

DEFENCE (No. 3).

No. 70 of 1939.

An Act to amend section thirty-one of the *Defence Act 1903-1934*, as amended by the *Defence Act 1939* and the *Defence Act (No. 2) 1939*.

[Assented to 15th December, 1939.]

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 *Defence Act (No. 3) 1939*. Short title
and citation
- (2.) Section one of the *Defence Act (No. 2) 1939* is amended by omitting sub-section (4.).
- (3.) The *Defence Act 1903-1934**, as amended by the *Defence Act 1939*† and the *Defence Act (No. 2) 1939*‡, is in this Act referred to as the Principal Act.
- (4.) The Principal Act, as amended by this Act, may be cited as the *Defence Act 1903-1939*.
2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.
3. Section thirty-one of the Principal Act is amended by adding at the end thereof the following sub-section :— Permanent
Forces.
- “(4.) An officer or soldier appointed or enlisted, on or after the third day of September, One thousand nine hundred and thirty-nine, for service in a military force raised in time of war for war service, or a soldier enlisted on or after that date solely for service in time of war, shall not, by reason only of such appointment or enlistment, be deemed to be an employee within the meaning of the *Superannuation Act 1922-1937*.”.

* Act No. 20, 1903, as amended by No. 12, 1904; No. 15, 1909; No. 80, 1910; No. 37, 1910; No. 15, 1911; No. 5, 1912; No. 36, 1914; No. 3, 1915; No. 26, 1917; No. 10, 1918; No. 47, 1918; No. 1, 1927; No. 50, 1932; and No. 45, 1934.

† Act No. 13, 1939.

‡ Act No. 38, 1939.