

T A S M A N I A.



1900.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ,

No. 69.

AN ACT for the Regulation of the Civil Service of the Colony of *Tasmania*, for providing Retiring Allowances to the Members thereof, and for other purposes.

A.D. 1900.

[Reserved, 11 January, 1901 ; Royal Assent proclaimed, 26 July, 1901.]

WHEREAS it is expedient that Officers of the Civil Service should be classified, and a system of appointments, promotion, and retiring allowances should be established, and that other provision for the regulation of the Service should be made :

PREAMBLE.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may for all purposes be cited as “The Civil Service Act, Short title. 1900.”

2 In the construction of this Act, unless the context otherwise determines, the following words and expressions shall have the meanings set against them respectively ; viz.—

Interpretation.

“Bankruptcy” includes liquidation by arrangement or a composition with creditors :

“Board”—The Civil Service Board established under Part III. of this Act :

1s. 2d.]

Civil Service.

A.D. 1900.

- “Civil Service”—The Civil Service of *Tasmania*, as defined in Part I. of this Act :
- “Department”—Any Department of the Government under the control of a Minister :
- “Fund”—The Fund referred to in Part VII. of this Act .
- “Head of Department”—The officer under the Minister in chief control of the Department, notwithstanding such officer is excluded from the operation of this Act :
- “Minister”—The Minister of the Crown administering a Department :
- “Officer”—Any person holding office in the Civil Service of *Tasmania* :
- “Prescribed”—Prescribed by this Act or the Regulations made thereunder :
- “Salary” includes any allowances or emoluments received by any officer :
- “Subscriber”—A person subscribing to the Fund established under Part VII. of this Act.

Division of Act.

3 This Act shall be divided into Eight Parts, as follows :—

- Part I.—Classification.
- Part II.—Salary and Increment.
- Part III.—Civil Service Board.
- Part IV.—Examinations, Appointments, and Promotions.
- Part V.—Dismissal. Penalties.
- Part VI.—Leave of Absence. Holidays.
- Part VII.—Provident Fund.
- Part VIII.—Miscellaneous.

PART I.**CLASSIFICATION.**Composition of
Civil Service.**4** The Civil Service of *Tasmania* shall include the following persons in the service of the Government of the Colony, namely :—

- i. All officers now or hereafter appointed to permanent salaried offices :
- ii. All persons who at the date of the passing of this Act have been, or who shall hereafter be, attached as salaried officers to the temporary or provisional service continuously for a period of not less than Two years :
- iii. All persons in receipt of wages who at the date of the passing of this Act have been, or who shall hereafter be, continuously employed for a period of not less than Two years.

Provided that this Act shall not extend to the Judges of the Supreme Court, the Agent-General, the Auditor-General, the members of the Police Force of *Tasmania*, persons holding appointments in the Defence Force of the Colony, Post and Telegraph officers who are also employed in any private occupation, and holders of minor offices in other departments also privately employed, and such other persons as may at any time be specially excluded by the Governor, on the recommendation of the Board.

Civil Service.

5—(1.) The officers of the Civil Service shall be divided by the Board into Four Divisions, which shall be designated as follows:—
The Professional Division, the Educational Division, the Clerical Division, and the General Division.

A.D. 1900.

Classification of Service.

(2.) The Professional Division shall be sub-divided into Three Classes.

(3.) The Educational Division shall be sub-divided into such classes as may be from time to time prescribed by Regulations made under "The Education Act, 1885."

(4.) The Clerical Division shall be sub-divided into Five Classes.

(5.) The General Division shall be sub-divided into such classes or groups as may be prescribed by Regulations.

(6.) The officers of the Professional, Clerical, and General Division shall be classified by the Board as hereinafter provided.

PART II.**SALARY AND INCREMENT.**

6 The officers of the Professional Division and of the First Class of the Clerical Division shall receive the respective salaries authorised by Parliament from time to time.

Salaries of Professional and First Class Clerical Division.

7 The officers of the Educational Division shall receive salaries in accordance with their respective classification as provided by regulations made under "The Education Act, 1885."

Salaries of Educational Division.

8 The officers of the Second, Third, and Fourth Classes of the Clerical Division shall have both a minimum and maximum limit of salary, and such officers shall, subject to the provisions hereinafter contained, be entitled to receive an annual increment; that is to say, for officers of the—

Salaries of other Classes of Clerical Division.

	Minimum.	Maximum.	Annual Increase.
	£	£	£
Second Class.....	250	350	15
Third Class	160	240	10
Fourth Class	50	150	10

The officers of the Fifth Class of the Clerical Division shall receive such salaries and increments as the Board may from time to time recommend, and as the Governor may approve.

9 Whenever any officer of the Second, Third, or Fourth class of the Clerical Division shall, under the Act for the appropriation of the revenue for the year ending the Thirty-first day of *December*, One thousand nine hundred and one, receive a smaller salary than is hereby fixed as the minimum for his class, he shall be entitled to receive from the First day of *January*, One thousand nine hundred and two, the annual increases herein provided for his class until he receive the maximum fixed for his class.

Provision where officer receiving less than minimum.

10 Whenever there shall be provided for any officer of the Second, Third, or Fourth Class of the Clerical Division, under the Act for the appropriation of the Revenue for the year ending the Thirty-first day

Provision where officer receiving more than maximum.

Civil Service.

A.D. 1900.

of *December*, One thousand nine hundred and one, a larger salary than is hereby fixed as the maximum of his class, he shall, subject to the provisions of this Act, continue to receive the salary provided by such Act.

Salaries of
General Division.

11 The officers of the General Division shall receive such salaries and increments as the Board may from time to time recommend and as the Governor may approve; but no classification shall prejudicially affect the remuneration, whether by salary or wage, any officer may be in receipt of at the time of the passing of this Act. Any officer classified in this Division shall, on proof to the Board of fitness and competency, be eligible for admission to the Clerical Division, and shall, when appointed to fill a vacancy therein, be entitled to receive a salary at least equal to the salary or wage he was in receipt of at the time of such transference, and be thereafter entitled to the increments of his class.

Increment to
depend upon good
conduct.

12 No annual increment shall accrue to any salary until the officer in receipt of such salary has received the same for a period of Twelve months. The right to receive such increment in any year shall depend upon the efficiency, diligence, and good conduct of the officer to whose salary such increment is attached, and if, in the opinion of the Head of the Department the officer is not entitled thereto, he may issue an order to deprive such officer of such increment, which shall in that case not be paid: Provided that the Board shall, on appeal of such officer, confirm or disallow such order.

Increment may
be suspended.

13 The Governor may, by order at any time, suspend all increment to officers of the Civil Service, and alter the limits of salaries herein provided, or salaries and wages which may hereafter be approved under regulations, and any such order shall be published in the *Gazette*, and shall be laid on the Table of both Houses Parliament within Fourteen days of the date thereof, if then in Session, and if not in Session, then within Fourteen days of the assembling of Parliament.

PART III.

CIVIL SERVICE BOARD.

Election of
Board.

14—(1.) There shall be a Civil Service Board, consisting of Five Heads of Departments, elected as hereinafter provided, to perform the duties hereinafter mentioned, Three of whom shall form a quorum.

(2.) The members of the Board shall be elected by the officers of the Civil Service, and, except in the case of Members elected at the first election and subject to the provisions of this Act, shall hold office for a period of Two years, and shall retire in rotation as herein provided.

(3.) The first election of the Members of the Board shall be held on a day to be fixed by Proclamation signed by the Governor and published in the *Gazette*; and in the month of *December*, One thousand nine hundred and one, and in the month of *December* in every succeeding year, on a day to be fixed by the Board, an election shall be held for the purpose of electing the requisite number of Members to fill the

Civil Service.

A.D. 1900.

vacancies to be caused in the Board by the retirement of Members therefrom in accordance with the provisions of this Act; and the persons elected to fill such vacancies shall enter into office on the First day of *January* next following their election.

(4.) On the Thirty-first day of *December*, One thousand nine hundred and one, the Members of the Board elected by the Railway Department and the Education Department shall retire from office; and on the Thirty-first day of *December* in the following year the remaining Three Members of the Board shall retire from office; and on the Thirty-first day of *December* in every subsequent year every Member who was elected at the election held in the second preceding year shall retire from office.

(5.) Every Member retiring from office shall, if qualified, be eligible for re-election.

(6.) If the annual election is not held in the month of *December* in any year, or, in the case of an extraordinary vacancy, if the election to fill such vacancy is not held within Six weeks after the occurrence of such vacancy, it shall be lawful for the Governor to fix a day for holding such election.

(7.) The election of the Members of the Board shall be by ballot, and shall be conducted in all respects in accordance with Regulations made by the Governor for that purpose.

(8.) The Board shall meet at least Twice in each month.

15 The members of the Board shall be elected by the Officers of the Civil Service as follows:— How Board to be elected.

- | | |
|--|------------|
| i. The Officers of the Railway Department... | 1 Member. |
| ii. The Officers of the Education Department | 1 Member. |
| iii. The remaining Officers of the Civil Service | 3 Members. |

16 The Board shall, within Thirty days after being elected, and afterwards annually in the month of *January*, elect a Chairman, who shall be the medium of communication with the Minister, and in the absence of the Chairman from any meeting the members present may elect one of their number to preside. The Chairman shall have a deliberative vote only, and in the case of an equality of votes upon any question the motion shall be considered lost. Chairman of Board.

17 The Treasurer shall pay, out of the Consolidated Revenue Fund, the sum of One hundred and thirty Pounds annually to the Board as fees for the attendance of its members. Fees of Members of Board.

18—(1.) The Governor may from time to time appoint such person as he sees fit as and to be the Secretary to the Board, who shall be entitled to receive from the Consolidated Revenue Fund such salary as the Governor may from time to time approve. Secretary to the Board.

(2.) The Secretary to the Board shall keep the Minutes of the Meetings of the Board, and shall perform such duties as may from time to time be required by the Board.

19 Whenever any vacancy shall occur in the Board through the retirement, bankruptcy, removal, death, or resignation of any member, or by his absence from its meetings for Three consecutive months without leave obtained, or by his ceasing to be an officer of the Civil Service, such vacancy shall be filled up in the manner provided by Extraordinary vacancy.

Civil Service.

A.D. 1900.

Section Fourteen; and every Member elected to fill any such vacancy shall retain his office so long only as the vacating Member would have retained the same if no vacancy had occurred.

List of officers
to be prepared
annually.

20 Subject, as to the Railway Department and Education Department to the provisions of Section Twenty-two of this Act, the Board shall, within Ninety days after its election, prepare, for publication in the *Gazette*, a list, to be called the "Civil Service List," containing the names, alphabetically arranged, of all the officers in each class, and thereafter the Board shall, in the month of *March* in each year after the year One thousand nine hundred and one, prepare, for publication in the *Gazette*, a similar list. Such list shall be deemed to be the classification for the ensuing year, unless the same be within Thirty days appealed against, as hereinafter provided.

Appeal against
classification by
Board.

21 Any officer classified by the Board, or by the General Manager of Railways or Director of Education under the next succeeding Section, who is dissatisfied with the position assigned to him in such classification may forward to the Board, within Thirty days of such publication, an appeal in writing, setting forth the grounds of his dissatisfaction, and the Board shall make such order thereon as to it may seem proper, and shall give effect to such order. The Board shall include in its next annual report a return of all such appeals and the result thereof.

Certain powers
may be exercised
by General
Manager of
Railways and
Director of
Education.

22 The General Manager of Railways in regard to the officers of the Civil Service employed in the Railway Department, and the Director of Education in regard to the Officers of the Civil Service employed in the Educational Division, shall respectively have and exercise the powers which are otherwise directed by this Act to be exercised by the Board, except in so far as such powers relate to the Provident Fund.

Board to be a
body corporate.

23 The Board, for the purposes of this Act, shall be a body corporate with perpetual succession and a common seal, and shall, by the name of "The Civil Service Board of *Tasmania*," be capable of suing and being sued, and of purchasing, holding, and alienating land, and of doing all acts necessary or expedient for carrying out the purposes of this Act, and of doing and suffering, subject to this Act, all such other acts and things as bodies corporate may by law do and suffer.

PART IV.**EXAMINATIONS, APPOINTMENTS, AND PROMOTIONS.**

Application
in writing.

24 Every candidate for admission to the Clerical Division of the Civil Service shall make his application in writing, in the prescribed form, to the Board, accompanied by a certificate of physical capacity given by a duly qualified Medical Practitioner, and a certificate of character given by a Justice of the Peace, School Teacher, or Minister of Religion. The Board shall record the name, age, place of birth, and residence of each candidate, and shall cause every candidate to be examined in the manner hereinafter provided.

Civil Service.

- 25** The Governor may make regulations appointing subjects for examination, and standards of efficiency therein for candidates for employment in the various classes of the Clerical Division, and may from time to time alter, vary, or rescind such regulations, and such regulations, when published in the *Gazette*, shall have the same force as if embodied in this Act. A.D. 1900.
Regulations for
examination of
candidates.
- 26** The Board shall, with the approval of the Governor, appoint during pleasure examiners to conduct such examination of such candidates, and such examiners shall report to the Board upon the qualification of such candidates, and the Governor may appoint the candidate recommended by the Board as most eligible to fill any vacancy in the Fourth Class of the Clerical Division. Board may
appoint
examiners.
- 27** The members of the Professional Division shall be appointed by the Governor from time to time as the circumstances of the Civil Service may require. Admission
to Professional
Division.
- 28** Admission to the Educational Division shall be made, and be in accordance with the regulations from time to time in force under "The Education Act, 1885." Admission to
Educational
Division.
- 29** Every appointment to the Second or Third Class in the Clerical Division shall be made from a lower class, or, in cases of exigency only, from persons who shall have been temporarily employed in the Service: Provided that in such latter case the person to be appointed shall have been so employed for at least Twelve months, and shall satisfy the Board, by examination or otherwise, that he possesses the prescribed qualifications. Admission to
Second and
Third Classes,
Clerical Division.
- 30** No person shall be appointed to the Fourth Class of the Clerical Division who is under Sixteen years of age, or above the age of Twenty-five, nor unless he shall comply with the prescribed requirements; and every person so appointed shall serve as a probationer until the end of the year next after the year in which he is appointed; and shall, during that period, be entitled to a salary at the rate of Thirty Pounds per annum for the Twelve months after his appointment; and at the rate of Forty Pounds per annum for the remainder of his term of probation. At the close of such term he may, on the recommendation of the Board, be admitted as a member of such Fourth Class. Admission to
Fourth Class,
Clerical Division.
- 31** The Board may make regulations, with the approval of the Governor, for the admission of persons to the Fifth Class of the Clerical Division and to the General Division, and for the payment, promotion, and control of officers therein. Admission to
Fifth Class,
Clerical Division
and General
Division.
- 32** The head of each department shall, within Thirty days from the election of the Board, and thereafter in the month of *September* in each year, transmit to the Board a return showing the number of officers in his department, and also of persons employed therein for a period of Two years consecutively, and the salaries or wages received by them respectively, and shall report on the efficiency and character of each officer, and shall specify all periods of absence, and the causes thereof, and such returns shall be preserved as a permanent record for reference in considering claims for promotion. Heads of Depart-
ments to report
annually to
the Board.

Civil Service.

A.D. 1900.

Promotions in
Clerical Division.

33 When a vacancy shall occur in any class in the Clerical Division, the head of the department in which such vacancy occurs shall transmit to the Board, through the Minister controlling such department, a report in writing, and may recommend any officer in such department competent in his opinion to fulfil the duties of the vacant office; and the Board shall report to such Minister the name of such officer, and of any other in the same or any other department, either in the same class as the vacancy, or in the class immediately below it, who, in the opinion of the Board, is qualified to fill such vacancy; and in such reports the respective lengths of service, degrees of competency, and attainments of such officers shall be specified; and the Governor may, if it be expedient to fill up such vacancy, on the recommendation of such Minister, promote the officer thus reported as best qualified to fill the vacancy, giving preference to an officer of the same department if equally fit by special qualifications and length of service; and the officer thus promoted, if from a lower class, shall enter the superior class at the minimum salary of such class. But the salary of any officer who shall be promoted to fill a vacancy in the same class shall not by reason of such promotion be increased, but shall remain subject to the ordinary rate of increment in the class.

Provided that any officer may at any time, on the recommendation of the Board, be removed from a lower to a higher class, while retaining the same office, if, in the opinion of the Board, he be so entitled by reason of increased responsibilities, or from any other special cause. Provided, also, that any officer classified in the General Division may be re-classified and placed in the Clerical Division after such period of service, or under such other circumstances as, in the opinion of the Board, may be deemed advisable: Provided, further, that nothing herein contained shall prejudicially affect any privilege as to classification now recognised by the Governor in the case of officers of any public department.

Special offices
may be filled
without exami-
nation.

34 If in any special case a Minister shall deem it expedient to fill any office which may require professional attainments or special experience, the Governor may appoint any qualified person to fill such office, without examination.

Parliamentary
officers.
62 Vict. No. 30.

35 The provisions of this Act shall not apply to the appointment of the officers mentioned in "The Parliamentary Privilege Act, 1898," so long as they retain their appointments under the said Act; but any such officer shall be eligible for any appointment in the Civil Service and, on receipt of such appointment, shall be subject to the provisions of this Act.

PART V.

DISMISSAL—PENALTIES.

Officers may be
suspended.

36 If, in the opinion of the Minister, or of any head of a department, any officer shall have committed any act which appears to him to justify suspension, such officer may be immediately suspended from his office, pending a report, and another officer may be temporarily appointed to perform his duties. Provided that in the event of such suspension not being made by the Minister, the officer making such

Civil Service.

suspension shall immediately lay before the Minister a report stating his reasons for such suspension, and the Minister may either confirm the same or restore such officer to his office. A.D. 1900.

37 If the Minister order or confirm the suspension of any officer he shall report the same to the Governor, who shall direct the Board to inquire into the matter, and the Board shall have authority to receive evidence and to summon and examine witnesses on oath, which they are hereby authorised to administer, and shall transmit their report, with such evidence, to the Minister to be laid before the Governor, who may then dismiss such officer from the Service, or reduce him to a lower class therein, or to a lower salary within his class, or deprive him of such future annual increase as he would otherwise have been eligible for during any specified time, or punish him by a fine not exceeding Fifty Pounds. If suspension confirmed, inquiry to be held.

38 When any officer is negligent or careless in the discharge of his duties, if the head of the department shall be of opinion that the offence is not of so serious a nature as to justify suspension, he may report the same to the Minister, who may in such case, after due inquiry, order a sum not exceeding Five Pounds to be deducted by way of fine from the salary of such officer. Provisions for negligence or carelessness.

39 If the head of any department shall report to the Minister that any officer is incompetent, the Minister shall direct the Board to inquire into the matter and transmit their report to the Minister to be laid before the Governor, who may dismiss such officer from the service, or reduce him to a lower class therein, or to a lower salary within his class, or deprive him of such future annual increase as he would otherwise have been eligible for during any specified time. Provision for incompetency.

40 If any officer be convicted of any felony or misdemeanour, he shall be summarily dismissed from the Service. Dismissal to follow conviction for crime.

41 If any officer become bankrupt, or apply to take the benefit of any Act now or hereafter in force for the relief of insolvent debtors, or make an assignment for the benefit of his creditors, he shall be deemed to have forfeited his office. Provided, however, that if such officer prove to the satisfaction of the Governor that his pecuniary embarrassment has not been caused or attended by any fraud, extravagance, or dishonourable conduct, the Governor may retain or reinstate such officer; and if such officer be so retained or reinstated, the continuity of his service shall not be deemed to have been broken by such forfeiture. Officer becoming bankrupt, &c., to forfeit office.

42 If any officer is reported to have been guilty of dishonourable conduct, or to be addicted to excessive use of intoxicants or stupefying drugs, or to have unsatisfied judgments recorded against him amounting in the aggregate to Two months' salary, the Board shall investigate the matter, and if the report is in the opinion of the Board well founded, the Governor may, upon the recommendation of the Minister, suspend or dismiss such officer, or impose a fine not exceeding Fifty Pounds. Officer guilty of dishonourable conduct, &c.

43 If the suspension of any officer be confirmed by the Governor, and such officer be dismissed from the Service, he shall not be entitled to any salary or other emolument of office during the time of such suspension. Officer dismissed not to be entitled to salary during suspension.

Civil Service.

A.D. 1900.

suspension, but if sufficient grounds for consideration be shown, the Governor may authorise an amount to be paid to him or his family not exceeding one half of such salary and emoluments as would otherwise have been payable to him.

Fines to be deducted by Treasurer and paid into the Provident Fund.

44 The Treasurer, on receiving due notice of any fine imposed under the authority of this Act or any regulation made under this Act, shall deduct the amount thereof from the next payment of salary to the officer, unless the Minute of the Governor or Minister imposing such fine shall have specified other terms for the payment thereof. And all such fines shall be credited to the Provident Fund.

Officers may be retired when department overmanned.

45 If, in the opinion of the Minister, a greater number of persons are employed than appear to be necessary for the efficient working of the department, the Board shall, after investigation, and having regard to seniority and length of service, recommend the retirement of such officers as are not required, or, where practicable, their transfer to other positions in the Service.

PART VI.**LEAVE OF ABSENCE—HOLIDAYS.**

Annual leave of absence.

46 Every officer shall be entitled, without diminution of salary or loss of service, to leave of absence not exceeding Two weeks in each year at such time as the Minister may, on the recommendation of the head of the department, deem convenient; but if any officer shall not take such leave in any year he shall be entitled to it in any subsequent year in addition to the leave for such year, but no such accumulated leave shall exceed Six weeks.

Provided always, that in the case of officers of Parliament, leave of absence, both as to frequency and to duration, shall be in the discretion of the President and the Speaker, as the case may be.

Provided also, that the provisions of this Section shall not apply to officers of the Railway or Educational Division, whose leave of absence shall be in the discretion of the Minister controlling the Railway or Education Department.

Special leave of absence.

47 In cases of illness or other pressing necessity the Minister may grant leave of absence not exceeding Three months on full or any less salary, as may be deemed fit, and may renew such leave on the same or other terms; but leave so granted will supersede and cancel any prior leave to which the officer may have at the time become entitled under the preceding Section.

In all cases of illness the request for leave or for renewal thereof shall be accompanied by a medical certificate to the satisfaction of the Minister, and in cases of pressing necessity the circumstances must be stated to the Minister in writing, and if such leave shall extend to One month such officer shall forfeit his right to his next ordinary annual leave, or any portion thereof, as above provided.

Leave of absence on account of long service.

48 The Governor may grant to any officer of Twenty years' service leave of absence not exceeding Twelve months on half salary, or Six

Civil Service.

months on full salary ; or of Ten years' service for any time not exceeding Six months on half salary or Three months on full salary. A.D. 1900.

In estimating the leave of absence of any officer under the provisions of this Section, the period of service of such officer before the passing of this Act shall be calculated.

49 Any officer who fails to return to duty on the expiration of his leave shall be liable to forfeit all pay and emoluments of his office during the period he is absent without leave ; and where such absence exceeds Seven days shall be liable to lose his position in the Service, unless formally reinstated by the Governor, such reinstatement to save the officer from loss of service other than the period of his absence without leave. Failure to return to duty.

50 All holidays under "The Bank Holidays Act, 1884," shall be observed as holidays in the Public Offices, and any other day proclaimed by the Governor as a Public Holiday. Provided that any Minister may require any department to be kept open in the public interest for the whole or any portion of such holiday, and may require the attendance of any officers of such department during such time, but such officers shall be entitled to a day's holiday in lieu thereof. Public holidays to be allowed except in certain cases.

PART VII.**PROVIDENT FUND.**

51 There shall be created and established, in the manner and for the purposes provided in this Act, a Fund to be called the Civil Service Provident Fund, which shall be under the control of the Board. Civil Service Provident Fund.

52 The Board may—

- i. Appoint such officers, clerks, and servants as they shall think necessary for efficiently conducting the affairs of the Fund : Board may appoint officers, &c.
- ii. Pay and allow such salaries and emoluments as the Board shall think fit :
- iii. From time to time remove from office any officer, clerk, or servant, and re-appoint him, or appoint another in his place.

53 Every officer of the Civil Service shall subscribe to the Fund in accordance with Regulations to be made by the Board in that behalf, unless within One hundred and twenty days after the publication of such Regulations, or the date of his appointment, as the case may be, and thereafter when required, he shall satisfy the Board that he has made proper provision for his old age and for those dependent on him, either by life assurance for an amount at least equal to Two years' salary, or in some other manner. Provided that it shall be optional, but not compulsory, for any officer who is entitled by law to a superannuation allowance, or who is in receipt of an annual salary of less than Fifty Pounds, or who has attained the age of Forty years at the time of the passing of this Act, or who, being appointed hereafter, Officers to subscribe to Fund.

Civil Service.

- A.D. 1900. shall have attained such age at date of appointment, or who is a female member of the Civil Service, to subscribe to the Fund.
- Deductions to be made from salary. **54** A deduction shall be made from each payment of the salary or wages of every subscriber on the subscription becoming due, and the amount of such deduction shall be carried to the credit of the Fund.
No subscriber shall, without the consent of the Board, cease to subscribe to the Fund while an officer of the Civil Service.
- Appropriation of revenue towards Fund. **55** For the purpose of carrying out the provisions of this Act for the investment from time to time of the Fund, there shall be opened in the Books of the Treasury an Account, to be called the Civil Service Provident Account, and there shall be transferred to the credit of such Account from the Consolidated Revenue Fund every year for a period of Ten years from the First day of *January*, One thousand nine hundred and one, the sum of One thousand Pounds, Five hundred Pounds of such sum to be credited to the Fund on the Thirtieth day of *June* and Five hundred Pounds on the Thirty-first day of *December* in each year.
- Fund to be credited with interest. **56** On the Thirtieth day of *June* and Thirty-first day of *December* in each year the Civil Service Provident Account shall be credited with interest at the rate of Three Pounds per centum per annum, calculated upon the daily balances. Such interest shall be added to the principal amount on these dates respectively.
- Distribution of Fund. **57** The Fund shall be devoted to the following purposes :—
 - i. Payment of expenses of management :
 - ii. Providing for the payment to subscribers on their retirement from the service, on attaining the prescribed age, or on account of illness or infirmity, or to the legal representatives of subscribers, such a sum based on a fair actuarial calculation, as may be prescribed :
 - iii. Providing annuities for subscribers or for the widows or children of subscribers in consideration of the surrender of the sum mentioned in the preceding Sub-section :
 - iv. Providing for repayments of money as prescribed by the regulations to any subscriber ceasing to subscribe to the Fund by reason of quitting the Service from any cause whatsoever.
- Payments from Fund to be inalienable. **58** No sum or annuity payable out of the fund shall be anticipated, assigned, transferred, charged, encumbered, or otherwise parted with by the person entitled, or contingently entitled thereto, in possession, expectancy, or otherwise ; nor shall any such sum or annuity be attached or taken in execution under the process of any Court, nor, in the event of the bankruptcy of such person, vest in the trustee of his estate ; but every such sum or annuity shall be an inalienable personal provision for the person entitled thereto.
- Accounts to be audited. **59** The accounts relating to the fund shall, once at least in every year, be audited by the Auditor-General, or by one or more actuaries or accountants, to be approved by the Chief Secretary.

Civil Service.

60 In the month of *March* in every year a report on the condition, investments, and affairs of the Fund and its administration during the year ending on the Thirty-first day of *January* next preceding shall be prepared and laid before the Governor by the Board. A D. 1900.
Annual Report
on Fund.

61 As soon as conveniently may be after the Thirty-first day of *December*, One thousand nine hundred and five, and at the end of every subsequent period of Five years, the affairs of the Fund shall be investigated and reported upon by an actuary, to be appointed by the Board and approved by the Governor, and the Report of such actuary shall be laid before the Governor by the Board. Quinquennial
valuation.

62 The Board, with the sanction of the Governor in Council, may from time to time make, alter, and revoke Regulations for all or any of the following purposes; that is to say:— Regulations
appertaining to
Fund.

- i. Prescribing the duties of all persons employed in the administration of the fund or otherwise for the purpose of this Part of this Act:
- ii. Regulating the security to be given by such persons or any of them:
- iii. Fixing, increasing, or reducing the subscriptions to be made, and the benefits to be taken by subscribers, and the proportion of money repayable to subscribers or the legal representatives of subscribers who cease, by reason of dismissal, death, or otherwise, to subscribe to the Fund: Provided that the maximum subscription shall be Sixteen Pounds per annum for a man and Twelve Pounds per annum for a woman, and the minimum subscription Four Pounds for a man, and Three Pounds for a woman, per annum:
- iv. Prescribing the modes of purchasing status in respect of the fund, and prescribing, increasing, or reducing the amounts to be paid for the purchase of status:
- v. Prescribing forms necessary or expedient for carrying out the objects and purposes of this Part of this Act:
- vi. For holding meetings of subscribers, and regulating the proceedings thereat:
- vii. Carrying out the objects of this Part of this Act, and to meet any particular case that may arise.

In the construction of this Section general words shall not be limited or controlled by particular words.

PART VIII.

MISCELLANEOUS.

63 The Governor may, from time to time, make and publish in the *Gazette* regulations concerning the meetings of the Board, the times and places of, and the proceedings at such meetings, the custody of the common seal and the mode of its use, and for the transaction of business by such Board, and also concerning the duties to be performed, Governor may
make regulations.

Civil Service.

A.D. 1900.

and the hours to be observed by officers of the Service, and the discipline to be observed in the performance of such duties, and also generally for the carrying out of the provisions of this Act, and may affix to breaches of such regulations according to the nature of the offence, penalties not exceeding Five Pounds.

Regulations to
be published.

64 All Regulations made under this Act shall be published in the *Gazette*, and shall afterwards be judicially noticed, and have the force of law; and the *Gazette* purporting to contain a copy of any such Regulations shall be conclusive evidence thereof. All such Regulations shall be laid before both Houses of Parliament within Fourteen days after the publication thereof, if Parliament be then sitting, and if Parliament be not sitting, then within Fourteen days after the commencement of the next sitting of Parliament, and Parliament, by resolution, may alter or repeal such Regulations or any part thereof.

No compensation
in consequence
of operation of
this Act.

65 No officer shall be deemed to be entitled to any compensation by reason of any reduction of his salary, or for any alteration of the limits of salary of his class, as hereinbefore provided, or by reason of any alteration in the scale of allowances or gratuities which may be made by any Act amending this Act, or by the regulations herein provided for.

Notices of
appointments,
&c., to published
in *Gazette*.

66 All notices of appointments, retirements, and removal of officers under this Act shall be inserted in the *Hobart Gazette*, and every such notice shall be deemed and taken to be conclusive evidence of every such appointment, retirement, or removal respectively.

Board to report
annually.

67 The Board shall annually submit to the Governor a report of its proceedings, and of the nature and extent of the duties performed in each department of the Public Service by the persons employed therein, and shall state whether, in the opinion of the Board, more persons (and if so, how many more) are employed in any department than the exigencies of the Service reasonably require, which shall be laid before Parliament.

Chief Secretary
to administer Act.

68 The Chief Secretary shall be entrusted with the administration of this Act, except where duties are prescribed to any other Minister.