

The Bill.

Explanation.

the Commonwealth and for the holding of the first elections for the Parliament.

84. When any department of the public service of a State becomes transferred to the Commonwealth, all officers of the department shall become subject to the control of the Executive Government of the Commonwealth.

Any such officer who is not retained in the service of the Commonwealth shall, unless he is appointed to some other office of equal emolument in the public service of the State, be entitled to receive from the State any pension, gratuity, or other compensation payable under the law of the State on the abolition of his office.

Any such officer who is retained in the service of the Commonwealth shall preserve all his existing and accruing rights, and shall be entitled to retire from office at the time, and on the pension or retiring allowance, which would be permitted by the law of the State if his service with the Commonwealth were a continuation of his service with the State. Such pension or retiring allowance shall be paid to him by the Commonwealth; but the State shall pay to the Commonwealth a part thereof, to be calculated on the proportion which his term of service with the State bears to his whole term of service, and for the purpose of the calculation his salary shall be taken to be that paid to him by the State at the time of the transfer.

Any officer who is, at the establishment of the Commonwealth, in the public service of a State, and who is, by consent of the Governor of the State with the advice of the Executive Council thereof, transferred to the public service of the Commonwealth, shall have the same rights as if he had been an officer of a department transferred to the Commonwealth and were retained in the service of the Commonwealth.

85. When any department of the public service of a State is transferred to the Commonwealth—

- (1.) All property of the State of any kind, used exclusively in connection with the department, shall become vested in the Commonwealth; but, in the case of the departments controlling customs and excise and bounties, for such time only as the Governor-General in Council may declare to be necessary.
- (2.) The Commonwealth may acquire any property of the State of any kind, used, but not exclusively used, in connection with the department; the value thereof shall, if no agreement can be made, be ascertained in, as nearly as may be, the manner in which the value of land, or of an interest in land, taken by the State for public purposes is ascertained under the law of the State in force at the establishment of the Commonwealth.
- (3.) The Commonwealth shall compensate the State for the value of any property passing to the Commonwealth under this section; if no agreement can be made as to the mode of compensation, it shall be determined under laws to be made by the Parliament.
- (4.) The Commonwealth shall, at the date of the transfer, assume the current obligations of the State in respect of the department transferred.

86. On the establishment of the Commonwealth, the collection and control of duties of customs and

84. *Transfer of Officers.*—Officers of the transferred departments (see section 69) are to become servants of the Commonwealth.

If not retained in the service, they are to receive, from the State concerned, any pension or gratuity payable under the law of the State on abolition of office.

If retained in the service of the Commonwealth, all their existing and accruing rights will be preserved, as if they had continued in the service of the State, and any pension or retiring allowance to which they may become entitled will be contributed by the Commonwealth and the State in proper proportion.

Officers not belonging to a transferred department, but who are handed over by a State to the Commonwealth, are to have the same rights as officers of transferred departments.

85. *Transfer of Property.*—Any property of a State used *exclusively* in connection with a transferred department is to belong to the Commonwealth; and any property used *partially* in connection with a transferred department may be taken over at the option of the Commonwealth.

In either case the State is to be compensated for the value of the property.

The Commonwealth is also to take over the current obligations of the States in respect of the transferred departments.

86. *Customs, Excise, and Bounties.*—From the first, the Commonwealth will collect all duties of