

STATUTORY RULES.

1941. No. .

REGULATIONS UNDER THE DEFENCE ACT 1903-1941.*

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Defence Act* 1903-1941.

Dated this *sixteenth*
day of *July*, 1941.

(Sgd.) Gowrie
Governor-General.

By His Excellency's Command,

J. P. Murray

Mr. Minister of State for the Army.

AMENDMENTS OF THE CIVILIAN STAFF REGULATIONS.†

1.—(1.) Regulation 61 of the Civilian Staff Regulations is repealed and the following regulation inserted in its stead:—

“61.—(1.) Leave of absence for such period or periods as the Chief Officer, 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 Minister to engage in work or employment other than the duties of his office or offices under the Commonwealth, if, in the opinion of the Minister, 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.

“(2.) Subject to the next succeeding sub-regulation, leave of absence granted under this regulation shall be without pay.

* Notified in the *Commonwealth Gazette* on , 1941.

† Statutory Rules 1926, No. 200, as amended by Statutory Rules 1928, Nos. 19, 86, 58 and 86; 1929, Nos. 38, 79 and 102; 1930, Nos. 29, 50, 75, 100 and 139; 1931, Nos. 15, 48, 49 and 60; 1932, Nos. 11, 37, 113 and 126; 1933, Nos. 9, 51, 59 and 86; 1934, Nos. 5, 105 and 144; 1935, No. 106; 1936, Nos. 28, 43, 117, 130 and 152; 1937, Nos. 15 and 79; 1938, Nos. 8 and 82; 1939, Nos. 13, 18 and 172; and 1941, No.

X 1000
 “(3.) An officer who is appointed to, enlisted in, or called up for duty or service, or serves, in the Naval, Military or Air Forces of the Commonwealth, and is granted leave of absence under the provisions of this regulation may, if his pay as a member of the Forces in respect of the first sixteen calendar days of leave so granted is less than his pay as an officer, be paid an amount equal to the difference:

Provided that this sub-regulation shall not be construed to authorize more than one payment to any officer of any such amount.

“(4.) The period during which any officer is absent on leave granted pursuant to this regulation shall for all purposes be included as part of the officer's period of service.

“(5.) An employee who, in time of war, is appointed to, enlisted in, or called up for duty or service, or serves, in the Naval, Military or Air Forces of the Commonwealth, may be granted leave of absence on the same terms and conditions as are applicable to an officer:

Provided that leave shall not be granted to any such employee beyond the date on which his services would, but for that leave, have been terminated.

“(6.) In this regulation—

- (a) the expression ‘pay as an officer’ includes such emoluments as the Chief Officer determines; and
- (b) the expressions ‘time of war’ and ‘war’ shall have the same meanings as those expressions have in the *Defence Act 1903-1941*.”

(2.) If at any time during the period from the second day of September, 1939, to the date upon which this regulation comes into operation, any officer or employee was granted leave in respect of war service or paid any amount in respect thereof, the period of leave granted and the amount paid shall be adjusted to conform with the period of leave which may be granted and the amount which may be paid in accordance with the Civilian Staff Regulations, as amended by this regulation.

2. Regulation 63 of the Civilian Staff Regulations is repealed.

Repeal of
regulation 63.

3. Regulation 128 of the Civilian Staff Regulations is amended by inserting, after paragraph (a) of sub-regulation (1.), the following paragraph:—

Offences by
officers.

“(aa) doing or saying anything in violation of the oath or affirmation made and subscribed by him in the form in regulation 123 of these Regulations; or”.

4. After regulation 129 of the Civilian Staff Regulations the following regulation is inserted:—

“129A. If the Minister, after inquiry, is of opinion that the continuance of any officer or employee in the employ of the Department is detrimental to the public safety or the defence of the Commonwealth, he may terminate the appointment or employment of the officer or employee and the officer or employee shall thereupon cease to be employed by the Department.”.

Termination of
appointment or
employment in
certain
circumstances.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.