

Constitution (Public Service) Amendment Act 1916 No 45

[1916-45]



New South Wales

Status Information

Currency of version

Repealed version for 3 March 1997 to 8 September 2002 (accessed 22 December 2024 at 22:31)

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by the [Public Sector Employment and Management Act 2002 No 43](#), sec 165 (1) with effect from 9.9.2002.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 10 September 2002

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New South Wales

An Act to provide that officers in the public service of New South Wales may be nominated and elected to the Legislative Council or Legislative Assembly and that when so elected any such officer shall resign his or her position in the said service; to amend the *Constitution Act 1902*; and for other purposes.

1 Name of Act

This Act may be cited as the *Constitution (Public Service) Amendment Act 1916*.

2 Public servants nomination and election as members of Parliament

- (1) Nothing in section 13B of the *Constitution Act 1902* shall be deemed to have extended or shall extend to any person otherwise qualified who holds any office of profit in the public service of New South Wales, including the public service of any department or branch of the Government of the said State.
- (2) Any officer in the said public service who is elected a member of the Legislative Council or Legislative Assembly of New South Wales shall forthwith on being declared so elected resign his or her office in the said public service.

3 Salary not to be paid during absence from duty

Any officer in the said public service who is contesting a Parliamentary election shall not be entitled to any salary during the officer's absence from duty owing to such contest:

Provided that the section shall in no way affect the officer's right to leave of absence or salary under the Acts and regulations relating to the public service.