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[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1931.

A BILL

To restrict the employment of married women in the Department of Public Instruction; to amend the Public Service Act, 1902, and certain other Acts; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Married Women (Department of Public Instruction) Act, 1931." Short title.

(2) This Act shall be read with the Public Service Act, 1902, as amended by subsequent Acts. Commencement.

**2.** (1) Subject to this Act all married women in the Department of Public Instruction shall on a day to be appointed by the Governor and notified by proclamation published in the Gazette, in this Act referred to as the appointed day, cease to hold office or to be employed in the Public Service.

Married women to cease to hold office on appointed day, and none to be employed thereafter, save in certain circumstances.

(2) After the appointed day no married woman shall be appointed to or employed in the said Department unless the Board certifies to the Minister for Public Instruction that there are special circumstances which make her employment for a period specified in the certificate desirable in the public interest or unless her services are retained in pursuance of this Act.

(3) The services of a married woman employed in such Department immediately prior to the appointed day may be retained from year to year if the Board certifies prior to the said day and during the month of January in each year thereafter to the Minister for Public Instruction that it has been satisfied by the officer concerned that—

- (i) she is at the date of the certificate living apart from her husband and has not during the preceding six months received adequate support from him; or
- (ii) that the average weekly income of her husband during the year preceding the certificate from all sources does not exceed by more than one pound the declared living wage for an adult male employee in the metropolitan area.

If, in the case of a married woman whose services have been retained under this section the necessary certificate has not on the thirty-first day of January in any year been furnished, her services shall terminate upon the next following anniversary of the appointed day.

(4) A married woman who at the appointed day is under an agreement to serve for a specified period, shall cease to hold office or to be employed in the Public Service at the end of such period unless—

- (a) the Board certifies to the Minister for Public Instruction that there are special circumstances which

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which render her employment for a further period specified in the certificate desirable in the public interest, in which case her employment may be continued until the expiration of the period so specified ; or

- (b) her services are retained in pursuance of subsection three of this section. In the application of that subsection to such a case, the day upon which under the preceding provisions of this subsection the married woman is to cease to hold office or to be employed shall be regarded as the appointed day.

**3.** A female officer or employee of the Department of Public Instruction shall notify the Minister for Public Instruction in the manner and at the time prescribed by regulations her intention to marry, and upon her marriage she shall cease to hold office or to be employed in such Department from the date of the marriage unless—

Female officers to cease to hold office on marriage.

- (a) she is under an agreement to serve such Department for a specified period, in which case her employment may be continued until the expiration of that period ; or
- (b) the Public Service Board has prior to her marriage certified to the Minister for Public Instruction that there are special circumstances which render her employment for a further period specified in the certificate desirable in the public interest, in which case her employment may be continued until the expiration of the period specified in the certificate.

**4.** (1) A termination of office or employment by the operation of this Act for the purposes of the Superannuation Act, 1916, shall be deemed to be—

Super-annuation and leave.

- (a) "retrenchment" if the contributor concerned has at least ten years' service ; and
- (b) "discharge" if she has not such service.

(2) Every married woman shall be entitled upon the termination of her office or employment by the operation of this Act to be paid the monetary equivalent of

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of any leave of absence of whatever nature which at such termination has accrued to her under the Public Service Act, 1902, or the regulations thereunder.

**5.** The power to make regulations contained in the Regulations. Public Service Act, 1902, shall extend to authorise the making of regulations not inconsistent with this Act which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for giving effect to this Act.

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