

PUBLIC SERVICE.

5° Elizabeth II., No. LXIX.

No. 69 of 1956.

AN ACT to amend the Public Service Act, 1904-1955.

[Assented to 2nd January, 1957.]

BE it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title and citation.

1. (1) This Act may be cited as the *Public Service Act Amendment Act, 1956.*

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(2) In this Act the Public Service Act, 1904-1955, Act No. 41 of 1904 as reprinted with amendments to and including Act No. 71 of 1953 incorporated

pursuant to the Amendments Incorporation Act, 1938, and as further amended by Acts Nos. 54 of 1954 and 53 of 1955,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Public Service Act, 1904-1956.

2. Section seven of the principal Act is amended by substituting for the passage, "thirty-first day of December, one thousand nine hundred and fifty-six", in each of the two places where it appears in subsection (2), the passage, "thirty-first day of December, one thousand nine hundred and fifty-seven".

S. 7
amended.
Cf. No. 54 of
1954, s. 2, and
No. 53 of
1955, s. 2.

3. Section fifty-six of the principal Act is amended—

S. 56
amended.

(a) by adding after the word, "maximum" in line three of paragraph (a) of subsection (3), the passage, ", subject to the provisions of subsection (3a) of this section,"; and

(b) by adding after subsection (3), the following subsection:—

(3a) (a) Where the Commissioner is satisfied

- (i) that an officer has an entitlement to a period of long service leave;
- (ii) that the period is of six months;
- (iii) that the period accrued on or after the fifth day of March, one thousand nine hundred and fifty-three;
- (iv) that for the convenience of the Government the officer has,

whether before or after the coming into operation of the Public Service Act Amendment Act, 1956, delayed commencing to take the period of leave beyond the due date; and

- (v) that, but for permission under this subsection to further accumulate long service leave, the delay would result in a reduction of his period of qualification for future entitlement to further long service leave, not exceeding an aggregate of nine months;

the Commissioner, having regard to the special circumstances of the particular case may recommend to the Governor that, in order to avoid such reduction, the officer be permitted further to accumulate any entitlement of long service leave, not exceeding an aggregate of nine months.

(b) The Governor, if likewise satisfied, may permit the officer to accumulate the entitlement.

(c) The discretionary authority conferred by this subsection to permit such accumulation is not exercisable in respect of

- (i) a person who, prior to the coming into operation of the Public Service Act Amendment Act, 1956, ceased to be an officer; or
- (ii) an officer, who when the Public Service Act Amendment Act, 1956, comes into operation is on leave prior to retirement.