



**TASMANIAN STATE SERVICE (TRANSITIONAL  
PROVISIONS) ACT 1984**

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**No. 28 of 1984**  
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**TABLE OF PROVISIONS**

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2. Commencement.
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**SCHEDULE 1**

**SAVINGS AND TRANSITIONAL PROVISIONS**

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**AN ACT to enact transitional provisions consequent upon the enactment of the Tasmanian State Service Act 1984 and the Tasmanian State Service (Miscellaneous Amendments) Act 1984.**

**[Royal Assent 30 May 1984]**

**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**—This Act may be cited as the *Tasmanian State Service (Transitional Provisions) Act 1984*. Short title.

Commence-  
ment.

**2**—(1) This section and section 1 shall commence on the day on which this Act receives the royal assent.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be fixed by proclamation.

Principal Act.

**3**—In this Act, the *Tasmanian State Service Act 1984* is referred to as the Principal Act.

Interpretation.

**4**—Expressions used in this Act that are defined by the Principal Act have in this Act, unless the contrary intention appears, the respective meanings given to those expressions by that Act.

Savings and  
transitional  
provisions.

**5**—The savings and transitional provisions set out in Schedule 1 have effect.

Regulations of  
a savings or  
transitional  
nature.

**6**—(1) The Governor may make regulations containing provisions of a savings or transitional nature consequent on the enactment of the *Tasmanian State Service Act 1984* and the *Tasmanian State Service (Miscellaneous Amendments) Act 1984*.

(2) A provision made under subsection (1) may take effect from and including a day fixed under section 2 (2) or from and including a later day.

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## SCHEDULE 1

## Section 5

## SAVINGS AND TRANSITIONAL PROVISIONS

1—In clauses 10, 11, 20, 21, and 22, unless the contrary intention appears—

“prescribed employee” means a person employed under the *Public Service Act 1973* who, by virtue of clause 7 (1) or (2), becomes an employee appointed or employed under the Principal Act.

2—The various departments of the Public Service constituted under the *Public Service Act 1973* and in existence immediately before the commencement of section 24 of the Principal Act, other than the Public Service Board Department, shall be deemed to have been established as Government departments under that section.

3—The person appointed as a commissioner under section 6 (1) of the *Public Service Act 1973* and holding office as Chairman of the Public Service Board immediately before the commencement of section 17 of the Principal Act shall be deemed to have been appointed Secretary, Department of Public Administration, under Part V of the Principal Act for the remainder of the period specified in the instrument of his appointment as a commissioner.

4—The person appointed as a commissioner under section 6 (1) of the *Public Service Act 1973* and holding the office known as Administrative Commissioner immediately before the commencement of section 7 of the Principal Act shall be deemed to have been appointed Commissioner for Public Employment under that section for the remainder of the period specified in the instrument of his appointment as a commissioner.

5—The person appointed as a commissioner under section 6 (1) of the *Public Service Act 1973* and holding the office known as Industrial Commissioner immediately before the commencement of section 60 of the Principal Act shall be deemed to have been appointed as Commissioner for Review under that section for the remainder of the period specified in the instrument of his appointment as a commissioner.

6—(1) A person who, immediately before the commencement of section 27 of the Principal Act, holds an office corresponding in title to the office specified in column 2 of Division 1 of Part I of Schedule 1 to the Principal Act shall be deemed to have been appointed to that office under Part V of that Act for the same period for which he would have held office if he had continued to be employed under the Act under which he was appointed or for the remainder of the period specified in the instrument of his appointment, as the case may be.

(2) A person referred to in subclause (1), who was immediately before the commencement of section 27 of the Principal Act an officer of the Public Service within the meaning of the *Public Service Act 1973*, shall be deemed to be an employee for the purposes of subsections (10) and (13) of section 29 of the Principal Act.

(3) All acts, matters, and things done or omitted to be done before the commencement of section 28 of the Principal Act by, or done or suffered before that commencement in relation to, a permanent head of a department appointed under the *Public Service Act 1973* shall, on and after that commencement, have the same force and effect as if they had been done or omitted to be done by, or done or suffered in relation to, the Head, as specified in column 1 of Division 1 of Part I of Schedule 1 to the Principal Act, of the appropriate Government department.

(4) A reference in any Act, in any instrument made under any Act, or any other instrument of any kind (enacted, made, or executed before the commencement of section 28 of the Principal Act) to the permanent head of a department shall be read and construed as a reference to the Head of the appropriate Government department.

7—(1) Subject to subclause (3), any person who, immediately before the commencement of Part VI of the Principal Act, is an officer within the meaning of the *Public Service Act 1973*, shall, on that commencement, become an employee appointed under the Principal Act and shall be deemed to have been appointed in accordance with the Principal Act to the position held by him immediately before that commencement.

(2) Any person who, immediately before the commencement of section 38 of the Principal Act, is employed under section 30 of the *Public Service Act 1973*, shall, on that commencement, become an employee employed under the Principal Act.

(3) Subclause (1) does not apply to a person who, immediately before the commencement of Part V of the Principal Act, holds office as a permanent head of a department of the Public Service.

(4) Subject to subclause (5), where any person employed under the *Public Service Act 1973* becomes an employee appointed or employed under the Principal Act by virtue of subclause (1) or (2), that person shall—

- (a) be paid a salary or wage not less than the salary or wage payable to him immediately before the commencement of Part VI of the Principal Act and be entitled to receive the same allowances, on the same terms and conditions, as those to which he was entitled immediately before that commencement;
  - (b) retain any rights that, immediately before that commencement, have accrued or are accruing to him by virtue of his being employed under the *Public Service Act 1973*, including any rights accruing to him under the *Retirement Benefits Act 1982*;
  - (c) if a contributor, immediately before that commencement, to any fund established under the *Retirement Benefits Act 1982*, continue to contribute to that fund; and
  - (d) be entitled to receive any leave (including long-service leave) and any remuneration, pension, gratuity, or other payment,
- as if he had continued to be employed under the *Public Service Act 1973*.

(5) Where any term or condition of employment of a person who becomes an employee appointed or employed under the Principal Act, by virtue of subclause (1) or (2), is, immediately before he so becomes an employee—

- (a) regulated by an award, that term or condition shall continue to be so regulated until another award regulating that term or condition and binding on the Minister is made by a competent tribunal; or
- (b) prescribed in any regulations in force immediately before he so becomes an employee, that term or condition shall continue to apply to that employee until a new regulation prescribing that term or condition is made under the Principal Act.

8—(1) Any office or position in the Public Service in existence immediately before the commencement of the Principal Act shall be deemed to have been created under the Principal Act.

(2) A position that existed in the Public Service Board Department immediately before the commencement of the Principal Act shall be deemed to be a position created in the Department of Public Administration established under section 16 of the Principal Act.

9—Any procedures in relation to the filling of a vacant position in the Public Service commenced but not finally concluded before the commencement of Part VI of the Principal Act shall be concluded as if they had been commenced under the Principal Act and for all purposes shall be deemed to have been commenced under that Act.

10—(1) Where a prescribed employee was, before the commencement of Part IX of the Principal Act, charged with an offence under Part VII of the *Public Service Act 1973*, that charge shall be deemed to have been made by the Head of the Agency in which that employee is employed under Part IX of the Principal Act.

(2) Part IX of the Principal Act applies to and in respect of acts and omissions committed or alleged to have been committed before as well as after the commencement of that Part.

11—(1) Where, before the commencement of section 52 of the Principal Act, the Public Service Board notified a prescribed employee that it intended to recommend to the Governor that he exercise his powers under section 85 (1) (e) or (g) of the *Public Service Act 1973* and that employee—

- (a) has not instituted an appeal under section 85 (3) of the *Public Service Act 1973* within the period specified in subsection (4) of that section or before that commencement, whichever is the earlier, that employee may appeal to the Commissioner for Review within a period of 14 days after that commencement; or

- (b) has instituted an appeal in accordance with section 85 (4) of that Act and the hearing of that appeal has not commenced or the appeal has not been finally determined, that appeal may be heard and determined or continue to be heard and determined, as the case may be, by the Commissioner for Review,

as if the Head of the Agency in which that employee is employed notified that employee that he intended to exercise his powers under section 52 (10) (g), (b), or (i), as the case may be, of the Principal Act.

(2) Where the hearing of an appeal under section 85 of the *Public Service Act* 1973 has commenced but has not been finally determined before the commencement of Part X of the Principal Act and there exists a tape-recording or transcript of the hearing, the Commissioner for Review may listen to or read that record and, if the hearing of the appeal had been completed but a decision had not been made, make a decision without any further hearing.

12—A suspension imposed on a prescribed employee—

- (a) under Part VII of the *Public Service Act* 1973 and in force at the commencement of Part IX of the Principal Act shall be deemed to have been imposed on that employee under Part IX of that Act; or
- (b) under Part IX of the *Public Service Act* 1973 and in force at the commencement of Part VIII of the Principal Act shall be deemed to have been imposed on that employee under Part VIII of that Act.

13—An inquiry under section 74 of the *Public Service Act* 1973 which has been commenced by a special tribunal but not finally determined before the commencement of section 55 of the Principal Act may continue to be conducted by the special tribunal as if Part VII of the *Public Service Act* 1973 had not been repealed and the Head of the Agency in which the employee in respect of whom the inquiry is conducted is employed may exercise his powers under section 55 (13) of the Principal Act as if the recommendations of the special tribunal were the recommendations of the person conducting the inquiry under that section.

14—Any action taken by the Public Service Board pursuant to an inquiry under section 74 of the *Public Service Act* 1973 before the commencement of section 55 of the Principal Act shall be deemed to have been action taken under section 55 of the Principal Act by the Head of the Agency in which the employee, in respect of whom the inquiry is conducted, is employed.

15—Where an inquiry has been commenced by the Public Service Board under section 74 of the *Public Service Act* 1973 but has not been finally determined before the commencement of section 55 of the Principal Act, that inquiry may continue to be conducted by the Head of the Agency in which the employee, in respect of whom the inquiry is conducted, is employed as if the inquiry had been commenced under section 55 of the Principal Act and as if the Head of that Agency had been the person appointed under that section to conduct that inquiry.

16—(1) Any appeal to the Public Service Appeal Board pending under section 33, 41, 74, or 83 of the *Public Service Act 1973* at the commencement of section 66 of the Principal Act shall be deemed to be pending under section 66 and may be heard and determined accordingly.

(2) Where any appeal to the Public Service Appeal Board under section 33, 41, 74, or 83 of the *Public Service Act 1973* has been heard in full or in part by that Board before the commencement of section 66 of the Principal Act and there exists a tape-recording or transcript of the hearing, the Commissioner for Review may listen to or read that record and if the appeal had been heard in full make a decision without any further or other hearing.

17—Any salary classification made under the *Public Service Act 1973* shall be deemed to have been made under the Principal Act.

18—A person whose name is, immediately before the commencement of section 38 of the Principal Act, on the register of persons available for temporary employment kept under section 30 of the *Public Service Act 1973* shall, on and after that commencement, be deemed to be registered on the register kept by the Commissioner under section 38 of the Principal Act.

19—An officer appointed on probation under the *Public Service Act 1973* shall be deemed to be an employee appointed on probation under the Principal Act.

20—A prescribed employee who was granted leave under section 88 of the *Public Service Act 1973* and has not commenced that leave or has not completed that leave immediately before the repeal of that Act shall, after the repeal of that Act, continue to be entitled to that leave or the uncompleted portion of that leave, as the case may be.

21—Any deduction from the salary of a prescribed employee that was being made under section 43 of the *Public Service Act 1973* immediately before the repeal of that Act shall continue to be made from the salary of that employee after the repeal of that Act as if it had been authorized by that employee.

22—Any permission granted by the Governor under section 92 of the *Public Service Act 1973* to a prescribed employee and not withdrawn before the commencement of section 79 of the Principal Act shall be deemed to have been granted under section 79 of the Principal Act by the Head of the Agency in which that employee is employed.

23—Any special leave granted by the Governor under section 93 of the *Public Service Act 1973* and not commenced or completed before the commencement of section 76 of the Principal Act shall be deemed to be extended leave granted by the Minister under section 76 of the Principal Act.

24—A fine imposed under the *Public Service Act 1973* which, immediately before the commencement of section 59 of the Principal Act, is being recovered under section 101 of the *Public Service Act 1973* may continue to be recovered under section 101 as if the section had not been repealed.

25—A fine imposed under the *Public Service Act 1973*, the recovery of which has not been commenced under that Act, shall be deemed to have been imposed under Part IX of the Principal Act.

26—(1) Any application to the Public Service Arbitrator for a review of any salary determination pending under section 67 of the *Public Service Act 1973* at the commencement of section 66 of the Principal Act shall be deemed to be pending under section 66 and may be heard and determined accordingly.

(2) Where any application to the Public Service Arbitrator under section 67 of the *Public Service Act 1973* has been heard in full or in part by that Arbitrator before the commencement of section 66 of the Principal Act and there exists a tape-recording or transcript of the hearing, the Commissioner for Review may listen to or read that record and, if the application had been heard in full, make a decision without any further or other hearing.

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27—Any person who, immediately before the commencement of Part VI of the Principal Act, is employed in an Agency specified in Schedule 1 of the Principal Act by or on behalf of the Crown and whose terms and conditions of employment are contained in an instrument of appointment or in a contract shall, on that commencement, become an employee employed under the Principal Act for the remainder of the period as that, and on the same terms and conditions as those, specified in his instrument of appointment or contract, as the case may be.

28—(1) The holder of a prescribed office shall, on the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act 1984*, be deemed to have been appointed to that office under Part V of the Principal Act.

(2) For the purposes of subclause (1), “prescribed office” means the following:—

- (a) Chief Inspector of Explosives;
- (b) Commissioner for Town and Country Planning;
- (c) Administrator of Road Transport;
- (d) Deputy Commissioner of Police;
- (e) Assistant Commissioner of Police.



29—(1) A prescribed person shall, on the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act 1984*, become an employee appointed or employed under the Principal Act and shall, where he is the holder of a position in a department, within the meaning of the *Public Service Act 1973*, or a State authority immediately before that day, be deemed to have been appointed to that position, under the Principal Act.

(2) Subject to subclause (3), where any prescribed person becomes an employee appointed or employed under the Principal Act, by virtue of subclause (1), that person shall—

- (a) be paid a salary or wage not less than the salary or wage payable to him immediately before the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act 1984* and be entitled to receive the same allowances as those to which he was entitled immediately before that day;
- (b) retain any rights that, immediately before that day, have accrued to him or are accruing to him by virtue of his being a prescribed person, including any rights accruing to him under the *Retirement Benefits Act 1982*;
- (c) if a contributor immediately before that day to any fund established under the *Retirement Benefits Act 1982*, continue to contribute to that fund; and
- (d) be entitled to any leave (including long service leave) and any remuneration, pension, gratuity, or other payment,

as if he had continued to hold office or be appointed, employed, or engaged, as the case may be, under the provisions of the Act, as in force immediately before that day, under which he was holding office or appointed, employed, or engaged immediately before that day.

(3) Where any term or condition of employment of a prescribed person who becomes an employee employed under the Principal Act by virtue of subclause (1) is, immediately before he so becomes an employee—

- (a) regulated by an award, that term or condition shall continue to be so regulated until an award regulating that term or condition and binding on the Minister is made by a competent tribunal;
- (b) prescribed in any regulations in force immediately before he so becomes an employee, that term or condition shall continue to apply to that employee until a new regulation prescribing that term or condition is made under the Principal Act; or
- (c) prescribed in any Act in force immediately before he so becomes an employee, that term or condition shall continue to apply to that employee until the period for which he was appointed in the instrument of his appointment has expired or, where no period is prescribed in the instrument of his appointment, until a regulation prescribing that term or condition is made under the Principal Act.

(4) For the purposes of this clause, “prescribed person” means the following:—

- (a) a person employed under section 5G (1) (b) of the *Aid to Mining Act* 1927 as in force immediately before the day referred to in subclause (1);
- (b) a person appointed under section 14 of the *Ambulance Service Act* 1982 as in force immediately before that day;
- (c) a person employed under section 18 of the *Ambulance Service Act* 1982 as in force immediately before that day;
- (d) a person appointed under section 4 of the *Botanical Gardens Act* 1950 as in force immediately before that day;
- (e) a person appointed under section 6 of the *Dairy Industry Act* 1976 as in force immediately before that day;
- (f) a person, other than the Director-General, appointed under section 4 (1) of the *Education Act* 1932 as in force immediately before that day;
- (g) a person appointed under section 4 (3) of that Act as in force immediately before that day;
- (h) a person appointed under section 46C (1) of that Act as in force immediately before that day;
- (i) a person engaged under section 20 (3) of the *Emergency Services Act* 1976 as in force immediately before that day;
- (j) a person appointed and holding office as Director of Urban Fire Brigades under section 12 of the *Fire Service Act* 1979 as in force immediately before that day;
- (k) a person appointed and holding office as Director of Country Fire Brigades under section 13 of that Act as in force immediately before that day;
- (l) a person appointed and holding office as Deputy Director of Urban Fire Brigades under section 22 of that Act as in force immediately before that day;
- (m) a person appointed and holding office as Deputy Director of Country Fire Brigades under section 22 of that Act as in force immediately before that day;
- (n) a person appointed and holding office as Regional Chief Officer (Urban), Regional Chief Officer (Country), or Regional Chief Officer or as Deputy Regional Chief Officer (Urban) or Deputy Regional Chief Officer (Country) under section 23 of that Act as in force immediately before that day;
- (o) a person appointed under section 24 of that Act as in force immediately before that day;
- (p) a person who is a permanent member of an urban fire brigade under section 26 of that Act as in force immediately before that day;

- (q) a person appointed and employed under section 8 (6) of the *Fisheries Act 1959* as in force immediately before that day;
- (r) a person appointed under section 35 (2) of that Act as in force immediately before that day;
- (s) a person appointed and holding office as the Chief Executive of the Fisheries Development Authority under section 8 of the *Fisheries Development Act 1977* as in force immediately before that day;
- (t) a person employed under section 10 of that Act as in force immediately before that day;
- (u) a person appointed and employed under section 10 (2) of the *Forestry Act 1920* as in force immediately before that day;
- (v) a person appointed under section 8 of the *Gaming Act 1983* as in force immediately before that day;
- (w) a person, other than the Manager of the Tasmanian Grain Elevators, appointed under section 4 of the *Grain Reserve Act 1950* as in force immediately before that day;
- (x) a person appointed and employed under section 11 of the *Herd Improvement Act 1977* as in force immediately before that day;
- (y) a person engaged under section 6B of the *Homes Act 1935* as in force immediately before that day;
- (z) a person appointed under section 32 of the *Hospitals Act 1918* as in force immediately before that day;
- (za) a person appointed and holding office as Deputy Commissioner for Town and Country Planning under section 718A of the *Local Government Act 1962* as in force immediately before that day;
- (zb) a person appointed or employed under section 21 (1) (a) of the *Marketing of Primary Products Act 1945* as in force immediately before that day;
- (zc) a person appointed under section 3 (4) of the *Mental Health Services Act 1967* as in force immediately before that day;
- (zd) a person appointed and holding office as general manager of the Metropolitan Transport Trust under section 23 of the *Metropolitan Transport Act 1954* as in force immediately before that day;
- (ze) a person appointed under section 24 of the *Metropolitan Transport Trust Act 1954* as in force immediately before that day;
- (zf) a person appointed or employed under section 15 (1) (c) of the *Metropolitan Water Act 1961* as in force immediately before that day;
- (zg) a person engaged under section 4 (2) (b) of the *Mineral Resources Act 1951* as in force immediately before that day;
- (zh) a person appointed and holding office as secretary under section 7 of the *Motor Accidents (Liabilities and Compensation) Act 1973* as in force immediately before that day;

- (zi) a person appointed or employed under section 7 of the *Motor Accidents (Liabilities and Compensation) Act* 1973 as in force immediately before that day;
- (zj) a person appointed and employed under section 4 of the *Mount Cameron Water-race Act* 1926 as in force immediately before that day;
- (zk) a person employed under section 7 (2) of the *National Parks and Wildlife Act* 1970 as in force immediately before that day;
- (zl) a person appointed or employed under section 8 of the *North West Regional Water Act* 1976 as in force immediately before that day;
- (zm) a person appointed under section 28c of the *Police Regulation Act* 1898 as in force immediately before that day;
- (zn) a person appointed under the *Public Works Construction (Officers) Regulations* 1965 as in force immediately before that day;
- (zo) a person appointed under section 13 of the *Queen Victoria Hospital Act* 1952 as in force immediately before that day;
- (zp) a person appointed under section 3 of the *School Dental Therapy Act* 1965 as in force immediately before that day;
- (zq) a person appointed or employed under section 9 of the *Soft Fruit Industry Act* 1972 as in force immediately before that day;
- (zr) a person appointed under section 7 of the *Stanley Cool Stores Act* 1945 as in force immediately before that day;
- (zs) a person appointed under section 8 of the *Tasmanian Arts Advisory Board Act* 1975 as in force immediately before that day;
- (zt) a person appointed and employed under section 4 of the *Tasmanian Museum Act* 1950 as in force immediately before that day;
- (zu) a person appointed under section 14 of the *Tasmanian Trotting Control Board Act* 1976 as in force immediately before that day;
- (zv) a person engaged under section 10 of the *Tourism Act* 1977 as in force immediately before that day;
- (zw) a person who is appointed and employed under section 8 of the *Transport Act* 1981 as in force immediately before that day;
- (zx) a person who is appointed and employed under section 14 of the *Water Act* 1957 as in force immediately before that day;
- (zy) a person appointed under section 13 of the *Workers' (Occupational Diseases) Relief Fund Act* 1954 as in force immediately before that day.

30—Persons employed in the Peacock Convalescent Hospital immediately before the day fixed under section 2 (2) of the *Tasmanian State Service Act* 1984 shall be deemed to have been and to be employees of the Board for the Hobart Public Hospitals District appointed under section 32 of the *Hospitals Act* 1918 as in force immediately before that day and positions held by those persons immediately before that day in the Peacock Convalescent Hospital shall be deemed to be positions in the hospital under the control of that Board.

31—A person who was appointed to an office specified in column 1 of the table to this clause and is holding that office immediately before the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act* 1984 shall be deemed to have been appointed to that office, or authorized to perform the duties of that office, as the case may be, under the provision, in force on and after that day, opposite that office in column 2 of this table.

TABLE

COLUMN 1	COLUMN 2
Warden under the <i>Aboriginal Relics Act</i> 1975	section 15 of the <i>Aboriginal Relics Act</i> 1975
Secretary of the Alcohol and Drug Dependency Board	section 13 of the <i>Alcohol and Drug Dependency Act</i> 1968
Superintendent of a treatment centre	section 15 of the <i>Alcohol and Drug Dependency Act</i> 1968
Welfare officer under the <i>Alcohol and Drug Dependency Act</i> 1968	section 16 of the <i>Alcohol and Drug Dependency Act</i> 1968
Inspector of a school of anatomy	section 7 of the <i>Anatomy Act</i> 1964
Secretary of the Anzac Day Trust	section 8 of the <i>Anzac Day Observance Act</i> 1929
Inspector under the <i>Apiaries Act</i> 1978	section 14 of the <i>Apiaries Act</i> 1978
Secretary to the Apprenticeship Commission	section 8 of the <i>Apprentices Act</i> 1942
Secretary of the Child Protection Board	section 4 of the <i>Child Protection Act</i> 1974
Authorized officer under the <i>Child Protection Act</i> 1974	section 5 of the <i>Child Protection Act</i> 1974
Secretary to the Chiropractors Registration Board	section 7 of the <i>Chiropractors Registration Act</i> 1982
Administrator of the Coal Mining Industry Long Service Leave Trust Fund	section 6 of the <i>Coal Mining Industry Long Service Leave Act</i> 1950
Authorized officer under the <i>Consumer Affairs Act</i> 1970	section 5 of the <i>Consumer Affairs Act</i> 1970
Registrar of Co-operative Housing Societies	section 3 of the <i>Co-operative Housing Societies Act</i> 1963
Deputy Registrar of Co-operative Housing Societies	section 3 of the <i>Co-operative Housing Societies Act</i> 1963

COLUMN 1	COLUMN 2
Supervisor under the <i>Dairy Produce Act</i> 1932	section 5 of the <i>Dairy Produce Act</i> 1932
Registrar of the Dental Board of Tasmania	section 7 of the <i>Dental Act</i> 1982
Secretary of the Dental Mechanics Registration Board	section 46 of the <i>Dental Act</i> 1982
Registrar of Teachers and Schools	section 34 (10) of the <i>Education Act</i> 1932
Secretary of the Hen Quota Review Committee	section 21 (10) of the <i>Egg Industry Stabilization Act</i> 1973
Inspector under the <i>Egg Industry Stabilization Act</i> 1973	section 27 of the <i>Egg Industry Stabilization Act</i> 1973
Secretary of the Environment Protection Advisory Council	section 7 (13) of the <i>Environment Protection Act</i> 1973
Clerk to the Environment Protection Appeal Board	section 37 (7) of the <i>Environment Protection Act</i> 1973
Analyst under the <i>Environment Protection Act</i> 1973	section 42 of the <i>Environment Protection Act</i> 1973
Inspector under the <i>Filled Milk Act</i> 1960	section 3 of the <i>Filled Milk Act</i> 1960
Inspector under the <i>Fruit and Vegetables Act</i> 1953	section 4 of the <i>Fruit and Vegetables Act</i> 1953
Inspector under the <i>Goods (Trade Descriptions) Act</i> 1971	section 5 of the <i>Goods (Trade Descriptions) Act</i> 1971
Secretary of the Tasmanian Grain Elevators Board	section 7 (1) of the <i>Grain Reserve Act</i> 1950
Secretary to the Private Medical Establishment Appeals Tribunal	clause 4 of Schedule 4 (2) of the <i>Hospitals Act</i> 1918
Secretary of an Industrial Board	section 20 of the <i>Industrial Relations Act</i> 1975
Registrar of the Industrial Appeals Tribunal	section 39 (6) of the <i>Industrial Relations Act</i> 1975
Authorized officer under the <i>Industrial Safety, Health, and Welfare Act</i> 1977	section 10 (1) of the <i>Industrial Safety, Health, and Welfare Act</i> 1977
Chief Inspector of Machinery	section 7 of the <i>Inspection of Machinery Act</i> 1960
Inspector of Machinery	section 7 of the <i>Inspection of Machinery Act</i> 1960
Secretary to the Board of Reference	section 25A (12) of the <i>Inspection of Machinery Act</i> 1960
Secretary of the Board of Legal Education	section 5 (9) of the <i>Legal Practitioners Act</i> 1959
Inspector under the <i>Licensing Act</i> 1976	section 7 (2) or (2A) of the <i>Licensing Act</i> 1976
Registrar under the <i>Local Courts Act</i> 1896	section 21 (2) or (5) of the <i>Local Courts Act</i> 1896

COLUMN 1	COLUMN 2
Deputy registrar under the <i>Local Courts Act</i> 1896	section 21 (4) of the <i>Local Courts Act</i> 1896
Bailiff under the <i>Local Courts Act</i> 1896	section 22 (2), (3), or (4) of the <i>Local Courts Act</i> 1896
Clerk to the Commissioner for Town and Country Planning	section 718 (2A) of the <i>Local Government Act</i> 1962
Inspector under the <i>Long Service Leave Act</i> 1976	section 4 (3) of the <i>Long Service Leave Act</i> 1976
Secretary of the Long Service Leave (Construction Industry) Fund Review Committee	section 12A (10) of the <i>Long Service Leave (Construction Industry) Act</i> 1971
Secretary of the Guardianship Board	section 8 (4) of the <i>Mental Health Act</i> 1963
Secretary of the Mental Health Review Tribunal	section 9 (3) of the <i>Mental Health Act</i> 1963
Authorized officer under the <i>Mental Health Act</i> 1963	section 11 of the <i>Mental Health Act</i> 1963
Registrar of the Miners' Pensions Board	section 9 (1) of the <i>Miners' Pensions Act</i> 1982
Chief Inspector of Mines	section 6 (1) of the <i>Mines Inspection Act</i> 1968
Inspector of mines	section 6 (1A) of the <i>Mines Inspection Act</i> 1968
Secretary of the Premiums Board	section 13 (2) of the <i>Motor Accidents (Liabilities and Compensation) Act</i> 1973
Secretary of the Motor Accidents Compensation Tribunal	section 13 (2) of the <i>Motor Accidents (Liabilities and Compensation) Act</i> 1973
Ranger	section 8 of the <i>National Parks and Wildlife Act</i> 1970
Inspector under the <i>Noxious Insects Act</i> 1951	section 3 of the <i>Noxious Insects Act</i> 1951
Inspector under the <i>Noxious Weeds Act</i> 1964	section 8 (1) of the <i>Noxious Weeds Act</i> 1964
Registrar of Nurses	section 8 of the <i>Nurses' Registration Act</i> 1952
Secretary to the Parliamentary Superannuation Trust	section 12 of the <i>Parliamentary Superannuation Act</i> 1973
Parole officer	section 4 of the <i>Parole Act</i> 1975
Secretary of the Parole Board	section 11 of the <i>Parole Act</i> 1975
Registrar of Transferred Parole Orders	section 4 of the <i>Parole Orders (Transfer) Act</i> 1983
Registrar and Deputy Registrar of Pesticides	section 4 of the <i>Pesticides Act</i> 1968
Inspector under the <i>Pesticides Act</i> 1968	section 5 of the <i>Pesticides Act</i> 1968

COLUMN 1	COLUMN 2
Analyst under the <i>Pesticides Act 1968</i> Registrar of Petroleum Products Business Franchise Licences	section 6 of the <i>Pesticides Act 1968</i> section 10 of the <i>Petroleum Products Business Franchise Licences Act 1981</i>
Officer under the <i>Petroleum Products Business Franchise Licences Act 1981</i>	section 11A of the <i>Petroleum Products Business Franchise Licences Act 1981</i>
Inspector under the <i>Petroleum Pro- ducts Business Franchise Licences Act 1981</i>	section 12 of the <i>Petroleum Products Business Franchise Licences Act 1981</i>
Inspector under the <i>Petroleum (Sub- merged Lands) Act 1982</i>	section 125 (1) of the <i>Petroleum (Submerged Lands) Act 1982</i>
Inspector under the <i>Plant Diseases Act 1930</i>	section 5 of the <i>Plant Diseases Act 1930</i>
Secretary to the Plumbers' Registra- tion Board	section 8 of the <i>Plumbers' Registra- tion Act 1951</i>
Registrar and secretary of the Podia- trists Registration Board	section 6 of the <i>Podiatrists Regis- tration Act 1974</i>
Analyst under the <i>Poisons Act 1971</i>	section 19 of the <i>Poisons Act 1971</i>
Inspector under the <i>Poisons Act 1971</i>	section 23 (1) of the <i>Poisons Act 1971</i>
Probation officer	section 4 of the <i>Probation of Offenders Act 1973</i>
Supervisor	section 17 of the <i>Probation of Offenders Act 1973</i>
Registrar and secretary of the Psycho- logists Registration Board	section 6 of the <i>Psychologists Regis- tration Act 1976</i>
Inspector under the <i>Psychologists Registration Act 1976</i>	section 7 of the <i>Psychologists Regis- tration Act 1976</i>
Medical officer of health	section 7 of the <i>Public Health Act 1962</i>
Health inspector	section 7 of the <i>Public Health Act 1962</i>
Health officer	section 7 of the <i>Public Health Act 1962</i>
Chief inspector of food and drugs	section 64 of the <i>Public Health Act 1962</i>
Inspector of food and drugs	section 64 of the <i>Public Health Act 1962</i>
Analyst under the <i>Public Health Act 1962</i>	section 67 of the <i>Public Health Act 1962</i>
Secretary of the Food Standards Committee	section 119 (7) of the <i>Public Health Act 1962</i>
Secretary to the Tasmanian Racing Appeal Board	section 29 of the <i>Racing Act 1983</i>
Secretary of the Radiation Advisory Council	section 8 of the <i>Radiation Control Act 1977</i>



COLUMN 1	COLUMN 2
Authorized officer under the <i>Radiation Control Act 1977</i>	section 19 of the <i>Radiation Control Act 1977</i>
Secretary of the Radiographers Registration Board	section 6 of the <i>Radiographers Registration Act 1971</i>
Inspector under the <i>Radiographers Registration Act 1971</i>	section 7 (3) of the <i>Radiographers Registration Act 1971</i>
Registrar of births and deaths	section 4 (1) or (1B) of the <i>Registration of Births and Deaths Act 1895</i>
Registrar of the Restricted Publications Board	section 4 (10) of the <i>Restricted Publications Act 1974</i>
Member of the Retirement Benefits Fund Board	section 11 (1) (a) and (b) of the <i>Retirement Benefits Act 1982</i>
Supervising analyst	section 3 of the <i>Road Safety (Alcohol and Drugs) Act 1970</i>
Inspector of scaffolding	section 6 (1) of the <i>Scaffolding Act 1960</i>
Authorized officer under the <i>Service Stations (Trading Hours) Act 1975</i>	section 3 of the <i>Service Stations (Trading Hours) Act 1975</i>
The Secretary of the Soft Fruit Industry Board	section 9 of the <i>Soft Fruit Industry Act 1972</i>
Commissioner of Stamp Duties	section 4 (2) of the <i>Stamp Duties Act 1931</i>
Assessor of stamp duties	section 5 (1) of the <i>Stamp Duties Act 1931</i>
Secretary of the State Grants Commission	section 7 of the <i>State Grants Commission Act 1976</i>
Chief Inspector under the <i>Stock Act 1932</i>	section 4 of the <i>Stock Act 1932</i>
Inspector under the <i>Stock Act 1932</i>	section 4 of the <i>Stock Act 1932</i>
Registrar of Stock Brands	section 22 of the <i>Stock Act 1932</i>
Secretary to the Artificial Breeding Appeal Tribunal	section 40 of the <i>Stock Act 1932</i>
Registrar of Stock Medicines	section 4 of the <i>Stock Medicines and Fertilizers Act 1950</i>
Registrar of Fertilizers	section 4 of the <i>Stock Medicines and Fertilizers Act 1950</i>
Inspector under the <i>Stock Medicines and Fertilizers Act 1950</i>	section 4 of the <i>Stock Medicines and Fertilizers Act 1950</i>
Authorized officer under the <i>Substandard Housing Control Act 1973</i>	section 23 of the <i>Substandard Housing Control Act 1973</i>
Secretary to the Nomenclature Board	section 20c of the <i>Survey Co-ordination Act 1944</i>
Registrar of Tobacco Business Franchise Licences	section 10 of the <i>Tobacco Business Franchise Licences Act 1980</i>
Officer under the <i>Tobacco Business Franchise Licences Act 1980</i>	section 11 of the <i>Tobacco Business Franchise Licences Act 1980</i>

COLUMN 1	COLUMN 2
Inspector under the <i>Tobacco Business Franchise Licences Act 1980</i> Registrar of Trade Unions	section 12 of the <i>Tobacco Business Franchise Licences Act 1980</i> section 2A (3) of the <i>Trades Unions Act 1889</i>
Secretary of the Public Vehicles Licensing Appeal Tribunal	section 30A of the <i>Traffic Act 1925</i>
Inspector under the <i>Vermin Destruction Act 1950</i>	section 6 of the <i>Vermin Destruction Act 1950</i>
Registrar under the <i>Veterinary Act 1918</i>	section 10 of the <i>Veterinary Act 1918</i>
Water bailiff	section 14A of the <i>Water Act 1957</i>
Secretary of the Workers' (Occupational Diseases) Relief Fund Board	section 13 of the <i>Workers' (Occupational Diseases) Relief Fund Act 1954</i>

32—A person who was appointed as secretary of the Gellibrand House Board under section 9 (1) of the *War Veterans Home (Management) Act 1962* in force immediately before the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act 1984* and is holding that office immediately before that day shall continue in office under the same terms and conditions that applied to him immediately before that day.

33—Where, before the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act 1984*, an officer appointed by the Inland Fisheries Commission under Part III of the *Fisberies Act 1959* was authorized by the Minister to exercise the functions of an officer appointed under Part II of the *Fisberies Act 1959* and that authorization was in force immediately before that day, that officer shall be deemed to have been appointed as an officer for the purposes of Part II of that Act under section 8 (7) (b) of the *Fisberies Act 1959* as in force immediately after that day.

34—Where, before the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act 1984*, an officer appointed by the Minister under Part II of the *Fisberies Act 1959* was authorized by the Commission to exercise the functions of an officer appointed under Part III of the *Fisberies Act 1959* and that authorization was in force immediately before that day, that officer shall be deemed to have been appointed as an officer for the purposes of Part III of that Act under section 35 (2A) (b) of the *Fisberies Act 1959* as in force immediately after that day.

35—(1) A person holding office immediately before the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act 1984* as a member of the Retirement Benefits Fund Board—

(a) referred to in section 11 (1) (a) of the *Retirement Benefits Act 1982*;

(b) referred to in section 11 (1) (b) of that Act; or

(c) elected by contributors employed in the Teaching Service within the meaning of that Act,

shall, unless he is sooner removed from office under section 15 of that Act or he sooner vacates that office under clause 8 of Part I of Schedule 1 of that Act, continue to hold that office for the remainder of the period specified in the instrument of his appointment.

(2) A person holding office immediately before the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act 1984* as a member of the Retirement Benefits Fund Board, other than a member of the Board to whom subclause (1) applies, shall, unless he is sooner removed from office under section 15 of the *Retirement Benefits Act 1982* or he sooner vacates that office under clause 8 of Part I of Schedule 1 of that Act, continue to hold that office up to and including the day on which the elections referred to in section 11 (7) of that Act are held.

36—Any disciplinary action taken by the Mental Health Services Commission under section 21 of the *Mental Health Services Act 1967* shall be deemed to have been action taken under Part IX of the Principal Act by the Head of that Agency.

37—(1) An appeal to the Minister pending under section 21 (8) of the *Mental Health Services Act 1967* at the commencement of section 66 of the Principal Act shall be deemed to be an appeal pending under section 66 and may be heard and determined accordingly.

(2) Where an appeal to the Minister under section 21 (8) of the *Mental Health Services Act 1967* has been heard in full or in part by a tribunal appointed by the Minister before the commencement of section 66 of the Principal Act and there exists a tape-recording or transcript of the hearing, the Commissioner for Review may listen to or read that record and if the appeal had been heard in full make a decision without any further or other hearing.

38—Any procedures in relation to the filling of a vacancy by a full-time permanent appointment to the Mental Health Services Commission commenced but not finally concluded before the commencement of Part VI of the Principal Act shall be concluded as if they had been commenced under the Principal Act and for all purposes shall be deemed to have been commenced under that Act.

39—(1) Any appeal to the Public Service Appeal Board pending under section 21A of the *Mental Health Services Act 1967* at the commencement of section 66 of the Principal Act shall be deemed to be pending under section 66 and may be heard and determined accordingly.

(2) Where any appeal to the Public Service Appeal Board under section 21A of the *Mental Health Services Act 1967* has been heard in full or in part by that Board before the commencement of section 66 of the Principal Act and there exists a tape-recording or transcript of the hearing, the Commissioner for Review may listen to or read that record and if the appeal had been heard in full make a decision without any further or other hearing.

40—(1) Any procedures in relation to the filling of a vacancy in an office in the service of a hospital authority commenced but not finally concluded before the commencement of Part VI of the Principal Act shall be concluded as if they had been commenced under the Principal Act and for all purposes shall be deemed to have been commenced under that Act.

(2) For the purposes of subclause (1), “hospital authority” means—

- (a) a public hospitals board constituted under the *Hospitals Act 1918*;
- (b) the Board of Management of the Queen Alexandra Hospital;
- (c) the Committee of Management of the Peacock Convalescent Hospital; or
- (d) the Board of Management of the Queen Victoria Hospital.

41—(1) Any appeal to the Hospital Service Appeal Board pending under section 54 or 57B of the *Hospitals Act 1918* at the commencement of section 66 of the Principal Act shall be deemed to be pending under that section and may be heard and determined accordingly.

(2) Where any appeal to the Hospital Service Appeal Board under section 54 or 57B of the *Hospitals Act 1918* has been heard in full or in part by that Board before the commencement of section 66 of the Principal Act and there exists a tape-recording or transcript of the hearing, the Commissioner for Review may listen to or read that record and if the appeal had been heard in full make a decision without any further or other hearing.

42—Where, before the day fixed under section 2 (2) of the *Tasmanian State Service (Miscellaneous Amendments) Act 1984*, an officer of the Public Service was appointed to an office or position outside the Public Service, and it is provided in any enactment (however expressed) that he is entitled to retain all his existing and accruing rights as if his service in that office or position were service as an officer of the Public Service, and he is holding that office or position immediately before that day, he is entitled to retain those existing and accruing rights while he holds that office or position, and is entitled, on and after that day, to retain his existing and accruing rights as if his service in that office or position were service as an employee within the meaning of the Principal Act.