

PUBLIC SERVICE TRIBUNAL.

No. 27 of 1961.

AN ACT to amend the *Public Service Tribunal Act 1958*. [31 October 1961.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Public Service Tribunal Act 1961*. Short title and citation

(2) The *Public Service Tribunal Act 1958*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section nine of the Principal Act is amended—

(a) by inserting after paragraph (e) of subsection (7) thereof the following paragraph:—

“(ea) To amend the principal award for the purpose of conforming with any award, order, or decision of an industrial court, court of arbitration, board, or other authority constituted under a law of any State or Territory of the Commonwealth, being an award, order, or decision that fixes, determines, or varies the salaries or scales of salaries payable to officers of the Public Service of that State or Territory or to any class or section of those officers;” and

(b) by transposing the word “and”, at the end of paragraph (e) of that subsection, to follow paragraph (ea) thereof.

3—(1) Section sixteen of the Principal Act is amended by inserting after subsection (3) thereof the following subsection:— Effect of awards.

“(3A) Where an award, or a provision of an award, is made so as to come into force on a day before the date of the award, that award or provision applies, unless the contrary is expressly provided therein, to and in relation to persons who are employees on the day on which the award or provision comes into force, whether or not those persons cease to be employees before the date of the making of the award or provision.”.

(2) This section shall be deemed to have commenced on the date of the commencement of the Principal Act.

Proceedings
before the
Tribunal.

4 Section seventeen of the Principal Act is amended—

- (a) by inserting in paragraph (b) of subsection (1) thereof, before the word “no”, the words “subject to subsection (1A) of this section,”; and
- (b) by inserting after that subsection the following subsection:—

“(1A) A legal practitioner who is a member of a service organization is entitled to appear before the Tribunal and to represent that organization in any proceedings under this Act to which that organization is a party.”

Limitation of
powers of
controlling
authorities in
respect of the
fixation of
salaries.

5—(1) Section twenty of the Principal Act is amended by inserting after subsection (12) thereof the following subsection:—

“(12A) Where a controlling authority amends or varies a salary determination in accordance with the provisions of this section and the amendment or variation is expressed to take effect on a date before the date of the making of the amendment or variation, that salary determination as so amended or varied applies, unless the amendment or variation otherwise expressly provides, to and in relation to persons who are employees on the date on which the amendment or variation takes effect, whether or not those persons cease to be employees before the date of the making of the amendment or variation.”

(2) This section shall be deemed to have commenced on the date of the commencement of the Principal Act.

CONSTITUTION (DISQUALIFICATION REMOVAL).

No. 28 of 1961.

AN ACT to make provision with respect to certain disqualifications for membership of the Legislative Council or the House of Assembly that have, or may have, arisen from certain transactions entered into by the Honourable *Ronald Herbert Brown*, the Honourable *Charles Balfour Marcus Fenton*, the Honourable *Alexander Charles Atkins*, *Eric Walter Barnard*, Esquire, *William George Wedd*, Esquire, and *Carrol Athelstone Bramich*, Esquire.

[31 October 1961.]