

*Crown Employees Act.*

7 ELIZ. II. No. 36,

**PUBLIC SERVICE.**(1) *Crown Employees Act of 1958* .. .. 7 *Eliz. II. No. 36*(2) *Public Service Superannuation Act of 1958* 7 *Eliz. II. No. 73*7 ELIZ. II.  
NO. 36.  
THE CROWN  
EMPLOYEES  
ACT OF 1958.**An Act relating to Employment under the Crown.**

[ASSENTED TO 30TH OCTOBER, 1958.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.       **1.** This Act may be cited as "*The Crown Employees Act of 1958.*"

Meaning of terms.       **2.** In this Act, unless the context otherwise indicates or requires, the following terms shall have the meanings respectively assigned to them, that is to say:—

Crown.                " Crown "—Without limiting the generality of the meaning thereof, includes any commission, commissioner, corporation, board, instrumentality or person representing the Crown ;

Service.              " Service "—In relation to the Crown, employment in any capacity in—

(a) The Public Service under and within the meaning of \*"*The Public Service Acts, 1922 to 1958*" ;

(b) The Police Force under and within the meaning of †"*The Police Acts, 1937 to 1957*" ;

(c) The Railway Department under and within the meaning of ‡"*The Railways Acts, 1914 to 1958*" ; or

(d) Any other office, position or place under the Crown.

Re-appointment to service under the Crown.       **3.** (1.) Subject to this Act, upon application in writing made in that behalf, and upon being satisfied that the applicant resigned from any permanent service under the Crown in order to become a candidate for election as a senator or member of the House of

\* 13 G. 5 No. 31 and amending Acts.

† 1 G. 6 No. 12 and amending Acts.

‡ 5 G. 5 No. 24 and amending Acts.

1958.

*Crown Employees Act.*

Representatives of the Parliament of the Commonwealth or as a member of the Legislative Assembly of this State, and that he was a defeated candidate at the election in question, and that he made the application within three months after the return of the writ for that election, the Governor in Council or authority or person having power to appoint to the service in question may re-appoint the applicant permanently to that service.

Such an appointment may be to the office, position or place vacated by the applicant pursuant to his resignation as aforesaid or to any other office, position or place of equal or lesser rank, position or grade in the service in question.

(2.) This Act shall not authorise the permanent re-appointment to any service under the Crown of any person to whom this Act applies who is over the age of sixty-five years.

(3.) A person to whom this Act applies—

- (a) Who is over the age of retirement prescribed by any Act or law with respect to any service under the Crown or any office, position or place therein ; or
- (b) Who by reason of mental or physical infirmity is incapable of performing the duties of any office, position or place in any service under the Crown,

shall not be re-appointed to the service in question and, in the case of any such office, position or place, if re-appointed to the service in question, he shall not be appointed to that office, position or place.

(4.) Subject to subsection three of this section, a person to whom this Act applies may be re-appointed—

- (a) To the Public Service under and within the meaning of \**“ The Public Service Acts, 1922 to 1958,”* notwithstanding that he is over the age of sixty years ; or
- (b) To the Police Force under and within the meaning of †*“ The Police Acts, 1937 to 1957,”* notwithstanding that he is over the age of thirty years.

\* 13 G. 5 No. 31 and amending Acts.

† 1 G. 6 No. 12 and amending Acts.

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*Crown Employees Act.* 7 ELIZ. II. No. 36, 1958.

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Continuity  
of service.

4. (1.) The continuity of the employment in any service under the Crown of a person to whom this Act applies who is re-appointed to that service pursuant to an application made by him as prescribed by this Act, shall be deemed to be not broken by that person having so resigned from that service but (save as prescribed by section forty-one of \**"The Police Acts, 1937 to 1957"*) the period during which the continuity of his employment in that service was interrupted by his resignation therefrom shall not be taken into account in calculating the aggregate of the continuous employment in that service had by him.

Super-  
annuation,  
&c.

(2.) Where, consequent upon resigning from any service under the Crown, other than the Police Force under and within the meaning of \**"The Police Acts, 1937 to 1957,"* a person to whom this Act applies has received a refund of or payment on account of contributions required by law to be made by him to any superannuation or other benefit fund and so made he may upon re-appointment to that service—

(a) Repay into the fund in question the amount so refunded or paid to him, and pay thereinto the amount of the contributions which, if he had not resigned from the service in question, would have been payable by him in respect of the period during which the continuity of his employment in that service was interrupted by his resignation therefrom, together with interest on both those amounts at the rate per centum per annum fixed by the person or authority controlling the fund in question; or

(b) If he may lawfully contribute to that fund upon the basis of his age when so re-appointed, contribute thereto upon that basis on and from the date of such re-appointment.

(3.) The authority or person controlling the fund in question may allow him to make repayment and payment as specified in paragraph (a) of subsection two of this section by periodical instalments of such amount and payable respectively at such intervals as it may determine, and may require him to pay interest at a rate fixed by it upon the unpaid balance thereof.

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\* 1 G. 6 No. 12 and amending Acts.

7 ELIZ. II. No. 73, 1958. *Public Service Superannuation Act.*

(4.) Section forty-one of \**“ The Police Acts, 1937 to 1957,”* shall apply with respect to the reappointment to the Police Force of any person to whom this Act applies.

5. To the extent necessary to give operation and effect to this Act— Interpretation.

(a) †*“ The Public Service Acts, 1922 to 1958 ”* ;

(b) \**“ The Police Acts, 1937 to 1957 ”* ;

(c) ‡*“ The Railways Acts, 1914 to 1958 ”* ; and

every other Act, shall be read subject to this Act.

**An Act to Consolidate and Amend the Law relating to the Provision of Superannuation Benefits for Officers of the Public Service, to make Provision for Their Families, and for other purposes.**

7 ELIZ. II.  
NO. 73.  
THE PUBLIC  
SERVICE  
SUPER-  
ANNUATION  
ACT OF 1958.

[ASSENTED TO 19TH DECEMBER, 1958.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

**PART I.—PRELIMINARY.**

PART I.—  
PRELIMINARY.

1. (1.) This Act may be cited as *“ The Public Service Superannuation Act of 1958.”* Short title.

(2.) Except as herein otherwise provided, this Act shall come into operation on the first day of April, one thousand nine hundred and fifty-nine. Commence-  
ment of Act.

2. This Act is divided into Parts, and Divisions of Parts, as follows:— Parts of  
Act.

**PART I.—PRELIMINARY ;**

**PART II.—ADMINISTRATION ;**

\* 1 G. 6 No. 12 and amending Acts.

† 13 G. 5 No. 31 and amending Acts.

‡ 5 G. 5 No. 24 and amending Acts.