

**CROWN EMPLOYEES APPEAL BOARD (PUBLIC
SERVICE) AMENDMENT ACT, 1979, No. 93**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 93, 1979.

An Act to amend the Crown Employees Appeal Board Act, 1944,
consequent on and in connection with the enactment of the
Public Service Act, 1979. [Assented to, 16th May, 1979.]

Crown Employees Appeal Board (Public Service) Amendment.

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 "Crown Employees Appeal Board (Public Service) Amendment Act, 1979". Short title.

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commencement.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Public Service Act, 1979.

3. The Crown Employees Appeal Board Act, 1944, is referred to in this Act as the Principal Act. Principal Act.

4. This Act contains the following Schedules :— Schedules.

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT.

SCHEDULE 2.—SAVINGS AND TRANSITIONAL PROVISIONS

5. The Principal Act is amended in the manner set forth in Schedule 1. Amendment of Act No. 15, 1944.

6. Schedule 2 has effect. Savings and transitional provisions.

Crown Employees Appeal Board (Public Service) Amendment.

Sec. 5.

SCHEDULE 1.

AMENDMENTS TO THE PRINCIPAL ACT.

- (1) (a) Section 2 (1), definition of "Office"—
After the definition of "Employing authority",
insert :—
"Office" includes position.
- (b) Section 2 (1), definition of "Officer"—
(i) From paragraph (b), omit "an employee" where
firstly occurring, insert instead "a temporary
employee".
(ii) In paragraph (b), after "Act", insert ", 1979".
- (c) Section 2 (1), definition of "Public Service Act"—
Omit the definition.
- (d) Section 2 (1), definition of "Public Service Board"—
After "Act", insert ", 1979".
- (2) Section 5 (5) (a1)—
Omit "1902", insert instead "1979".
- (3) (a) Section 10 (1)—
After "Service", insert "(Promotion Appeals)".
- (b) Section 10 (1)—
At the end of the subsection, insert :—
Provided further that nothing in this subsection
shall be construed as entitling a person to appeal to
the Board in relation to a decision or recommenda-
tion under or for the purposes of Division 1 of Part
IV of the Public Service Act, 1979.
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Crown Employees Appeal Board (Public Service) Amendment.

SCHEDULE 2.

Sec. 6.

SAVINGS AND TRANSITIONAL PROVISIONS.

1. (1) Any proceedings pending under the Principal Act immediately Pending before the commencement of this Schedule in relation to an officer within appeals. the meaning of paragraph (a) or (b) of the definition of "Officer" in section 2 (1) of the Principal Act, shall be heard and disposed of as if this Act and the Public Service Act, 1979, had not been enacted.

(2) Proceedings may be commenced under the Principal Act in relation to any officer referred to in subclause (1) of this clause, being proceedings that could have been commenced before the commencement of this Schedule, and may be heard and disposed of, as if this Act and the Public Service Act, 1979, had not been enacted.

(3) The Crown Employees Appeal Board may, in proceedings referred to in subclause (1) or (2) of this clause, make such a determination as appears to it to be appropriate having a regard to the enactment of this Act and the Public Service Act, 1979.

(4) The determination of the Crown Employees Appeal Board in proceedings referred to in subclause (1) or (2) of this clause shall be given effect to, according to its spirit and intention, by all persons and authorities having authority under the Public Service Act, 1979, in relation to the subject-matter of the proceedings.

2. (1) The Governor may make regulations containing other provisions Regulations. of a savings or transitional nature consequent on the enactment of this Act.

(2) The provisions of clause 20 (2)-(4) of Schedule 6 to the Public Service Act, 1979, apply to and in respect of regulations made under this clause in the same way as they apply to and in respect of regulations made under clause 20 of that Schedule.