

Public Service (Amendment) Bill

NOTES ON CLAUSES

Clause 1 is a provision in the usual form as to the short title and date of commencement.

Clause 2 proposes an amendment to section 23 (2) of the Principal Act to ensure consistency between the references in that sub-section and sub-section (1) to a vacancy in an office referred to in Part A of Schedule Two to the Act. The amendment will allow the Governor in Council to appoint a person to an office referred to in Part A of Schedule Two which is about to become vacant.

Clause 3 proposes the insertion of sub-sections (5A) and (5B) into section 37 to empower a permanent head to effect a series of lateral transfers of officers within his department in the interests of efficiency, although the offices in question are not vacant. The sub-section will only apply in respect of officers of the same class or grade and any such series of transfers will require the approval of the Board. An officer transferred may appeal against the transfer.

Clause 4 proposes the amendment of section 37 (8A) in two main respects. First, it seeks to substitute for the general term "remuneration" the words "salary or wage". Secondly, it proposes that the circumstances in which transfers of the kind contemplated by the sub-section shall be permissible should be prescribed by regulation rather than set out at length in the sub-section.

Clause 5 proposes the insertion of a further new sub-section (11A) into section 37 to confer on the Board the discretion, after having consulted with the permanent head, to transfer a qualified unattached officer to fill an office which is vacant or about to become vacant. The Act at present does not explicitly empower the Board to place in an office an officer who has become unattached.

Clause 6 proposes the extension of long service leave entitlements provided by section 47 (1) by the insertion of a new sub-section (1A) which would enable the Board, at the request of an officer or employé who is entitled to a period of long service leave, to permit the officer or employé to take the whole or any part of the period to which he is entitled at half pay for twice that period or part of a period.

Clause 7 proposes the insertion of a sub-section (6A) into section 47 which will allow a person who holds a government office and who is declared by the Act under which he holds that office not to be subject to the *Public Service Act 1974* to be deemed to be a member of the public service for the purposes of the long service leave provisions of the *Public Service Act 1974*.

Clause 8 proposes the amendment of section 47 (7) so as to allow the prescription by regulation of service in any State or Commonwealth government office or with any specified authority, institution or similar body which shall count for the purpose of computing the period of long service leave to which a person is entitled. The regulations may provide that such service be taken into account only in certain circumstances or only to a certain extent.

Clause 9 proposes the repeal of section 50 (4).