



ANNO SECUNDO

# GEORGI VI REGIS.

A.D. 1938.

\*\*\*\*\*

No. 2423.

An Act to amend the Public Service Act, 1936-1937.

[Assented to 19th December, 1938.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Public Service Act Amendment Act, 1938". Short title.

(2) The Public Service Act, 1936-1937, as amended by this Act, may be cited as the "Public Service Act, 1936-1938".

(3) The Public Service Act, 1936-1937, is hereinafter referred to as "the principal Act".

2. The principal Act is amended by inserting therein after section 30 thereof the following section:— Amendment of principal Act—

30a. The returns prepared by the board for the classification of permanent offices in the public service and published in the *Gazette* on the fourth day of October, nineteen hundred and thirty, and on the nineteenth day of September, nineteen hundred and thirty-one, shall be deemed to have been validly made and to have full force and effect, and, notwithstanding the provisions of section 11e of the Public Service Act, 1916 (as enacted by section 5 of the Public Service Act Amendment Act (No. 2), 1925) or any other Act, no person shall have any claim in law or equity by reason of any reduction made in the salary of any office under any such classification, or shall commence any proceedings to enforce any such claim. Validation of certain returns.

Amendment of  
principal Act,  
s. 75—  
Long service  
leave.

3. (1) Section 75 of the principal Act is amended—

(a) by striking out the words “and also to all persons holding such (if any) other offices in the said service, and to such (if any) other persons in the said service as are ordered by the Governor in Council to be within the application of this subdivision of this subsection” in subdivision (a) of subsection (3) thereof :

(b) by adding at the end of subdivision (a) of subsection (3) thereof the following proviso :—

Provided that this subdivision shall not apply to any person in the service of the South Australian Railways who is, after the first day of November, nineteen hundred and thirty-eight, appointed to any office mentioned in the second schedule to this Act.

(c) by striking out the word “other” in subdivision (b) of subsection (3) thereof and by adding at the end of the said subdivision the words “other than persons to whom subdivision (a) of this subsection applies”.

(2) Section 75 of the principal Act is amended by adding at the end thereof the following subsection :—

(11) If at the time any officer commences long leave of absence he has attained the age of retirement within the meaning of the Superannuation Act, 1926, or if during the time he is on long leave of absence, the officer attains such age of retirement, the officer, for the purpose of determining when he shall be entitled to any pension on retirement under the said Act, shall not, for the purposes of the said Act, be deemed to have retired until at the expiry of his long leave of absence.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.