



ANNO QUARTO

## GEORGI VI REGIS.

A.D. 1940.

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### No. 45 of 1940.

An Act to amend the Public Service Act, 1936-1938.

[Assented to 28th November, 1940.]

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, 1940". Short titles.

(2) The Public Service Act, 1936-1938, as amended by this Act, may be cited as the "Public Service Act, 1936-1940".

(3) The Public Service Act, 1936-1938, is hereinafter referred to as "the principal Act".

2. (1) Subsection (1) of section 29 of the principal Act is repealed and the following subsection is enacted in lieu thereof :— Amendment of principal Act, s. 29—

29. (1) For every office other than an office of the first division, the board shall have jurisdiction from time to time to make returns— Jurisdiction of board.

(a) classifying each office in the public service by assigning it to its appropriate section and division, namely, to the second, third, or fourth division, and to the professional, clerical, or general section :

(b) fixing the minimum and maximum salary payable to the holder of such office, the amount of the annual or other periodical increments of salary of such office, and the salary payable to the holder of such office at the time of the making of the return :

**Public Service Act Amendment Act, 1940.**

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- (c) fixing any special payment or allowance for any special circumstances connected with the work of any office :
- (d) determining the conditions upon which officers shall be entitled to increments of salary :
- (e) varying or adding to any return previously made by the board or rescinding any such return and making a new return in lieu thereof :
- (f) determining any other matter connected with the employment of officers if such matter is referred to the board by the Minister or the Commissioner :

Provided that, subject as mentioned in this section, every officer whose office is dealt with by the board in any return shall be entitled to receive an annual increment of salary of the amount fixed by the board in such return until the officer is receiving the maximum salary fixed by the board in respect of the office held by such officer.

(2) Subsections (2) and (3) of section 29 of the principal Act are amended by striking out the word "increase" wherever it occurs and by inserting in lieu thereof in any case the word "increment".

(3) Section 29 of the principal Act is amended by adding at the end thereof the following subsections :—

(6) If any officer fails or omits to pass any examination prescribed by the board and by reason of such failure or omission the officer is not entitled to receive an increment of salary as provided by subsection (1), and if the Commissioner is of opinion that any special circumstances warrant him so doing, the Commissioner may direct that the officer shall from such time or times as is fixed by the Commissioner be entitled to receive the increment or increments of salary which he would have been entitled to receive if he had passed the examination.

(7) If any permanent officer is appointed to any vacant office or is appointed to act temporarily in any office, the Commissioner may direct that the first increment of salary to which the officer shall be entitled in respect of that office shall be from such time as is fixed by the Commissioner, notwithstanding that the officer has not held that office for any period fixed pursuant to subsection (1).

Amendment of  
principal Act—

**3.** The principal Act is amended by inserting therein after section 29 the following section :—

Acting  
appointments.

29a. The Commissioner may transfer temporarily any permanent officer from one office to any other office in the

public service and in the case of any permanent officer so temporarily transferred or any permanent officer who is otherwise appointed to act temporarily in any office, then notwithstanding that some other officer has been appointed permanently to the office to which the temporary appointment is made, the Commissioner may, from time to time, fix the salary to be paid to the officer whilst he acts temporarily in that office.

4. Section 30 of the principal Act is amended—

- (a) by striking out paragraphs (a), (b), (c), and (d) of subsection (1) thereof :
- (b) by inserting after the word “ shall ” in the fifth to last line of subsection (1) thereof the words “ until it is rescinded and a new return is made pursuant to section 29 ” :
- (c) by striking out subsection (2) thereof :
- (d) by striking out the words “ the return ” in the first line of subsection (3) thereof and by inserting in lieu thereof the words “ any return and any new return ”.

Amendment of  
principal Act,  
s. 30—  
Continuance  
in force of  
existing  
return.

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

C. M. BARCLAY-HARVEY, Governor.