

COMMONWEALTH PUBLIC SERVICE.

No. 5 of 1941.

An Act to amend the *Commonwealth Public Service Act 1922-1940*.

[Assented to 4th April, 1941.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Commonwealth Public Service Act 1941*. Short title and citation.

(2.) The *Commonwealth Public Service Act 1922-1940** 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 1922-1941*.

2. This Act, except sections three and five thereof, shall come into operation on the day on which it receives the Royal Assent, and those sections shall be deemed to have come into operation on the second day of September, One thousand nine hundred and thirty-nine. Commencement.

3. Section eight of the Principal Act is amended by omitting the words “or Military” and inserting in their stead the words “, Military or Air”. Act not to apply to certain officers.

4. Section forty-eight of the Principal Act is amended—

(a) by omitting from paragraph (b) of sub-section (1.) the words “Territory for the Seat of Government” and inserting in their stead the words “Australian Capital Territory”. Prior service reckoned as Commonwealth service.

(b) by omitting from paragraph (c) of sub-section (1.) the word “or”;

(c) by omitting from paragraph (d) of that sub-section the words “or Military Forces of the Commonwealth,” and inserting in their stead the words “, Military or Air Forces of the Commonwealth;”;

Act No. 21, 1922, as amended by No. 46, 1924; No. 41, 1928; No. 19, 1930; No. 21, 1931; No. 72, 1932; No. 38, 1933; Nos. 45 and 46, 1934; No. 72, 1936; No. 41, 1937; No. 72, 1939; and No. 88, 1940.

(d) by inserting after that paragraph the following paragraphs :—

“(e) service in a permanent capacity as an officer employed under the *Science and Industry Research Act* 1920–1939, the *Australian Soldiers’ Repatriation Act* 1920–1940, the *War Service Homes Act* 1918–1941 or the *High Commissioner Act* 1909–1940 ;

“(f) service in an administrative or executive office under any of the Acts specified in the last preceding paragraph which is continuous with the service specified in that paragraph ; or

“(g) service in a permanent capacity as an officer or employee employed, or deemed to have been engaged, in pursuance of the *Supply and Development Acts* 1939,” ;

(e) by omitting from sub-section (1.) the letters and word “(c) or (d)” (wherever occurring) and inserting in their stead the letters and word “(c), (d), (e), (f) or (g)” ; and

(f) by omitting from sub-section (2.) the letters and word “(c) and (d)” and inserting in their stead the letters and word “(c), (d), (e), (f) and (g)” .

5. Section seventy-two of the Principal Act is amended—

(a) by omitting sub-sections (1.) and (2.) and inserting in their stead the following sub-section :—

“(1.) Leave of absence for such period or periods as the Board, having regard to the circumstances of any particular case or class of cases, directs may be granted to any officer who, in time of war—

(a) is appointed to, enlisted in or called up for duty or service, or serves, in the Naval, Military or Air Forces of the Commonwealth, the United Kingdom or any other part of the King’s dominions ; or

(b) is permitted by the Board to engage in work or employment other than the duties of his office or offices in the Public Service, if, in the opinion of the Board, that work or employment is necessary or expedient for securing the public safety, the defence of the Commonwealth and the Territories of the Commonwealth or the efficient prosecution of the war.” ; and

(b) by adding at the end thereof the following sub-section :—

“(5.) In this section the expressions ‘time of war’ and ‘war’ shall have the same meanings as those expressions have in the *Defence Act* 1903–1941.” .