

COMMONWEALTH PUBLIC SERVICE.

No. 46 of 1918.

An Act to amend the *Commonwealth Public Service Act 1902-1917*.

[Assented to 25th December, 1918.]

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 1918*.

(2.) The *Commonwealth Public Service Act 1902-1917* 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 1902-1918*.

2. Section thirty-two A of the Principal Act is amended by adding, at the end thereof, the following sub-section :—

“(7.) Unless the Commissioner otherwise directs, sub-section (1.) of this section shall not apply to a Telegraph Messenger who has served with satisfactory record in any Expeditionary Force raised under the provisions of the *Defence Act 1903-1918* and who attained the age of eighteen years on or after the first day of November One thousand nine hundred and fifteen.”.

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

Appointments to General Division without examination.

“34D.—(1.) Where the Commissioner reports to the Governor-General that it is not desirable that the system of examination should be applied in relation to an appointment to a specified position, or appointments to a specified class of positions, in the General Division, there may be appointed to that position, or to a position in that class, a person who has not passed the prescribed examination.

“(2.) In making appointments under the provisions of this section, preference shall be given to persons who have served with satisfactory record in any Expeditionary Force raised under the provisions of the *Defence Act 1903-1917*.

Insurance.

“(3.) Where the Governor-General so directs, persons appointed under the provisions of this section shall not be subject to the provisions of Part IV. of this Act.”.

4.—(1.) After section fifty of the Principal Act the following section is inserted in Part III. :—

“50A.—(1.) If after inquiry a Royal Commission appointed under the *Royal Commissions Act 1902-1912* to inquire into the origin of birth and parentage of persons in the Public Service or employ reports to the Governor-General that it is of opinion that the continuance of any person in the Public Service or employ is detrimental to the public safety or the defence of the Commonwealth, the Governor-General may dismiss the person from the Public Service or employ.

Termination of appointments of officers in Public Service.

“(2.) No person who is dismissed from the Commonwealth Public Service or employ in pursuance of this section shall be entitled to make any claim against the Commonwealth by way of compensation or otherwise in respect of his dismissal.”

(2.) This section shall be deemed to have commenced on the first day of May One thousand nine hundred and eighteen.

5.—(1.) Section seventy-two of the Principal Act is amended by omitting sub-sections (3.) to (6.) inclusive and inserting in their stead the following sub-sections :—

Holidays.

“(3.) In addition to the days mentioned in sub-section (1.) of this section, there may be observed as public holidays or half-holidays in the public offices of the Commonwealth, or in any part thereof, such additional days or half-days, not exceeding in the whole, in the case of any office, four days in any one calendar year, as are prescribed.

“(4.) The Governor-General may by proclamation at any time for any special occasion appoint, in addition to the days hereinbefore named, any specified day or half-day to be observed as a holiday or half-holiday in the public offices of the Commonwealth or in any part thereof.

“(5.) The Minister of a Department or the Permanent Head or Chief Officer thereof may require the Department or any part thereof to be kept open in the public interest for the whole or any portion of a holiday observed in pursuance of any of the preceding sub-sections, and may require the attendance and services of any officer of the Department during that holiday; but in that case that officer shall be granted an amount equal to a day's salary if a full day's attendance has been required and a proportionate amount if less than a full day's attendance has been required:

Provided that no proportionate payment shall be less than one half day's pay.

“(6.) Where the hours of duty of any officer are arranged by schedule and the attendance and services of that officer are required during any holiday observed in pursuance of this section, that officer shall not be entitled to receive in respect of his attendance and services during that holiday an amount greater than a full day's salary.

“(7.) The Regulations may prescribe that the performance, by an officer on a holiday, of duty commencing at or after a prescribed hour of commencement, or terminating at or before a prescribed hour of termination, shall not be deemed to be the performance of duty on a holiday.”

(2.) This section shall not commence until the first day of January One thousand nine hundred and nineteen.

DEFENCE.

No. 47 of 1918.

An Act to amend the *Defence Act* 1903–1918.

[Assented to 25th December, 1918.]

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 *Defence Act* (No. 2) 1918.
- (2.) The *Defence Act* 1903–1917, as amended by the *Defence Act* 1918 (No. 16 of 1918), is in this Act referred to as the Principal Act.
- (3.) Sub-section (3.) of section one of the *Defence Act* 1918 (No. 16 of 1918) is repealed.
- (4.) The Principal Act, as amended by this Act, may be cited as the *Defence Act* 1903–1918.

Seniority of officers in Reserve Forces.

2. Section twenty of the Principal Act is amended by omitting therefrom the words “but officers of the Active Military Forces shall rank as senior in their respective ranks to officers of the Reserve Military Forces”.

Promotion of returned officers.

3. After section twenty of the Principal Act the following section is inserted:—

“20A. Notwithstanding anything contained in this Act, an officer who is eligible for promotion to a higher rank, and who has served on active service abroad, shall, other things being equal, be granted preference in promotion to an officer of the same rank who is eligible for promotion to that higher rank, and who has not served on active service abroad.”