

**Married Women (Lecturers and Teachers)
Amendment Act.**

**MARRIED WOMEN (LECTURERS
AND TEACHERS) AMENDMENT
ACT.**

Act No. 49, 1935.

**George V.
No. 49, 1935.**

An Act to amend the Married Women (Lecturers and Teachers) Act, 1932, in certain respects; and for purposes connected therewith. [Assented to, 13th December, 1935.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. (1) This Act may be cited as the "Married Women (Lecturers and Teachers) Amendment Act, 1935."

(2) The Married Women (Lecturers and Teachers) Act, 1932, as amended by this Act, may be cited as the Married Women (Lecturers and Teachers) Act, 1932-1935.

**Amendment
of Act No.
28, 1932.
Substituted
s. 2.**

2. The Married Women (Lecturers and Teachers) Act, 1932, is amended—

(a) by omitting section two and by inserting in lieu thereof the following section:—

**Conditions
governing
appointment
of married
women as
lecturers
or teachers.**

2. (1) After the commencement of the Married Women (Lecturers and Teachers) Amendment Act, 1935, no married woman shall be appointed to the Department of Public Instruction as a lecturer or teacher unless the Board certifies to the Minister that there are special circumstances which make her employment for a period specified in the certificate desirable in the public interest.

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The Board may from time to time certify to the Minister in respect of any married woman so appointed that the special circumstances in consequence whereof any earlier certificate relating to the appointment of such married woman was given, make her employment for an additional period specified in the further certificate desirable in the public interest.

Where any such further certificate has been given her employment may be continued for the period specified in the further certificate.

(2) (a) A married woman who ceased to hold office or to be employed in the Public Service under the section which this section replaces shall be eligible to be employed in the said Department.

(b) Before any married woman is so employed the Board shall certify to the Minister that the combined income of her husband and herself from all sources, other than income derived from her personal exertions, is inadequate for the support of herself, her husband and dependants.

(c) Any such employment in the said Department shall be subject to and in accordance with the provisions of section forty-four of the Public Service Act, 1902, as amended by subsequent Acts.

(d) If at any time after any married woman has been re-employed under this subsection the Board finds upon inquiry that the combined income of such married woman and her husband from all sources, other than income derived from her personal exertions, is adequate for the support of herself, her husband and dependants the Board shall so certify to the Minister and where any such certificate is given the services of such married woman shall be terminated upon the expiration of the then current period of her employment.

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An inquiry under this paragraph may be made at any time, but one such inquiry shall be made in respect of each married woman so employed at least once in each year during which her employment is continued.

(3) In this section "married woman" means a woman who has a husband.

Sec. 3.
(Female
lecturers
and teachers
to cease to
hold office
on marriage.)

(b) by inserting at the end of section three the following new subsection—

(2) The Board may, from time to time, certify to the Minister, in respect of any married woman whose services have been retained under paragraph (b) of subsection one of this section, that the special circumstances in consequence whereof any earlier certificate relating to the continued employment of such married woman was given make her employment for an additional period specified in the further certificate desirable in the public interest.

Where any such further certificate has been given, her employment may be continued for the period specified in the further certificate.

Sec. 4.
(Super-
annuation
and leave.)

(c) by omitting paragraphs (b) and (c) of subsection one of section four and by inserting in lieu thereof the following paragraph:—

(b) "discharge" if the contributor concerned has not attained such age.

**Office or
employment
of certain
married
women to
continue.**

3. (1) Subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, a married woman whose services have, under section two of the Married Women (Lecturers and Teachers) Act, 1932 (as repealed by this Act), at any time, been retained in the Department of Public Instruction and who, immediately before the commencement of this Act, continued to hold office or to be employed in such Department as a lecturer or teacher, shall, unless she is a married woman who has the right to make an election under subsection three of this section and who makes such an election, continue to hold office or to be employed in such Department in all respects as if that section had not been enacted.

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(2) Where the services of a married woman have been retained pursuant to subsection three of section two of the Married Women (Lecturers and Teachers) Act, 1932 (as repealed by this Act), and the Board has not, during the month of October in the year one thousand nine hundred and thirty-five, furnished a certificate under that subsection in the case of that married woman, she may make an election under subsection three of this section.

(3) Such election shall state that the married woman elects that the provisions of subsection one of this section shall not apply to and in respect of her office or employment.

Any such election shall be made in writing addressed to the Minister, and shall be lodged with or forwarded to the Under Secretary and Director of Education not later than the thirty-first day of December, one thousand nine hundred and thirty-five.

(4) If any married woman makes an election under subsection three of this section, her services shall terminate on the thirty-first day of December, one thousand nine hundred and thirty-five, and the provisions of the Married Women (Lecturers and Teachers) Act, 1932, shall apply to and in respect of such married woman in all respects as if this Act had not been enacted.

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