

Defence (Re-establishment)

No. 10 of 1968

An Act to amend the *Defence (Re-establishment) Act* 1965-1967.

[Assented to 15 May 1968]

BE it enacted by the Queen'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 (Re-establishment) Act* 1968.

(2.) The *Defence (Re-establishment) Act* 1965-1967* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Defence (Re-establishment) Act* 1965-1968.

Commencement.

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

Interpretation.

3. Section 4 of the Principal Act is amended by inserting in the definition of “national service” in sub-section (1.), after the words “other than service”, the words “for a period of not more than three months or service”.

4. Section 15 of the Principal Act is repealed and the following sections are inserted in its stead:—

Application of Part to persons employed under rostering arrangements.

“ 14A.—(1.) Where an arrangement exists under which a person keeps a list of the names of persons who are available for employment and allots the persons whose names are included in the list to employers for the purpose of the employment of those persons by those employers, then, for the purposes of this Part—

(a) each person whose name is included in the list shall be deemed to be employed by the person keeping the list and to be so employed under a contract of employment constituted by the terms of the arrangement; and

(b) a reference to resumption of work by a member shall—

(i) in the case of a member whose name is included in the list—be read as a reference to his allotment to employment in accordance with the arrangement; and

(ii) in the case of a member whose name has ceased to be included in the list—be read as a reference to the restoration of his name to the list and his allotment to employment in accordance with the arrangement.

* Act No. 54, 1965, as amended by No. 93, 1966; and No. 89, 1967.

“ (2.) In this section—

‘ list ’ means any compilation of names of persons whether called a list, roster or register or called by any other name and whether kept in a material form or not;

‘ name ’, in relation to a person, includes any means of identifying the person.

“ 15.—(1.) Where an employer is convicted of an offence against sub-section (1.) of section 9, section 10, sub-section (2.) of section 12 or sub-section (1.) of section 14 of this Act with respect to a member, the court may order that the employer shall pay to the member such compensation as the court thinks reasonable.

Compensation
may be paid to
member.

“ (2.) Where a court has made an order under the last preceding sub-section, a certificate under the hand of the appropriate officer of the court specifying the amount of the compensation ordered to be paid, the person to whom the amount is payable and the person by whom the amount is payable may be filed in a court having civil jurisdiction to the extent of that amount and is thereupon enforceable in all respects as a final judgment of that court.”.
