

COMMONWEALTH PUBLIC SERVICE.

No. 19 of 1930.

An Act to amend the *Commonwealth Public Service Act 1922-1928*.

[Assented to 28th July, 1930.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title and citation.

1.—(1.) This Act may be cited as the *Commonwealth Public Service Act 1930*.

(2.) The *Commonwealth Public Service Act 1922-1928** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Commonwealth Public Service Act 1922-1930*.

2. After section thirteen of the Principal Act the following section is inserted :—

Constitution of Board where vacancies exist.

“ 13A.—(1.) Notwithstanding anything contained in the preceding provisions of this Part—

(a) on the happening of any vacancy in the office of member of the Board, the Governor-General may, so long as at least one office of member remains filled, defer for such time as he thinks fit the making of an appointment to the vacant office ;

(b) where a vacancy in the office of a member of the Board remains unfilled, the Board shall, for the purposes of this Act, be deemed to be constituted by the remaining Commissioners or Commissioner.

“(2.) Where the Board is constituted of two members and those members differ in opinion on any question requiring the decision of the Board, the Board shall report the matter to the Governor-General, and thereupon the Governor-General may appoint a person

* Act No. 21, 1922, as amended by No. 46, 1924; and No. 41, 1928.

to act as Commissioner for the purpose only of the consideration and settlement, at a meeting of the Board, of that question, and for that purpose the person so acting shall have all the powers of a member of the Board.

“(3.) Any person appointed under the last preceding sub-section to act as a Commissioner shall not be entitled to receive any remuneration in respect of his services as such Acting Commissioner.

“(4.) In the event of the Board being constituted by one Commissioner, that Commissioner shall have all the powers and functions of the Chairman of the Board under the succeeding provisions of this Act.”.

3. After section thirty-seven of the Principal Act the following section is inserted :—

“37A.—(1.) Any officer of the Permanent Naval or Military Forces of the Commonwealth, not more than thirty years of age, who is a graduate of the Royal Australian Naval College or of the Royal Military College, and any cadet of either of those Colleges, may, if his services are in excess of requirements in the Naval or Military Forces, be appointed by the Board, without examination, and, if the Board thinks fit, without probation, to an office in the Third Division of the Commonwealth Service.

Appointment
of officers of
Permanent
Naval or
Military
Forces and
cadets.

“(2.) The Governor-General may at any time by proclamation declare that no further appointments may be made in pursuance of this section, and thereafter no further appointments may be so made.”.

4.—(1.) After section forty-eight of the Principal Act the following section is inserted :—

“48A. An officer seconded for duty as Private Secretary to a Minister or member of the Federal Executive Council or to the Leader of the Opposition in either House of the Parliament, shall, upon the termination of his employment in that capacity, be entitled to appointment to an office in the Commonwealth Service of such status and salary as are determined by the Board, having regard to the office held by the officer prior to his being seconded for such duty and to the period and nature of his employment as Private Secretary.”.

Status of
Ministerial
Private
Secretaries.

(2.) This section shall be deemed to have commenced on the first day of October, One thousand nine hundred and twenty-nine.

5. Section fifty-five of the Principal Act is amended—

(a) by inserting in sub-section (1.) after paragraph (g) the following paragraph :—

“; or (h) has wilfully supplied to any officer or other person acting on behalf of the Commonwealth incorrect or misleading information in connexion with his appointment to the Commonwealth Service,”; and

Offences.

(b) by adding at the end thereof the following sub-section :—

“(11.) For the purposes of the constitution of an Appeal Board under this section to deal with any appeal by an officer who performs his duties in the Territory for the Seat of Government, and for the purposes of the election of a representative on the Appeal Board of the Division to which the appellant belongs, the Territory for the Seat of Government shall be deemed to be a State.”.

Leave without pay.

6. Section seventy-one of the Principal Act is amended by adding at the end of sub-section (1.) the following proviso :—

“Provided that this section shall not apply to any application made by an officer for leave of absence for the purpose of service with the League of Nations, or with the Government of the United Kingdom, or of any State of the Commonwealth, or of any British Dominion, Colony or Dependency.”.

7. After section seventy-two of the Principal Act the following section is inserted :—

Leave of absence for service with other Governments, &c.

“72A.—(1.) If the League of Nations, or the Government of the United Kingdom, or of any State of the Commonwealth, or of any British Dominion, Colony or Dependency requests that the services of an officer be made available to the League of Nations or to that Government, the Board may, on application by the officer, grant to him leave of absence without pay, not exceeding a period of three years, for that purpose.

“(2.) The period during which any officer is absent on leave granted pursuant to this section shall not, unless otherwise ordered by the Board, for any purpose be included as part of the officer’s period of service.”.

Rent chargeable for quarters.

8. Section eighty-nine of the Principal Act is amended by omitting from the proviso to sub-section (1.) the words “has been acquired or erected by the Commonwealth solely for the purpose for residence of the officer”, and inserting in their stead the words “is occupied by an officer solely as a residence”.

Performance of work outside Commonwealth Service.

9. Section ninety-one of the Principal Act is amended by omitting from paragraph (d) of sub-section (1.) the words “or trade” and inserting in their stead the words “occupation or trade, or enter into any employment, whether remunerative or not, with any person, company or firm who or which is so engaged”.