

Public Service (No. 2)

No. 114 of 1968

An Act to amend the *Public Service Act 1922–1967*, as amended by the *Public Service Act 1968*, with respect to Leave of Absence without Pay.

[Assented to 2 December 1968]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title and citation.

- 1.—(1) This Act may be cited as the *Public Service Act (No. 2) 1968*.
- (2) The *Public Service Act 1922–1967*,* as amended by the *Public Service Act 1968*,† is in this Act referred to as the Principal Act.
- (3) Section 1 of the *Public Service Act 1968* is amended by omitting sub-section (2.).
- (4) The Principal Act, as amended by this Act, may be cited as the *Public Service Act 1922–1968*.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Leave of absence for service with other governments, universities, &c.

3. Section 72A of the Principal Act is amended by omitting sub-sections (1.) and (2.) and inserting in their stead the following sub-sections:—

“(1.) Subject to this section, the Board may, on the application of an officer, grant to him leave of absence without pay for the purpose of enabling him to engage, whether in Australia or elsewhere, in—

- (a) employment with the government or an authority of a State or of, or of a part of, a country outside Australia;
- (b) employment in a teaching capacity with a university, college of advanced education or other educational institution; or
- (c) employment with a prescribed institution, organization or body, or an institution, organization or body that is included in a prescribed class of institutions, organizations or bodies.

“(2.) Leave shall not be granted under this section, and a period of leave so granted shall not be extended, where, at the end of the leave, or of the extended period, the officer will have been absent on leave under this section for a continuous period of more than twelve months unless the Prime Minister has certified that, in his opinion, the engagement, or further engagement, of the officer in the employment concerned for the period of the grant or extension is in the public interest.

* Act No. 21, 1922, as amended by No. 46, 1924; No. 41, 1928; No. 19, 1930; No. 21, 1931; No. 72, 1932; No. 38, 1933; Nos. 45 and 46, 1934; No. 72, 1936; No. 41, 1937; No. 72, 1939; No. 88, 1940; No. 5, 1941; No. 19, 1943; Nos. 11, 29 and 43, 1945; No. 16, 1946; Nos. 1, 38, 52 and 84, 1947; Nos. 35 and 75, 1948; Nos. 51 and 80, 1950; Nos. 46 and 48, 1951; No. 22, 1953; No. 63, 1954; No. 18, 1955; Nos. 13 and 39, 1957; No. 11, 1958; Nos. 17 and 105, 1960; Nos. 2 and 75, 1964; Nos. 47 and 85, 1966; and Nos. 2 and 115, 1967.

† Act No. 59, 1968.

“(2A.) The reference in the last preceding sub-section to the Prime Minister shall be read—

- (a) in relation to an officer of the Department of the Senate—as a reference to the President of the Senate;
- (b) in relation to an officer of the Department of the House of Representatives—as a reference to the Speaker of the House of Representatives; and
- (c) in relation to an officer of the Department of the Parliamentary Library, the Department of the Parliamentary Reporting Staff or the Joint House Department—as a reference to the President of the Senate and the Speaker of the House of Representatives.”.

4.—(1.) The amendment made by the last preceding section does not affect the continuance of leave granted under section 72A of the Principal Act for a period that is current immediately before the commencement of this Act, but section 72A of the Principal Act as amended by this Act applies as if that leave had been granted under that section as so amended. Saving.

(2.) The regulations in force immediately before the date of commencement of this Act prescribing bodies or organizations for the purposes of section 72A of the Principal Act have effect, on and after that date, as regulations prescribing bodies or organizations for the purposes of section 72A of the Principal Act as amended by this Act.
