

THIS Bill originated in the House of Representatives; and, having this day passed, is now ready for presentation to the Senate for its concurrence.

J. A. PETTIFER
Clerk of the House of Representatives

House of Representatives,
Canberra, 25 February 1981

A BILL

FOR

An Act to amend the *Long Service Leave (Commonwealth Employees) Act 1976*

5 BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title, &c.

1. (1) This Act may be cited as the *Long Service Leave (Commonwealth Employees) Amendment Act 1981*.

10 (2) The *Long Service Leave (Commonwealth Employees) Act 1976*¹ is in this Act referred to as the Principal Act.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

15 Interpretation

3. Section 4 of the Principal Act is amended by adding at the end of the definition of "public authority of the Commonwealth" in sub-section (1) " , other than an authority (being an authority established or constituted by or under a law of the Northern Territory) declared by the regulations not to be a public authority of the Commonwealth for the purposes of this Act".

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4. After section 9 of the Principal Act the following section is inserted:

Delegations by Presiding Officers

“9A. (1) The President or the Speaker or the President and the Speaker, as the case may be, may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him or them, as the case may be, delegate to an officer or employee of the Parliament, any of his or their powers, as the case may be, as an approving authority under this Act or under the regulations, other than this power of delegation. 5

“(2) A power delegated under sub-section (1), when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the President or the Speaker or the President and the Speaker, as the case may be. 10

“(3) A delegation under sub-section (1) does not prevent the exercise by the President or the Speaker or the President and the Speaker, as the case may be, of the power to which the delegation relates. 15

“(4) In sub-section (1)—

- (a) the reference to officers of the Parliament shall be read as a reference to officers of the Department of the Senate, the Department of the House of Representatives, the Department of the Parliamentary Library, the Department of the Parliamentary Reporting Staff or the Joint House Department; and 20
- (b) the reference to employees of the Parliament shall be read as a reference to employees, within the meaning of the *Public Service Act* 1922, performing duties in a Department specified in paragraph (a).”.

Meaning of employment in Government service 25

5. Section 10 of the Principal Act is amended—

- (a) by omitting from sub-section (6) “A person” and substituting “Notwithstanding anything contained in sub-section (1) or (2), a person”;
- (b) by omitting paragraph (a) from sub-section (6) and substituting the following paragraphs: 30

“(a) who is employed by the Commonwealth in a particular capacity and remunerated, in respect of his employment in that capacity, by fees, allowances or commission;

“(aa) appointed—

(i) to constitute, or act as the person constituting, a public authority of the Commonwealth; or 35

(ii) to be, or to act as, a member of such an authority or to be a deputy of such a member,

who is remunerated, in respect of his performance of the duties of that appointment, by fees, allowances or commission;” and 40

- (c) by adding at the end of paragraph (d) of sub-section (6) “or in the Teaching Service of the Northern Territory”.

Period of service

6. Section 11 of the Principal Act is amended—

(a) by adding at the end of paragraph (c) of sub-section (2) “or the Teaching Service of the Northern Territory”; and

5 (b) by inserting after paragraph (c) of sub-section (2) the following paragraph:

“(ca) any service of an authority that was declared by the regulations not to be a public authority of the Commonwealth for the purposes of this Act;”.

NOTE

1. No. 192, 1976, as amended. For previous amendments, see No. 9, 1978 and Nos. 52 and 155, 1979.

