

PUBLIC SERVICE ORDINANCE 1962.

No. 27 of 1963.

An Ordinance to amend the *Public Service Ordinance* 1928-1959.

[Reserved 18th October, 1962.]

[Assented to 22nd March, 1963.*]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1961, as follows:—

Short title
and citation.

1.—(1.) This Ordinance may be cited as the *Public Service Ordinance* 1962.

(2.) The *Public Service Ordinance* 1928-1959 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Public Service Ordinance* 1928-1962.

Commence-
ment.

2. This Ordinance shall come into operation on the first day of January, 1963.

3. Section eight of the Principal Ordinance is repealed and the following section inserted in its stead:—

Departments
and Branches.

“ 8.—(1.) For the purposes of this Ordinance, the Public Service shall consist of—

- (a) the Department of the Administrator; and
- (b) the Department of the Legislative Council.

“ (2.) The Department of the Administrator shall comprise the following Branches:—

- (a) the Education Branch;
- (b) the Police Branch; and
- (c) the Prisons Branch.

“ (3.) The functions of each Branch of the Department of the Administrator shall be such as the Administrator from time to time determines.

* Assent notified in the *Government Gazette* of the Northern Territory on 3rd April, 1963 (*see Gazette* No. 14, 1963, p. 67).

“ (4.) Notwithstanding anything contained in this Ordinance—

- (a) all appointments or promotions of officers of the Department of the Legislative Council shall be made by the Minister on the recommendation of the President of the Legislative Council; and
- (b) the President of the Legislative Council may from time to time fix the periods of recreation leave which may be granted to officers of the Legislative Council.

“ (5.) Subject to the last preceding sub-section, unless inconsistent with the context, any action or approval required or authorized by this Ordinance or regulations under this Ordinance to be taken or given by the Minister may, so far as officers of the Legislative Council are concerned, be taken or given by the President of the Legislative Council in substitution for the Minister.

“ (6.) Any reference in this Ordinance or regulations under this Ordinance to the Administrator shall, so far as the Department of the Legislative Council is concerned, be read as a reference to the President of the Legislative Council.

“ (7.) The classification of officers and offices of the Department of the Legislative Council shall be made by the President of the Legislative Council.

“ (8.) The Administrator in Council may, on the recommendation of the President of the Legislative Council, make, in relation to officers of the Legislative Council, regulations prescribing all matters in relation to which the Minister is, by this Ordinance, authorized to make regulations.

“ (9.) Any regulation made under this Ordinance by the Minister shall apply to and in relation to officers of the Legislative Council unless and until—

- (a) a regulation is made under the last preceding sub-section inconsistent with, or prescribing matters dealt with in, that first-mentioned regulation; or
- (b) the Legislative Council declares that the first-mentioned regulation shall not apply to or in relation to officers of the Legislative Council.

“ (10.) In paragraph (b) of sub-section (4.) of this section and in the last two preceding sub-sections, ‘ officers of the Legislative Council ’ includes persons temporarily employed in the Department of the Legislative Council.”.

Power to
create and
abolish offices
and to alter
classification
or grading.

4. Section fifteen of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“ (1.) The Minister may—

(a) on the recommendation of the Administrator—

(i) create an office;

(ii) abolish an office; or

(iii) raise or lower the classification or grading of an office,

in any Branch of the Department of the Administrator; or

(b) on the recommendation of the President of the Legislative Council—

(i) create an office;

(ii) abolish an office; or

(iii) raise or lower the classification or grading of an office,

in the Department of the Legislative Council.”.

Appeal Board.

5. Section twenty-four of the Principal Ordinance is amended—

(a) by omitting paragraph (c) of sub-section (1.) and inserting in its stead the following paragraph:—

“ (c) in the case of—

(i) an appeal by an officer of the Police Branch, an officer of the Police Branch elected as a representative by the members of that Branch;

(ii) an appeal by an officer of the Prisons Branch, an officer of the Prisons Branch elected by the members of that Branch; or

(iii) an appeal by an officer of the Department of the Legislative Council, an officer of the Department of the Legislative Council elected by the members of that Department; ”; and

(b) by inserting after sub-section (3.) the following sub-section:—

“ (3A.) In the case of an appeal by an officer of the Department of the Legislative Council, references in the last preceding sub-section to the Administrator shall be read as references to the President of the Legislative Council, and the reference in that section to any officer of the Branch concerned shall be read as a reference to any officer of the Department of the Legislative Council.”.

6 Section thirty-three of the Principal Ordinance is amended—

Leave of absence for recreation.

(a) by omitting from sub-section (1.) the words “ one calendar month ” and inserting in their stead the words “ five weeks ”; and

(b) by omitting from sub-section (6.) all the words after the word “ warrant ”.

7 Section thirty-nine of the Principal Ordinance is amended—

Temporary employment.

(a) by omitting from sub-section (1.) the words “ the Department ” and inserting in their stead the words “ a Department ”; and

(b) by adding at the end thereof the following sub-section:—

“ (8.) The reference in sub-section (5.) of this section to the Head of the Branch shall, so far as the Department of the Legislative Council is concerned, be read as a reference to the Clerk of the Legislative Council.”.

8. Section forty-one of the Principal Ordinance is amended by omitting the words “ the Department ” and inserting in their stead the words “ each Department ”.

Retirement of officers.

9. Section forty-three of the Principal Ordinance is amended by omitting the words “ the Department ” and inserting in their stead the words “ a Department ”.

Public holidays.

10 Section forty-nine of the Principal Ordinance is amended by adding at the end of sub-section (1.) the words “ or the Clerk of the Legislative Council.”.

Power to delegate.