

HIGH COMMISSIONER (UNITED KINGDOM).

No. 14 of 1957.

An Act to amend the *High Commissioner Act* 1909-1952, and for other purposes.

[Assented to 25th May, 1957.]

BE it enacted by the Queen'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 *High Commissioner (United Kingdom) Act* 1957.

(2.) The *High Commissioner Act* 1909-1952* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *High Commissioner (United Kingdom) Act* 1909-1957.

Commence-
ment.

2.—(1.) Subject to the next succeeding sub-section, this Act shall come into operation on the day on which it receives the Royal Assent.

(2.) The amendment made by section four of this Act shall come into operation on a date to be fixed by Proclamation.

3. Section six of the Principal Act is repealed and the following section inserted in its stead:—

Remuneration
and allowances
of High
Commissioner.

“ 6. The High Commissioner shall be paid such remuneration and allowances as the Governor-General determines.”

* Act No. 22, 1909, as amended by No. 26, 1937; No. 52, 1940; No. 54, 1945; and No. 9, 1952.

4.—(1.) Section nine of the Principal Act is repealed and the following section inserted in its stead:—

“9.—(1.) Subject to the regulations, the High Commissioner may, on behalf of the Commonwealth—

Officers and employees.

- (a) appoint such officers as he thinks necessary for the purposes of this Act; and
- (b) engage such temporary employees as he thinks necessary for those purposes.

“(2.) The regulations may make provision for or in relation to—

- (a) the appointment of officers and the engagement of temporary employees under this section; and
- (b) the terms and conditions of employment of officers and temporary employees.

“(3.) Where an officer appointed under this Act was, immediately before his appointment, an officer of the Public Service of the Commonwealth—

- (a) he retains his existing and accruing rights;
- (b) his service as an officer appointed under this Act shall, for the purpose of determining those rights, be taken into account as if it were service in the Public Service of the Commonwealth; and
- (c) the *Officers' Rights Declaration Act* 1928–1953 applies as if this Act and this section had been specified in the Schedule to that Act.

“(4.) The *Public Service Act* 1922–1957 does not apply to officers and temporary employees employed under this Act.

“(5.) The *Commonwealth Employees' Furlough Act* 1943–1953 does not apply to officers appointed under this Act and the regulations made in relation to officers by virtue of sub-section (2.) of this section may make provision for or in relation to the grant of furlough, the making of payments in lieu of furlough and the making of payments to female officers who retire upon marriage.”.

(2.) An officer holding office under the section repealed by the last preceding sub-section immediately before the proclaimed date continues to hold office as if appointed under the section inserted in the Principal Act by that sub-section.

(3.) Regulations for the purposes of the section inserted in the Principal Act by sub-section (1.) of this section may be made before the proclaimed date, but regulations so made shall not have any force or effect before that date.

(4.) In the last two preceding sub-sections, “the proclaimed date” means the date fixed by Proclamation under sub-section (2.) of section two of this Act.

5. After section nine A of the Principal Act the following section is inserted:—

Acting High
Commissioner.

“9B.—(1.) If the office of High Commissioner is vacant at any time or in the event of the absence from duty (whether from illness or other cause) of the High Commissioner, the Governor-General may appoint a person to act in the office of High Commissioner.

“(2.) An Acting High Commissioner appointed by reason of a vacancy in the office of High Commissioner holds office during the pleasure of the Governor-General.

“(3.) An Acting High Commissioner appointed in the event of the absence from duty of the High Commissioner holds office during that absence, but his appointment may, at any time, be terminated by the Governor-General.

“(4.) An Acting High Commissioner has all the powers and shall perform all the duties of the High Commissioner.

“(5.) An Acting High Commissioner shall be paid such remuneration and allowances as the Governor-General determines.

“(6.) An Acting High Commissioner shall not be appointed at any time when there is in force a Commission under the last preceding section.

“(7.) In this section, ‘ Acting High Commissioner ’ means a person appointed under sub-section (1.) of this section.”
