 in relation to part-time members of statutory bodies.

*Interpretation (Amendment) 1987***The Legislature of New South Wales enacts:****Short title**

1. This Act may be cited as the Interpretation (Amendment) Act 1987.

Commencement

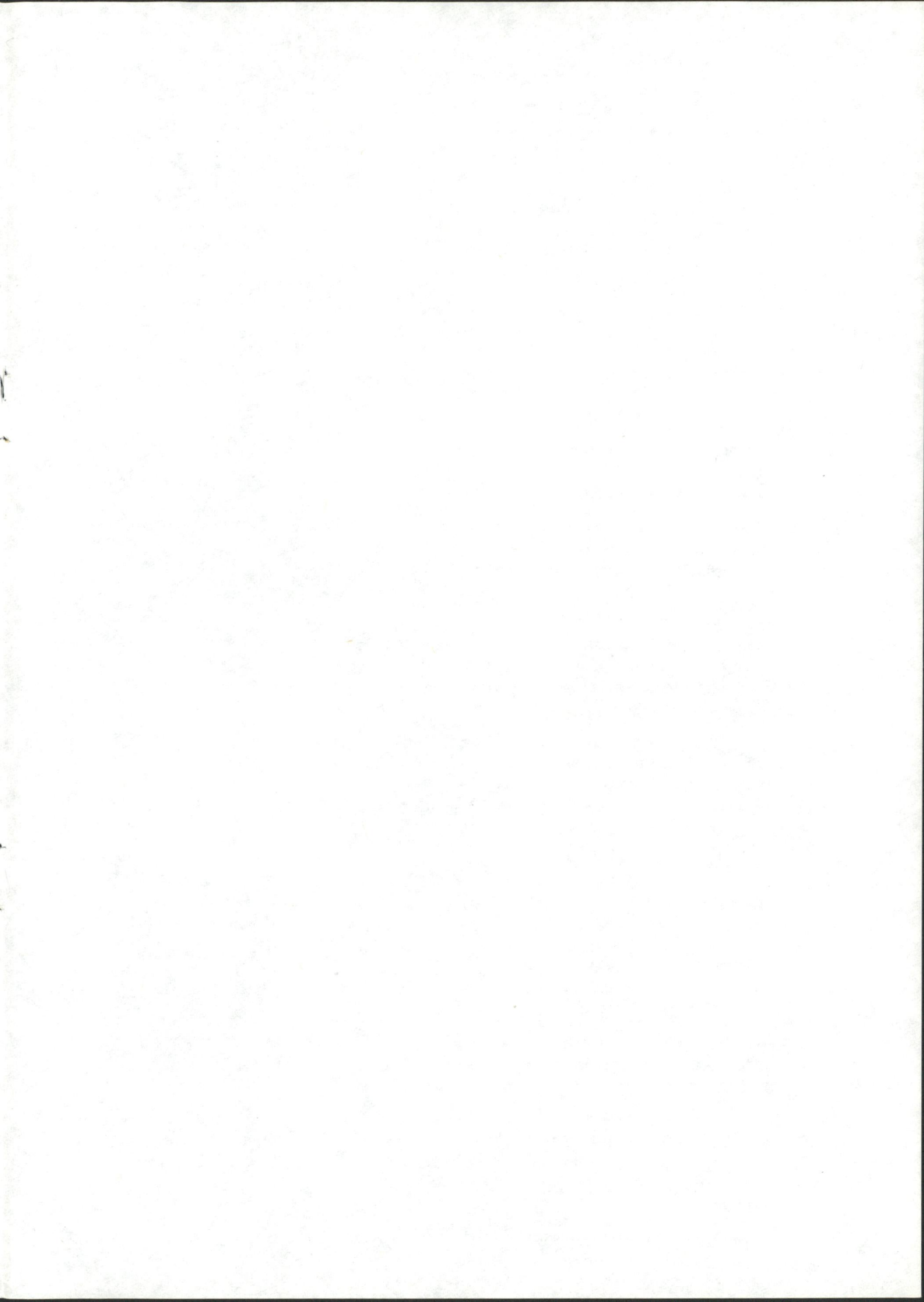
- 5 2. This Act shall commence on the date of assent to this Act.

Amendment of Act No. 15, 1987

3. The Interpretation Act 1987 is amended by inserting after section 53 the following section:

Extension of age limit for part-time members of statutory bodies

- 10 53A. (1) If—
- (a) a person is or has, within the last 3 months, been the holder of a part-time office as a member of a statutory body;
 - (b) the person cannot be re-appointed to the office because a provision of an Act or statutory rule imposes an age limit;
 - 15 (c) a Minister certifies to the Governor that that Minister is of the opinion that it is in the public interest that the person should be able to continue to hold the office after reaching the age limit; and
 - (d) the person has reached the age limit or is within 3 months of reaching it,
- 20 the Governor may extend the age limit for the person, but not beyond the age of 72 years.
- (2) While under the extended age limit, the person (if otherwise qualified) may be re-appointed to the office.
 - (3) An office held by a person re-appointed under this section becomes vacant if the person reaches the extended age limit, instead of the former age limit.
 - (4) This section prevails over any Act or statutory rule relating to the constitution of the statutory body concerned, unless any such Act or statutory rule expressly excludes this section.
 - 30 (5) A notification in the Gazette by a Minister to the effect that the age limit has been extended for the person is evidence of the extension.
 - (6) The age limit for a person may be extended under this section on more than one occasion, but so that the age limit is not extended beyond the age of 72 years.
 - 35 (7) In this section, "part-time office" means an office other than—
 - (a) an office required to be held on a full-time basis; or
 - (b) an office specified in any of the Schedules to the Statutory and Other Offices Remuneration Act 1975.



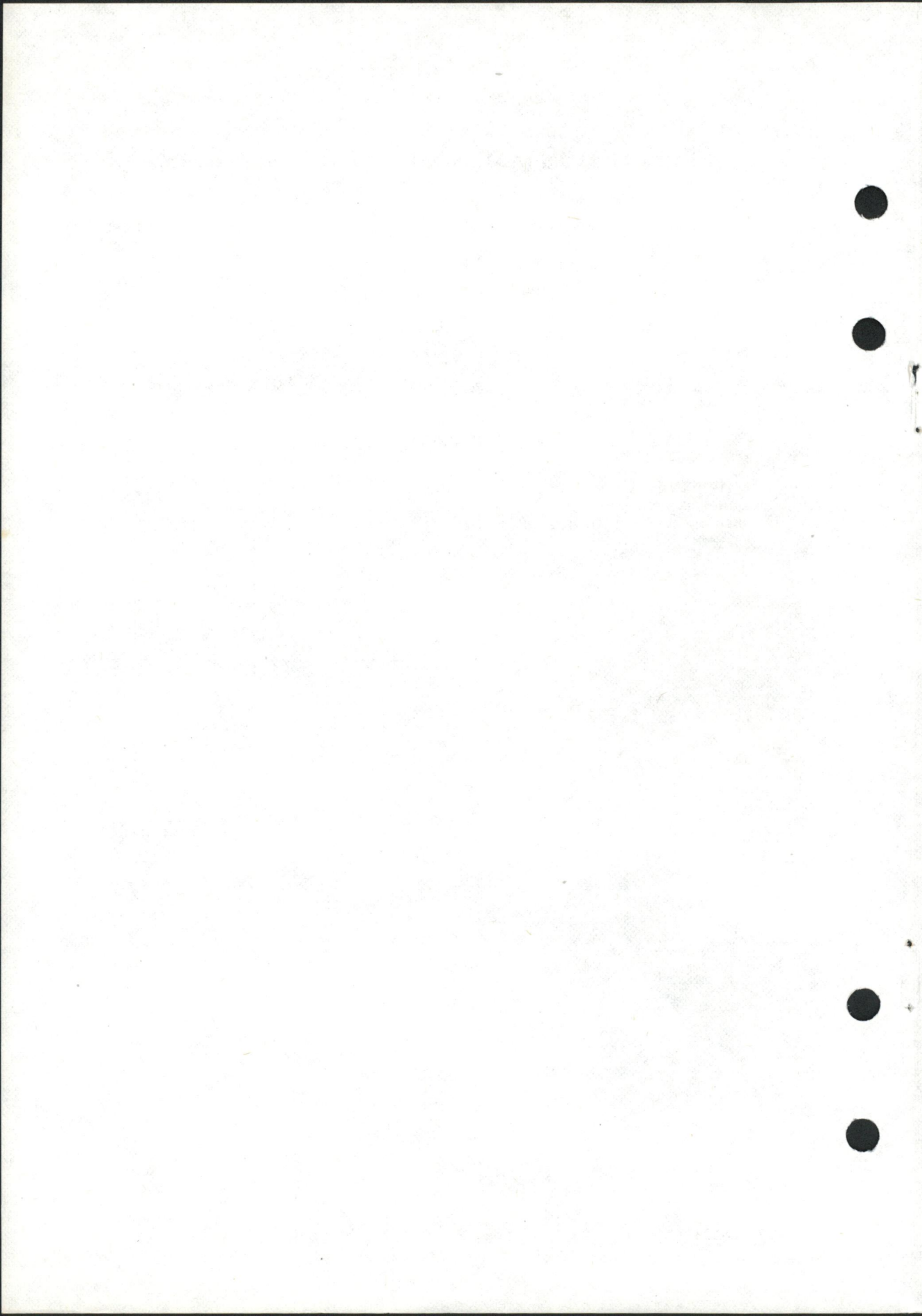
INTERPRETATION (AMENDMENT) ACT 1987 No. 152

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Act No. 15, 1987
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INTERPRETATION (AMENDMENT) ACT 1987 No. 152

NEW SOUTH WALES



Act No. 152, 1987

An Act to amend the Interpretation Act 1987 in relation to part-time members of statutory bodies. [Assented to 5 November 1987]

Interpretation (Amendment) 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Interpretation (Amendment) Act 1987.

Commencement

2. This Act shall commence on the date of assent to this Act.

Amendment of Act No. 15, 1987

3. The Interpretation Act 1987 is amended by inserting after section 53 the following section:

Extension of age limit for part-time members of statutory bodies

53A. (1) If—

- (a) a person is or has, within the last 3 months, been the holder of a part-time office as a member of a statutory body;
- (b) the person cannot be re-appointed to the office because a provision of an Act or statutory rule imposes an age limit;
- (c) a Minister certifies to the Governor that that Minister is of the opinion that it is in the public interest that the person should be able to continue to hold the office after reaching the age limit; and
- (d) the person has reached the age limit or is within 3 months of reaching it,

the Governor may extend the age limit for the person, but not beyond the age of 72 years.

(2) While under the extended age limit, the person (if otherwise qualified) may be re-appointed to the office.

(3) An office held by a person re-appointed under this section becomes vacant if the person reaches the extended age limit, instead of the former age limit.

(4) This section prevails over any Act or statutory rule relating to the constitution of the statutory body concerned, unless any such Act or statutory rule expressly excludes this section.

(5) A notification in the Gazette by a Minister to the effect that the age limit has been extended for the person is evidence of the extension.

(6) The age limit for a person may be extended under this section on more than one occasion, but so that the age limit is not extended beyond the age of 72 years.

Interpretation (Amendment) 1987

- (7) In this section, "part-time office" means an office other than—
- (a) an office required to be held on a full-time basis; or
 - (b) an office specified in any of the Schedules to the Statutory and Other Offices Remuneration Act 1975.

