

STOCK DISEASES (AMENDMENT) ACT.

Act No. 64, 1961.

Elizabeth II, No. 64, 1961 An Act to make further provisions with respect to certain inspectors engaged in the eradication of cattle tick; for this purpose to amend the Stock Diseases Act, 1923–1934; and for purposes connected therewith. [Assented to, 11th December, 1961.]

BE it enacted by the Queen'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, citation and commencement. 1. (1) This Act may be cited as the "Stock Diseases (Amendment) Act, 1961".

(2) The Stock Diseases Act, 1923, as amended by the Stock Diseases (Amendment) Act, 1934, and by this Act, may be cited as the Stock Diseases Act, 1923-1961.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2.

2. The Stock Diseases Act, 1923-1934, is amended— No. 64, 1961

(a) (i) by omitting from subsection nine of section five the words “, subject to the approval of the Minister,”; Amendment of Act No. 34, 1923.
Sec. 5.

(ii) by inserting at the end of the same subsection the following new paragraphs and subsection :— (Appoint-ment of Board of Tick Control.)

On and from the commencement of the Stock Diseases (Amendment) Act, 1961, this paragraph shall not apply to any persons referred to in subsection ten of this section.

(b) In the exercise of its powers of appointment, dismissal and control of inspectors pursuant to this subsection, the board shall be subject in all respects to the control and direction of the Minister, and without limiting the generality of the foregoing provisions of this paragraph, any such direction may require the board to obtain the approval of the Minister in the exercise of any of its powers aforesaid.

(10) (a) All persons appointed after the commencement of the Stock Diseases (Amendment) Act, 1961, to be inspectors in charge of quarantine areas proclaimed on account of the presence of cattle tick or to be inspectors dealing with tick-eradication within such areas and in charge of or supervising such first-mentioned inspectors shall be appointed and employed under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

(b) All persons holding office as such inspectors immediately before such commencement shall on and from such commencement become and be employees of the Public Service and shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

For

No. 64, 1961

For the purposes of entitlement to annual, sick and extended leave the service of any person referred to in this paragraph with the board shall be deemed to be service in the Public Service, but any such person shall not be entitled to claim benefits under the Public Service Act, 1902, as amended by subsequent Acts, as well as under any other Act or contract of employment in respect of the same period of service.

(c) The Local Government (Superannuation) Act, 1927, as amended by subsequent Acts—

- (i) shall apply, or continue to apply, as the case may require, to any person who is appointed and employed pursuant to paragraph (a), or becomes an employee of the Public Service pursuant to paragraph (b), of this subsection as if he were an employee of the Board of Tick Control; and
- (ii) shall cease to apply to any such person upon his becoming a contributor within the meaning of the Superannuation Act, 1916, as amended by subsequent Acts.

Upon any such person becoming a contributor as aforesaid, he shall be entitled to the same benefits under the Local Government (Superannuation) Act, 1927, as amended by subsequent Acts, as he would have been entitled to as a servant to whom that Act, as so amended, applied and who has ceased to be employed by his employer.

Sec. 6.
(Inspectors.)

- (b) by inserting at the end of section six the words "The powers of the Minister under this section shall be subject to the provisions of subsection nine of section five of this Act."