

1983

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 20 October 1983

(Minister Assisting the Prime Minister for Public Service Industrial Matters)

A BILL

FOR

An Act to amend the *Public Service Act 1922* and certain other Acts

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

PART I—PRELIMINARY

Short title

- 5 **1.** This Act may be cited as the *Public Service and Statutory Authorities Amendment Act 1983*.

Commencement

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

10 **PART II—AMENDMENT OF THE PUBLIC SERVICE ACT**

Principal Act

- 3.** The *Public Service Act 1922*¹ is in this Part referred to as the Principal Act.

Repeal of sections 32A and 32B

4. Sections 32A and 32B of the Principal Act are repealed.

**PART III—AMENDMENT OF THE COMMONWEALTH
BANKS ACT**

Principal Act

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5. The *Commonwealth Banks Act 1959*² is in this Part referred to as the Principal Act.

Repeal of sections 89A and 89B

6. Sections 89A and 89B of the Principal Act are repealed.

**PART IV—AMENDMENTS OF THE COMMONWEALTH
TEACHING SERVICE ACT**

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Principal Act

7. The *Commonwealth Teaching Service Act 1972*³ is in this Part referred to as the Principal Act.

Repeal of sections 23A and 23B

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8. Sections 23A and 23B of the Principal Act are repealed.

**Settlement of industrial disputes and determination of industrial matters in
respect of the Service**

9. Section 39 of the Principal Act is amended—

- (a) by adding at the end of paragraph (2) (a) “or”; and
(b) by omitting paragraph (2) (aa).

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**PART V—AMENDMENT OF THE OVERSEAS
TELECOMMUNICATIONS ACT**

Principal Act

10. The *Overseas Telecommunications Act 1946*⁴ is in this Part referred to as the Principal Act.

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Repeal of sections 33AA and 33AB

11. Sections 33AA and 33AB of the Principal Act are repealed.

PART VI—AMENDMENTS OF THE POSTAL SERVICES ACT

Principal Act

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12. The *Postal Services Act 1975*⁵ is in this Part referred to as the Principal Act.

Repeal of sections 46A and 46B

13. Sections 46A and 46B of the Principal Act are repealed.

Settlement of industrial disputes and determination of industrial matters in respect of the Service

- 5 14. Section 70 of the Principal Act is amended—
- (a) by adding at the end of paragraph (2) (a) “or”; and
 - (b) by omitting paragraph (2) (aa).

PART VII—AMENDMENTS OF THE TELECOMMUNICATIONS ACT

10 **Principal Act**

15. The *Telecommunications Act 1975*⁶ is in this Part referred to as the Principal Act.

Repeal of sections 43A and 43B

16. Sections 43A and 43B of the Principal Act are repealed.

15 **Settlement of industrial disputes and determination of industrial matters in respect of the Service**

17. Section 67 of the Principal Act is amended—
- (a) by adding at the end of paragraph (2) (a) “or”; and
 - (b) by omitting paragraph (2) (aa).

20 **PART VIII—AMENDMENT OF THE SUPERANNUATION ACT 1976**

Principal Act

18. The *Superannuation Act 1976*⁷ is in this Part referred to as the Principal Act.

25 19. Section 16A of the Principal Act is repealed and the following section is substituted:

Eligible employees deprived of salary

“16A. Where—

- 30 (a) section 32A of the *Public Service Act 1922* as in force at any time before the commencement of the *Public Service and Statutory Authorities Amendment Act 1983* applied in relation to an eligible employee;
- 35 (b) a section of another Act that corresponded with the section of the *Public Service Act 1922* referred to in paragraph (a) applied in relation to an eligible employee; or

- (c) the terms and conditions of employment of an eligible employee have at any time included, or include, provisions that correspond with the provision made by the section of the *Public Service Act 1922* referred to in paragraph (a),

this Act applies, and shall be deemed to have applied, to the employee as if any period during which he was or is deprived of salary under and in accordance with that section, or those provisions of his terms and conditions of employment, as the case may be, were a period during which he was on leave of absence without pay.”.

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NOTES

1. No. 21, 1922, as amended. For previous amendments, see No. 46, 1924; No. 41, 1928; No. 19, 1930; No. 21, 1931; No. 72, 1932; No. 38, 1933; Nos. 45 and 46, 1934; No. 72, 1936; No. 41, 1937; No. 72, 1939; No. 88, 1940; No. 5, 1941; No. 19, 1943; Nos. 11, 29 and 43, 1945; No. 16, 1946; Nos. 1, 38, 52 and 84, 1947; Nos. 35 and 75, 1948; Nos. 51 and 80, 1950; Nos. 46 and 48, 1951; No. 22, 1953; No. 63, 1954; No. 18, 1955; Nos. 13 and 39, 1957; No. 11, 1958; Nos. 17 and 105, 1960; Nos. 2 and 75, 1964; Nos. 47 and 85, 1966; Nos. 2 and 115, 1967; Nos. 59, 114 and 120, 1968; No. 6, 1972; Nos. 21, 71, 73 and 209, 1973; No. 59, 1974; No. 40, 1975; Nos. 193 and 194, 1976; Nos. 6 and 80, 1977; No. 170, 1978; Nos. 52 and 155, 1979; No. 177, 1980; No. 61, 1981; Nos. 26, 80 and 111, 1982; and No. 39, 1983.
2. No. 5, 1959, as amended. For previous amendments, see No. 75, 1961; No. 3, 1962; No. 57, 1963; No. 132, 1965; No. 58, 1966; No. 93, 1966 (as amended by No. 3, 1967); No. 144, 1968; Nos. 18 and 117, 1973; No. 216, 1973 (as amended by No. 20, 1974); No. 81, 1974; Nos. 36 and 77, 1978; No. 177, 1980; and No. 29, 1981.
3. No. 13, 1972, as amended. For previous amendments, see No. 98, 1973 (as amended by No. 23, 1976); No. 216, 1973 (as amended by No. 20, 1974); No. 23, 1976; No. 26, 1977; No. 177, 1980; Nos. 5, 61 and 74, 1981; and No. 26, 1982.
4. No. 23, 1946, as amended. For previous amendments, see No. 69, 1952; No. 26, 1958; No. 85, 1963; No. 93, 1966 (as amended by No. 3, 1967); Nos. 31 and 139, 1968; No. 9, 1971; No. 216, 1973 (as amended by No. 20, 1974); No. 56, 1975; No. 37, 1976; No. 36, 1978; No. 19, 1979; No. 177, 1980; Nos. 61 and 115, 1981; Nos. 66 and 80, 1982; and No. 39, 1983.
5. No. 54, 1975, as amended. For previous amendments, see Nos. 36 and 170, 1978; No. 7, 1979; No. 177, 1980; Nos. 61 and 74, 1981; No. 80, 1982; and No. 39, 1983.
6. No. 55, 1975, as amended. For previous amendments, see No. 94, 1976; No. 160, 1977; Nos. 36 and 170, 1978; No. 115, 1979; No. 177, 1980; No. 61, 1981; No. 80, 1982; and No. 7, 1983.
7. No. 31, 1976, as amended. For previous amendments, see No. 51, 1976; No. 80, 1977; Nos. 17, 134, 169 and 170, 1978; Nos. 52 and 155, 1979; No. 177, 1980; and No. 92, 1981.