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:—

**Short title and citation**

**1.**—(1.) This Act may be cited as the *Defence Act* (*No.* 3) 1939.

(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.

**Commencement.**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

**Permanent Forces.**

**3.** Section thirty-one of the Principal Act is amended by adding at the end thereof the following sub-section:—

“(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.”.