

**PUBLIC SERVICE AND OTHER STATUTORY
BODIES (EXTENDED LEAVE) AMENDMENT
ACT.**

Act No. 50, 1963.

An Act to alter the name of the Clerical Division of the Public Service; to make further provision relating to long service leave in respect of officers of the Public Service, the Water Conservation and Irrigation Commission, the Departments of Main Roads, Railways, Government Transport and Motor Transport, and members of the Police Force; for these purposes to amend the Public Service Act, 1902, the Public Service (Amendment) Act, 1919, the Irrigation Act, 1912, the Main Roads Act, 1924, the Government Railways Act, 1912, the Transport Act, 1930, the Police Regulation Act, 1899, and certain other Acts; and for purposes connected therewith. [Assented to, 13th December, 1963.]

Elizabeth II,
No. 50, 1963

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:—

1. This Act may be cited as the "Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963".

Short title.

2. (1) The Public Service Act, 1902, as amended by subsequent Acts, is amended—

Amendment
of Act No.
31, 1902.

(a) by omitting from subsection four of section 14A the words "Special, Professional, and Clerical Divisions" and by inserting in lieu thereof the words "Special Division, Professional Division and Administrative and Clerical Division";

Sec. 14A.
(Determina-
tion of
grades and
salaries.)

(b)

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- Sec. 21.
(Divisions of Service.)
- Sec. 24.
(Clerical Division.)
- Sec. 26.
(General Division.)
- Sec. 29.
(Separate examinations to be held for the different Divisions.)
- Sec. 39.
(Age of appointees: Clerical Division.)
- Sec. 47.
(Order of promotions, etc.)
- Sec. 48.
(Higher and lower grades.)
- Sec. 49.
(How vacancies to be filled.)
- Sec. 50.
(Examination before promotion to higher grades of Professional and Clerical Divisions.)
- (b) by omitting from section twenty-one the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";
- (c) by omitting from section twenty-four the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";
- (d) by omitting from section twenty-six the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";
- (e) by omitting from section twenty-nine the words "Professional, Clerical, and Educational Divisions" and by inserting in lieu thereof the words "Professional Division, Administrative and Clerical Division and Educational Division";
- (f) by omitting from subsection one of section thirty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";
- (g) by omitting from section forty-seven the words "Professional or Clerical Divisions" and by inserting in lieu thereof the words "Professional Division or Administrative and Clerical Division";
- (h) by omitting from subsection one of section forty-eight the words "Professional and Clerical Divisions" and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division";
- (i) by omitting from subsection one of section forty-nine the word "Clerical" and by inserting in lieu thereof the words "Administrative and Clerical";
- (j) by omitting from section fifty the words "Professional and Clerical Divisions" wherever occurring and by inserting in lieu thereof the words "Professional Division and Administrative and Clerical Division".

(2) In the construction, and for the purposes of any Act, by-law, regulation, award, agreement or any other instrument or document whatsoever, of the same or a different kind or nature, any reference to, or to be read and taken to refer

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refer to the Clerical Division of the Public Service shall be a reference to, or be read and taken to refer to the Administrative and Clerical Division of the Public Service. **No. 50, 1963**

3. The Public Service Act, 1902, as amended by subsequent Acts, is further amended—
- Further amendment of Act No. 31, 1902.
- (a) by omitting from paragraph (d) of subsection two of section fifty-six the words "or deprive him of his leave of absence during such time as the Board thinks fit,";
- Sec. 56.
(Punishment of offences.)
- (b) by omitting from subsection one of section sixty-one the words "or deprive him of his leave of absence during such time as the Board thinks fit,";
- Sec. 61.
(Officers convicted of felonies, etc.)
- (c) by omitting section 61A.
- Sec. 61A.
(Forfeiture of leave and appeals therefrom.)
4. The Public Service (Amendment) Act, 1919, as amended by subsequent Acts, is amended—
- Amendment of Act No. 43, 1919.
- (a) by omitting subsections two and three of section thirteen and by inserting in lieu thereof the following subsections : —
- Sec. 13.
(Leave of absence after years of service.)
- (2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.
- (3) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Crown, the Governor or the Board for any reason, or by the officer on account of illness, incapacity or domestic

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domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts or an agreement or determination made pursuant to the Public Service Act, 1902, as amended by subsequent Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award, industrial agreement, agreement or determination for an adult male or adult female in the same trade, classification, calling, group or grade as the officer.

(4) For the purposes of subsections one and two of this section "service" shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection three of this section "service" shall not include any period of leave without pay whether
taken

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taken before or after the commencement of the **No. 50, 1963**
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- (b) by omitting section 13A and by inserting in lieu thereof the following section :— Substituted
sec. 13A.

13A. An officer who has acquired a right to extended leave with pay under section thirteen of this Act shall upon the termination of his services be paid forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled. Any pension to which any such officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced. Gratuity in
lieu of
extended
leave.

- (c) (i) by omitting from subsection two of section fourteen the words "which would have accrued to such officer had his services terminated as referred to in subsection two of section thirteen of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section thirteen of this Act upon termination of his or her services by reason of his or her death"; Sec. 14.
(Payment
of money
value of
leave not
taken or
completed.)
- (ii) by inserting next after the same subsection the following new subsection :—

(2A) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection three of section thirteen of this Act dies, the widow or the widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Board, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued

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accrued to such officer had his or her services terminated as referred to in the said subsection three, computed at the rate of salary such officer received at the time of his or her death.

- (iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";
- (iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)".

Amendment
of Act No.
73, 1912.

5. (1) The Irrigation Act, 1912, as amended by subsequent Acts, is amended—

Sec. 5c.
(Leave of
absence
after years
of service.)

- (a) by omitting subsection two of section 5c and by inserting in lieu thereof the following subsections :—

(2) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(2A) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commission for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

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- (a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification or calling as the officer ;
- (b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.

(2B) For the purposes of subsections one and two of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein, and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2A) of this section “service” shall not include any period of leave without pay

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pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

Sec. 5D.
(Payment of money value of leave not taken or completed.)

(b) (i) by omitting from subsection two of section 5D the words “which would have accrued to such officer had his services terminated as referred to in subsection two of section 5C of this Act” and by inserting in lieu thereof the words “accrued under subsection two of section 5C of this Act upon termination of his or her services by reason of his or her death”;

(ii) by inserting next after the same subsection the following new subsection :—

(2A) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2A) of section 5C of this Act dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Commission, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2A), computed at the rate of salary such officer received at the time of his or her death.

(iii) by omitting from subsection three of the same section the words “or two” and by inserting in lieu thereof the words and symbols “, two or (2A)”;

(iv) by omitting from subsection four of the same section the words “or two” and by inserting in lieu thereof the words and symbols “, two or (2A)”;

(c)

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- (c) by omitting section 5E and by inserting in lieu thereof the following section : —

Substituted
sec. 5E.

5E. An officer who has acquired a right to extended leave with pay under subsection one, two or (2A) of section 5C of this Act shall upon the termination of his services be paid forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled. Any pension to which such officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced.

Gratuity in
lieu of
extended
leave.

- (2) The Irrigation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Irrigation Act, 1912-1963.

6. (1) The Main Roads Act, 1924, as amended by subsequent Acts, is amended—

Amendment
of Act No.
24, 1924.

- (a) by omitting subsection (1A) of section 7A and by inserting in lieu thereof the following subsections : —

Sec. 7A.
(Leave of
absence
after years
of service.)

(1A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(1B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service

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service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult"—

- (a) in the case of an officer employed to do any work for which the price, rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts or a determination made pursuant to this Act—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award, industrial agreement or determination for an adult male or adult female in the same trade, classification or calling as the officer ;
 - (b) in the case of an officer employed to do any work for which no price, rate or wage has been fixed by an award, industrial agreement or determination referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.
- (b) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—
- (2) A Commissioner, an Assistant Commissioner or an officer who has acquired a right to extended leave with pay under subsection one,
- (1A)

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(1A) or (1B) of this section shall upon the termination of his services be paid forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled. Any pension to which any such Commissioner, Assistant Commissioner or officer is entitled under the Superannuation Act, 1916, as amended by subsequent Acts, shall commence from the date upon which his extended leave, if taken, would have commenced. No. 50, 1963

- (c) by omitting subsection (2A) of the same section ;
- (d) by omitting from paragraph (b) of subsection (4A) of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (1A) of this section” and by inserting in lieu thereof the words “accrued under subsection (1A) of this section upon termination of his or her services by reason of his or her death”;
- (e) by inserting next after paragraph (b) of the same subsection the following new paragraph :—
 - (b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (1B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower, or children such person who, in the opinion of the Commissioner, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (1B), computed at the rate of salary such officer received at the time of his or her death.
- (f)

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- (f) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (g) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (h) by inserting at the end of the same section the following new subsection :—

(6) For the purposes of subsections one and (1A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (1B) of this section, “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1963.

Amendment
of Act No.
30, 1912.

Sec. 80.
(Officers
convicted of
felonies or
imprisoned,
etc.)

7. (1) The Government Railways Act, 1912, as amended by subsequent Acts, is amended—

- (a) by omitting subsection three of section eighty;

(b)

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- (b) by omitting paragraph (b) of subsection one of No. 50, 1963 section ninety-three;

Sec. 93.
(Effect of
decision of
Board.)

- (c) (i) by omitting subsection (2A) of section 100A and by inserting in lieu thereof the following subsections:—

Sec. 100A.
(Annual
leave,
extended
leave and
retiring
leave of
officers.)

(2A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(2B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for Railways for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection “service as an adult”—

- (a) in the case of an officer employed to do any work for which the rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or has been

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been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification, rank, position, grade or calling as the officer;

(b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in the same trade, classification, rank, position, grade or calling as the officer;

(c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.

(ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection :—

(3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services be paid forthwith in lieu of such leave
the

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the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled. No. 50, 1963

(iii) by omitting from paragraph (b) of subsection five of the same section the words "which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section" and by inserting in lieu thereof the words "accrued under subsection (2A) of this section upon termination of his or her services by reason of his or her death";

(iv) by inserting next after the same paragraph the following new paragraph :—

(b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person who, in the opinion of the Commissioner for Railways, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.

(v) by omitting from paragraph (c) of the same subsection the word and symbols "or (b)" and by inserting in lieu thereof the word and symbols ", (b) or (b1)";

(vi) by omitting from paragraph (d) of the same subsection the word and symbols "or (b)" and by inserting in lieu thereof the word and symbols ", (b) or (b1)";

(vii)

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- (vii) by omitting from subsection six of the same section the word and symbols “or (2A)” and by inserting in lieu thereof the word and symbols “, (2A) or (2B)”;
- (viii) by omitting from subsection seven of the same section the words “For the purposes of subsections two and (2A) of this section ‘service’ includes any period of leave without pay not exceeding six months.” and by inserting in lieu thereof the following paragraph :—

For the purposes of subsections two and (2A) of this section “service” shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2B) of this section “service” shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1963.

Amendment
of Act No.
18, 1930.
Sec. 107.
(Officers
convicted of
felonies, or
imprisoned,
etc.)

8. (1) The Transport Act, 1930, as amended by subsequent Acts, is amended—

- (a) by omitting subsection three of section one hundred and seven;

(b)

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(b) by omitting paragraph (b) of subsection one of section 115F;

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Sec. 115F.
(Effect of
decision of
Board.)

(c) (i) by omitting subsection (2A) of section one hundred and twenty-three and by inserting in lieu thereof the following subsections :—

Sec. 123.
(Annual
leave and
leave of
absence
after years
of service.)

(2A) Where the services of an officer with at least ten years and less than fifteen years service are terminated or cease for any reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service.

(2B) Where the services of an officer with at least five years service as an adult and less than ten years service are terminated by the Governor, the Commissioner for Government Transport or the Commissioner for Motor Transport for any reason, or by the officer on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection “service as an adult”—

(a) in the case of an officer employed to do any work for which the rate or wage has been fixed by an award made under the Commonwealth Conciliation and Arbitration Act 1904 as amended by subsequent Acts, or made under the Industrial Arbitration Act, 1940, as amended

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amended by subsequent Acts, or has been fixed by an industrial agreement made pursuant to or registered under the said Acts—means the period of service during which the remuneration applicable to the officer was at a rate not less than the lowest rate fixed under the award or industrial agreement for an adult male or adult female in the same trade, classification, rank, position, grade or calling as the officer ;

(b) in the case of an officer being an apprentice the terms of whose employment are governed by an award applicable only to apprentices—means the period of service during which the remuneration applicable to the officer was at a rate not less than the rate prescribed by the award covering a journeyman carrying out work in the same trade, classification, rank, position, grade or calling as the officer ;

(c) in the case of an officer employed to do any work for which no rate or wage has been fixed by an award or industrial agreement referred to in paragraph (a) of this subsection—means the period of service during which the officer was not less than twenty-one years of age.

(ii) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection : —

(3) Any officer who has acquired a right to leave under subsection two, (2A) or (2B) of this section shall upon the termination of his services be paid forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled.

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- (iii) by omitting from paragraph (b) of subsection five of the same section the words “which would have accrued to such officer had his services terminated as referred to in subsection (2A) of this section” and by inserting in lieu thereof the words “accrued under subsection (2A) of this section upon termination of his or her services upon his or her death”;
- (iv) by inserting next after the same paragraph the following new paragraph :—
- (b1) Where an officer with at least five years service as an adult and less than ten years service as referred to in subsection (2B) of this section dies, the widow or widower of such officer, or if there is no such widow or widower the children of such officer, or if there is no such widow, widower or children such person who, in the opinion of the Commissioner for Government Transport or the Commissioner for Motor Transport, as the case may require, was, at the time of the death of such officer, a dependent relative of such officer, shall be entitled to receive the money value of the leave which would have accrued to such officer had his or her services terminated as referred to in the said subsection (2B), computed at the rate of salary such officer received at the time of his or her death.
- (v) by omitting from paragraph (c) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (vi) by omitting from paragraph (d) of the same subsection the word and symbols “or (b)” and by inserting in lieu thereof the word and symbols “, (b) or (b1)”;
- (vii) by omitting from subsection six of the same section the word and symbols “or (2A)” and by inserting in lieu thereof the word and symbols “, (2A) or (2B)”;
- (viii)

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- (viii) by omitting from subsection seven of the same section the words "For the purposes of subsections two and (2A) of this section 'service' includes any period of leave without pay not exceeding six months" and by inserting in lieu thereof the following new paragraph :—

For the purposes of subsections two and (2A) of this section "service" shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of an officer who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection (2B) of this section "service" shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

(2) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1963.

Amendment
of Act No.
20, 1899.

Sec. 12A.
(Leave of
absence
after years
of service.)

9. (1) The Police Regulation Act, 1899, as amended by subsequent Acts, is amended—

- (a) by omitting subsection two of section 12A and by inserting in lieu thereof the following subsections :—

(2) Where the services of a member of the police force with at least ten years and less than fifteen years service are terminated or cease for any reason

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reason he shall be entitled for ten years service to two months leave on full pay and for service after ten years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service. No. 50, 1963

(3) Where the services of a member of the police force with at least five years service as an adult and less than ten years service are terminated by the Governor or the Commissioner for any reason, or by the member on account of illness, incapacity or domestic or other pressing necessity, he shall be entitled for five years service to one months leave on full pay and for service after five years to a proportionate amount of leave on full pay calculated on the basis of three months leave for fifteen years service (such service to include service as an adult and otherwise than as an adult).

For the purposes of this subsection "service as an adult" means the period of service during which the remuneration applicable to the member was at a rate not less than the rate for a constable fixed under an award made pursuant to the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or under an industrial agreement made or registered pursuant to that Act.

(4) For the purposes of subsections one and two of this section "service" shall include any period of leave without pay taken before the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963, and shall in the case of a member of the police force who has completed at least ten years service (any period of leave without pay taken before such commencement being included therein and any period of leave without pay taken after such commencement being excluded therefrom) include any period of leave without pay taken after such commencement where such period does not exceed six months. For the purposes of subsection three of this

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this section "service" shall not include any period of leave without pay whether taken before or after the commencement of the Public Service and Other Statutory Bodies (Extended Leave) Amendment Act, 1963.

Sec. 12B.
(Payment of
money value
of leave not
taken or
completed.)

(b) (i) by omitting from subsection two of section 12B the words "which would have accrued to such member had his services terminated as referred to in subsection two of section 12A of this Act" and by inserting in lieu thereof the words "accrued under subsection two of section 12A of this Act upon termination of his services upon his death";

(ii) by inserting next after the same subsection the following new subsection :—

(2A) Where a member of the police force with at least five years service as an adult and less than ten years service as referred to in subsection three of section 12A of this Act dies, the widow of such member, or if there is no such widow the children of such member, or if there is no such widow or children such person who, in the opinion of the Commissioner, was, at the time of the death of such member, a dependent relative of such member, shall be entitled to receive the money value of the leave which would have accrued to such member had his services terminated as referred to in the said subsection three, computed at the rate of salary such member received at the time of his death.

(iii) by omitting from subsection three of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)";

(iv)

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(iv) by omitting from subsection four of the same section the words "or two" and by inserting in lieu thereof the words and symbols ", two or (2A)"; **No. 50, 1963**

(c) by omitting section 12C and by inserting in lieu thereof the following section : — **Substituted sec. 12c.**

12C. A member of the police force who has acquired a right to extended leave with pay under section 12A of this Act shall upon the termination of his services be paid forthwith in lieu of such leave the money value thereof as a gratuity in addition to any gratuity to which he may be otherwise entitled. Any annual superannuation allowance to which a member of the police force is entitled under the Police Regulation (Superannuation) Act, 1906, as amended by subsequent Acts, or which may be granted to any such member under that Act as so amended, shall commence from the date upon which his extended leave, if taken, would have commenced. **Gratuity in lieu of extended leave.**

(d) by omitting section 12E.

Sec. 12E.
(Money value of leave where member dismissed.)

(2) The Police Regulation Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation Act, 1899-1963.

10. The Government Railways and Transport (Amendment) Act, 1963, is amended— **Amendment of Act No. 10, 1963.**

(Consequential.)

(a) by omitting subsections two and three of section one; **Sec. 1.**

(Short title and citation.)

(b)

Racing (Amendment) Act.

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(b) by omitting paragraph (b) of section two;

Sec. 2.

(Annual
leave,
extended
leave and
retiring
leave of
officers.)

Sec. 3.

(Annual
leave and
leave after
years of
service.)

(c) by omitting paragraph (b) of section three.
