



New South Wales

Government and Related Employees Appeal Tribunal Amendment Act 1996 No 12

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New South Wales

Government and Related Employees Appeal Tribunal Amendment Act 1996 No 12

Act No 12, 1996

An Act to amend the *Government and Related Employees Appeal Tribunal Act 1980* in relation to the office of Senior Chairperson of the Government and Related Employees Appeal Tribunal, and for other purposes. [Assented to 5 June 1996]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Government and Related Employees Appeal Tribunal Amendment Act 1996*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of Government and Related Employees Appeal Tribunal Act 1980 No 39

The *Government and Related Employees Appeal Tribunal Act 1980* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 4 Definitions

Insert in section 4 (1) in alphabetical order:

judicial office has the same meaning as in section 52 (1) of the *Constitution Act 1902*.

[2] Section 7 Senior Chairperson

Omit section 7 (2). Insert instead:

- (2) A person is qualified to be appointed as the Senior Chairperson if the person:
- (a) holds or has held a judicial office, or
 - (b) is a legal practitioner of at least 7 years' standing.

[3] Section 10 Chairperson

Omit “and, if the person is a Judge of the Supreme Court or a member of the Industrial Commission of New South Wales, the person has not attained the age of 65 years” from section 10 (2).

[4] Section 13 Constitution of the Tribunal

Omit “a barrister admitted by, or a solicitor of, the Supreme Court or a person qualified to be admitted as a barrister by, or a solicitor of, that Court” from section 13 (2).

Insert instead “a legal practitioner within the meaning of the *Legal Profession Act 1987* or a person qualified to be admitted as such a legal practitioner”.

[5] Schedule 1 Provisions relating to the offices of Senior Chairperson and Chairperson

Omit “or a magisterial office” wherever occurring in clauses 2, 3, 4, 5, 10 and 11.

[6] Schedule 1, clause 1A

Insert after clause 1:

1A Application of Schedule to Senior Chairperson

The following clauses of this Schedule apply to the Senior Chairperson in the same way as they apply to a Chairperson, and accordingly references in those clauses to a Chairperson include a reference to the Senior Chairperson.

[7] Schedule 1, clause 2 Appointment of holder of judicial office

Omit “the Senior Chairperson or” wherever occurring in clause 2 (1) and (2).

[8] Schedule 1, clause 2 (3)

Omit “Senior Chairperson or”.

[9] Schedule 1, clause 2 (3)

Omit “or magisterial office, as the case may be”.

[10] Schedule 1, clause 6 Retirement of Senior Chairperson

Omit the clause.

[11] Schedule 1, clause 7 Removal of holder of judicial office

Omit “the Senior Chairperson or”.

[12] Schedule 1, clause 9 Vacation of office by Chairpersons not being holders of judicial office

Omit clause 9 (b). Insert instead:

- (b) if the person engages (whether in New South Wales or elsewhere) during the term of office in any paid employment outside the duties of the office,

[Minister’s second reading speech made in—
Legislative Assembly on 1 May 1996
Legislative Council on 29 May 1996]