



ANNO NONO

GEORGIUS VI REGIS.

A.D. 1945.

No. 35 of 1945.

An Act relating to the rights of certain employees of the Crown and other persons who became members of the fighting forces, and for other purposes incidental thereto.

[Assented to 10th January, 1946.]

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

1. This Act may be cited as the "War Service Rights (State Employees) Act, 1945". Short title.

2. In this Act "member of the forces" has the same meaning as in the Commonwealth Act called "Re-establishment and Re-employment Act, 1945". Interpretation.

3. (1) Where a person, being a junior teacher in the Education Department or a student at the Teachers College, became a member of the forces, the Minister of Education shall have power and shall be deemed always to have had power— Nominal appointments granted to junior teachers and students.

- (a) to make a nominal appointment of that person, either during or after his service in the forces, to any position in the Education Department to which in the Minister's opinion, that person might have been appointed had he not become a member of the forces ;
- (b) to fix the day on which any such nominal appointment shall take effect or be deemed to have taken effect ;
- (c) to pay to any person who has received or receives a nominal appointment such as mentioned in this section, the whole or any part of the salary appro-

priate to the position to which he has been nominally appointed, notwithstanding that that person is not or was not actually employed in that position.

(2) The Treasurer shall have power and shall be deemed always to have had the power to pay contributions to the South Australian Superannuation Fund on behalf of any person who has received a nominal appointment such as mentioned in this section.

(3) This section, without further appropriation, shall be sufficient authority for payments out of the general revenue of the State, whether such payments were or are made before or after the passing of this Act, of salaries to persons who have received nominal appointments such as mentioned in this section at the rates appropriate to those appointments.

Overpayment
of salary to
State
employees on
active service.

4. Where an employee of the State dies on or as a result of service as a member of the forces and any overpayment of salary due to that employee has been made to any person, the Minister controlling the department in which the person was employed may direct that the whole or any part of the amount of the overpayment so made shall be written off, and thereupon no person shall be liable to repay the amount of the overpayment to the Crown.

General
provision.

5. (1) If any doubt or difficulty arises in relation to the salary, superannuation contributions, status or rights of any employee or ex-employee of the Crown who, while being such an employee became a member of the forces, the Governor may direct what is to be done in the circumstances, or that anything which has been done shall be valid, and such direction shall have the force of law.

(2) The power conferred upon the Governor by this section shall include power to direct what payments (if any) shall be made to or on behalf of any person, and to whom those payments shall be made.

(3) In this section "employee of the Crown" includes a student at the Teachers College.

Appropriation.

6. This Act, without further appropriation, shall be sufficient authority for making any payments out of the general revenue of the State for any purposes mentioned in this Act and not otherwise provided for.

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

C. W. M. NORRIE, Governor.