

STATUTORY RULES.

1915. No. 221.

PROVISIONAL REGULATIONS UNDER THE DEFENCE ACT 1903-1915.

REGULATIONS FOR THE EMPLOYMENT OF PERSONS IN A CIVIL CAPACITY
IN CONNEXION WITH THE DEPARTMENT OF DEFENCE UNDER SECTION 63
SUB-SECTIONS 1 AND 2 OF THE DEFENCE ACT.

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby certify that, on account of urgency, the following Regulations under the *Defence Act* 1903-1915 should come into immediate operation, and further should be taken to have come into operation on and from the first day of July, 1915, and to make the Regulations to come into operation accordingly as Provisional Regulations.

Dated this fifteenth day of November, One thousand nine hundred and fifteen.

R. M. FERGUSON,
Governor-General.

By His Excellency's Command,
G. F. PEARCE.

REGULATIONS FOR THE EMPLOYMENT OF PERSONS IN A CIVIL CAPACITY IN CONNEXION WITH THE DEPART- MENT OF DEFENCE UNDER SECTION 63 SUB-SECTIONS 1 AND 2 OF THE DEFENCE ACT.

DEFINITIONS.

1. In these Regulations, unless the contrary intention appears:—

“The Act” means the *Defence Act* 1903-1915;

“Minister” means the Minister of State for Defence;

“Secretary” means the Secretary to the Department of Defence;

“Chief Officer” means the Secretary to the Department of Defence; the Commandant of a Military District; or, as regards officers appointed under these Regulations, the Commandant of the Royal Military College;

“Officer” means a person who is employed, in pursuance of sub-sections 1 and 2 of section 63 of the Act, in a civil capacity in connexion with the Department of Defence, and who is appointed by the Governor-General;

“Employé” means a person (other than an officer) who is employed, in pursuance of sub-sections 1 and 2 of section 63 of the Act, in a civil capacity in connexion with the Department of Defence.

RESPONSIBILITY OF SECRETARY.

2. The Secretary shall be responsible for the general administration of persons employed in a civil capacity under section 63 of the Act, and shall advise the Minister on all matters relating thereto.

RETURNS TO BE FURNISHED.

3. The following returns are to be prepared and forwarded:—

Nature.	To whom to be Forwarded.	Date to be Forwarded.
<i>Annually.</i>		
Report as to Officers in F. and Fifth Classes—in duplicate	Secretary	15th March of each year
Return of Officers over 60 years of age	„	April of each year
<i>Monthly.</i>		
Appointments, Promotions, and Transfers—in duplicate (Treasury Form 43)	Secretary	Within seven days after month
Return of Fines and Punishments	„	„ „
Return of Sick Leave	„	„ „
Return of Changes, Permanent Staff	„	„ „
Return of Temporary Employés	„	„ „
„ „ Overtime & Sunday Pay	„	„ „

HOURS OF BUSINESS.

Officers.

4. The hours of attendance to be observed by officers shall be from 9 o'clock a.m. to 4.30 p.m., with three-quarters of an hour off for luncheon, except on Saturdays, when the hours of attendance shall be from 9 o'clock a.m. to noon. Where the nature of the work will not, in the public interest, admit of the general observance of this Regulation, the Chief Officer shall recommend, and the Secretary will prescribe, the hours of duty.

Employés.

5. The hours of attendance of employés will be determined by the Secretary from time to time, but the ordinary hours of duty for artisans, labourers, and similar classes should be, as far as practicable, from 8 a.m. to 5 p.m., with half-an-hour off for luncheon, and on Saturdays from 8 a.m. to 12 noon.

RECORDING TIME.

6. Officers and employés shall record their time of entering on or ceasing duty in such manner as may be determined by the Chief Officer. Any person failing to record his time on entering or leaving, and any person discovered recording the time of any other person, shall be deemed to have committed a breach of these Regulations, and will be dealt with by the Chief Officer accordingly.

ABSENCE FROM WORK.

7. No officer or employé shall be absent from his work during the prescribed hours without authorized leave, except by express permission of the Chief Officer or head of the branch, or unless reasonable cause be shown. If an officer or employé be prevented by illness or other emergency from attending to duty, he shall immediately report the fact through the head of the branch to the Chief Officer, and it shall be incumbent upon him to furnish such evidence of the illness or emergency as the Chief Officer may consider necessary.

DEDUCTION FOR ABSENCE WITHOUT LEAVE.

8. Where an officer or employé is absent without leave, there shall be deducted from his salary or wages his pay for each day or part of a day of such absence.

CONVICTION OF OFFENCE.

9. If an officer or employé is on an indictment or presentment convicted of any offence he shall be deemed to have forfeited his employment, and shall thereupon cease to perform his duties or receive his salary or wages; provided that where the Minister is satisfied that the offence did not involve dishonesty or moral turpitude on the part of the officer or employé, he may direct his reinstatement.

INSOBRIETY.

10. If an officer or employé in charge or sub-charge observes at any time that any person under his supervision is unfit to perform his duties properly by reason of over-indulgence in intoxicating liquor, he shall temporarily suspend such person from duty, and immediately report the matter to the Chief Officer.

ATTAINMENT OF SIXTY YEARS OF AGE.

11. When any officer or employé attains the age of sixty years the Chief Officer shall advise the Secretary whether such officer or employé is willing and fit to continue to perform the duties of his position or whether he should be retired from service. Exclusive of temporary employés, no officer or employé shall continue to be employed after attaining the age of 65 years.

OBLIGATIONS OF OFFICERS OR SENIOR EMPLOYÉS.

12. Officers or employés in charge of any sub-department, branch, or minor division of the department, shall be accountable for the maintenance of good order, and afford the utmost aid and support to the Chief Officer.

BREACH OF REGULATIONS TO BE REPORTED.

13. All officers or employés in charge of any sub-department, branch, or minor division of the department shall report to the Chief Officer any breaches of these Regulations which shall come to their knowledge.

APPLICATIONS—HOW TO BE MADE.

14. The application of any officer or employé upon any matter affecting his position shall be made by the applicant himself through the head of his branch to the Chief Officer. Where in exceptional cases an officer or employé desires to communicate with the Secretary, the communication must be so addressed, and shall be forwarded through the Chief Officer to the Secretary, with any remarks considered necessary by the Chief Officer.

PERFORMANCE OF DUTIES.

15. Every officer and employé shall promptly and correctly carry out all duties appertaining to his office, and shall in due course and at proper times comply with and give effect to all enactments, regulations, and authoritative instructions made or issued for his guidance in the performance of his duties.

SUBORDINATION OF OFFICERS AND EMPLOYÉS.

16. Every officer and employé shall obey promptly all instructions given to him by the officer or employé under whose immediate control or supervision he is placed. If any officer or employé has ground of complaint arising out of such instructions, or from any other cause whatsoever, he may appeal in regard thereto, through his immediate superior, who shall forward such appeal forthwith to the Chief Officer; but he shall, nevertheless, as far as possible, carry out any instructions which may be given to him until the same are countermanded by competent authority.

INFORMATION NOT TO BE GIVEN.

17. Except in the course of official duty, no information concerning public business or any matter of which an officer or employé has knowledge officially shall be given, directly or indirectly, by an officer or employé without the express direction or permission of the Minister or Secretary.

OUTSIDE INFLUENCE.

18. Officers and employés are prohibited from seeking the influence or interest of any person in order to obtain promotion, removal, or other advantage. Any officer or employé who considers that his claims for promotion or consideration have been overlooked may communicate with the Secretary in the manner prescribed by Regulation 14.

PUBLIC PROPERTY.

19. All officers and employés shall be held responsible for the careful use and preservation of all Government property in their possession, custody or care, and any person carelessly or wilfully defacing or damaging buildings, walls, machines, tools, material, or any other property of the Government, will have cost of replacing or repairing same deducted from his salary or wages.

BORROWING OR LENDING MONEY.

20. Any monetary transaction between officers or employés, either as principals or agents, whereby any interest or other return in money or kind is charged or paid, or borrowing money by officers or senior employés from their subordinates, is forbidden.

DUTY AFTER USUAL HOURS.

21. Officers or employés will be required to perform public duty beyond the usual hours whenever it is necessary to bring up arrears of work, or to meet any temporary pressure of business.

OVERTIME.

22. Only work which, from its character or from special circumstances, cannot be performed during the prescribed hours, shall be regarded as overtime work, for which extra payment may be made.

Overtime shall be recorded and, exclusive of watchmen, may be paid subject to the provisions of this Regulation and to the following conditions:—

- (a) In the case of officers and employés whose hours of attendance are defined by Regulation or otherwise, and who work ordinarily for eight hours a day or less, overtime shall be time worked in excess of eight hours a day.
- (b) In the case of officers and employés whose hours of attendance are defined by Regulation or otherwise, and whose regular term of daily duty exceeds eight hours a day, overtime shall be time worked on any day in excess of the regular hours of duty, provided also that in any case, except where otherwise prescribed, time worked in excess of forty-eight hours per week shall be regarded as overtime.
- (c) In cases where officers and employés are required to work on a Saturday, or some other day in lieu thereof, for portion of a day only, time worked in excess of the usual hours of duty on such day shall be regarded as overtime, provided that in any case where the usual hours of duty on such day are less than four hours, overtime payment shall only be made for time worked in excess of four hours. This provision shall only apply to cases where overtime is computed on a daily basis.
- (d) When overtime is computed on a weekly basis, and a half-holiday, holiday, or holidays occur in any week, and the attendance of the officer or employé on such half-holiday, holiday, or holidays is not required, a deduction at the rate of one-twelfth for a half-holiday, and one-sixth for each holiday, shall be made from the number of hours to be worked before overtime can be claimed. A similar deduction shall be made in the case of absences on authorized leave.

23. (1) Overtime shall be paid for at the rate of time and a quarter based on a day of eight hours, provided that not less than One shilling per hour shall be paid. For the purpose of ascertaining the hourly payment for overtime, the yearly salary shall be divided by 313, and the result multiplied by $\frac{5}{32}$. A fraction of a penny in the hourly rate shall not be regarded in computing overtime payment unless it exceeds a halfpenny, when one penny shall be allowed in lieu of the fraction. Overtime shall be calculated to the nearest quarter of an hour in the total amount of time claimed.

(2) An allowance paid to an officer or employé for the performance of the duties of a position of a higher class or grade than that in which the officer is classified shall be regarded as salary for the purpose of computing overtime payment.

(3) An officer in receipt of salary of £400 per annum or over shall not be entitled to overtime payment.

MEAL ALLOWANCE.

24. (1) Where an officer or employé, whose ordinary hours of duty are between 7.30 a.m. and 5.30 p.m., is required to attend for duty before 6.30 a.m., or to remain on duty after 6.30 p.m., or in any case where an officer or employé is required to commence duty at least two

hours before the usual time, or to remain on duty at least two hours beyond the usual time, he shall be granted a meal allowance on the following scale:—

Officers and employés receiving £500 a year and over, 2s. 6d.;
over £200 a year and under £500 a year, 2s.; £200 a year
and under, 1s. 6d.

(2) A meal allowance shall not be granted when overtime pay is given, but when the amount of the meal allowance would exceed the amount of overtime pay the meal allowance may be granted instead of overtime pay.

SUNDAY PAY.

25. (1) An officer or employé whose ordinary duties require him to work on week days may, if required to work on Sundays, be paid for the Sunday work in accordance with this Regulation.

(2) In cases where the officer or employé is on duty on seven or more consecutive days, in consequence of having to work on the Sunday, he shall be allowed one and a half day's pay for a day of six and three-quarter hours, and a proportionate amount for less than six and three-quarter hours. An officer may be required to work up to eight hours without further payment, but time worked in excess of eight hours shall be paid for at the same rate.

(3) In cases where the officer or employé is on duty on not more than six consecutive days, in consequence of having to work on the Sunday, he shall be allowed half a day's additional pay for a full day and a proportionate part for less than a full day.

OVERTIME AND SUNDAY PAY—AUTHORITY FOR PAYMENT.

26. The Chief Officer shall satisfy himself that claims for overtime and Sunday pay are correct in every particular, and in accordance with the Regulations, and early in each month he shall forward a schedule of overtime and Sunday work performed during the preceding month, containing the names of those who have performed the work, the number of hours worked, and the amounts paid, for the covering approval of the Secretary.

DISTRICT ALLOWANCES.

27. District allowances in accordance with the Commonwealth Public Service Regulations shall be paid to all persons employed under these Regulations who would, if they were members of the Commonwealth Public Service, be entitled to such district allowances.

SPECIAL ALLOWANCE—WESTERN AUSTRALIA.

28. Officers and employés employed in the State of Western Australia who are not in receipt of a district allowance, shall be paid a special allowance equal to 5 per cent. of their salary.

SUNDAY WORK.

29. No officer or employé shall be liable to dismissal or punishment or other disability for refusing on conscientious grounds to work on Sunday if he has previously notified the Chief Officer that he has

conscientious scruples against so working; but he shall not refuse when called upon by his immediate superior to perform Sunday work in cases of necessity. If it should subsequently be found that an officer or employé has improperly made use of this Regulation to avoid the performance of his duties, his conduct shall be regarded as a breach of Regulations.

OFFICERS OR EMPLOYÉS TO OBEY SUMMONS.

30. (1) Every officer or employé who is summoned by the Secretary, or the Chairman of a Board of Inquiry to give evidence upon any subject of inspection, inquiry, or investigation, shall attend to give evidence at the time and place specified in the summons.

(2) Every officer or employé appearing before the Secretary, or a Board of Inquiry (whether summoned or attending voluntarily) shall answer all questions asked him pertinent to the inspection, inquiry, or investigation, and shall produce all official or public books, documents, or writings in his control, which he is required to produce.

(3) No officer or employé shall be compelled to answer any question tending to incriminate him.

GUARANTEED OFFICES.

31. The Secretary shall determine what offices held by officers shall be guaranteed, and every officer holding a position under these Regulations, which is a guaranteed office, shall contribute to the Guarantee Fund established by and in accordance with Treasury Regulations.

LIABILITY ON BEHALF OF THE GOVERNMENT NOT TO BE INCURRED.

32. No person, unless duly authorized in that behalf, shall incur any liability or enter into any contract on behalf of the Government, or alter the terms or conditions of any approved contract.

PERFORMANCE OF WORK OUTSIDE GOVERNMENT SERVICE.

33. (1) No officer or employé, except with the express permission of the Minister, after report by the Chief Officer, shall—

- (a) accept or continue to hold an office in or under the Government of any State or in or under any public or municipal corporation; or
- (b) accept or continue to hold or discharge the duties of or be employed in a paid office in connexion with any banking, insurance, mining, mercantile, or other commercial business, whether the same be carried on by any corporation, company, firm, or individual; or
- (c) engage in or undertake any such business, whether as principal or agent; or

- (d) engage or continue in the private practice of any profession ;
or
- (e) accept or engage in any paid employment other than in connexion with the duties of his office or offices under the Commonwealth ; or
- (f) demand or receive for his own use any fee, reward, gratuity, or remuneration of any kind whatsoever, other than his official salary, wages, or allowances, for services performed by him, either in or out of office hours, in connexion with the Government Service.

Provided that nothing herein contained shall be deemed to prevent an officer or employé from becoming a member or shareholder only of any incorporated company or of any company or society of persons registered under any Act in any State or elsewhere unconnected with the manufacture of accoutrements, ammunition, cloth, clothing, explosives, guns, gun carriages, harness and saddlery, or small arms.

(2) All applications for permission to engage in the performance of work outside the Government Service shall be made to the Chief Officer, who shall forward same, with his report, to the Secretary.

QUARTERS.

34. Officers or employés in occupation of Government quarters shall have deducted from their salaries or wages by way of rent such amount as may be fixed by the Minister.

RETENTION OF PENSION RIGHTS.

35. An officer or employé appointed or transferred from the Public Service of a State or of the Commonwealth to a permanent position under these Regulations, shall be entitled to receive any pension or superannuation which he would have been entitled to receive had he remained a member of the Public Service of a State or of the Commonwealth.

TRAVELLING ALLOWANCES.

36. The following shall be the scale of travelling allowances:—

Salary.		Daily.	Daily Allowance after one week's residence in same place.	Hourly Rate.
From—	To—			
£	£	s. d.	s. d.	} One twenty-fourth of daily rate for each hour when officer or employé is absent for more than one-fourth of a day
	Over 600	17 6	15 0	
501	600	14 0	12 0	
301	500	12 0	10 0	
201	300	10 0	8 6	
200 and under	...	8 0	6 0	

Provided—

- (a) That the allowances payable to officers or employés stationed in Western Australia, when travelling within that State, shall be at the following rates:—

Salary.		Daily allowance.	Hourly Rate.
From—	To—		
£	£	s. d.	One twenty-fourth of daily rate
	Over 600	17 6	
501	600	15 0	
301	500	12 6	
300 and under	..	10 0	

With an additional allowance of 25 per cent. on these rates when an officer or employé is travelling in the gold-fields districts, and a deduction of 25 per cent. when an officer or employé is stationed for any period in excess of ten days in any one place.

- (b) That in the case of officers or employés transferred temporarily from their head-quarters to take up duty at another station for a period of two weeks or over, the Secretary may direct that a reduced allowance be paid after the first week of residence, provided that no allowance shall be reduced below the rates in the following scale:—

Salary.						Allowance per Week.
						£ s. d.
£310 and over	...	...	...	...	...	2 2 0
Over £156 and under £310	...	...	...	...	...	1 10 0
From £110 to £156	...	...	...	...	...	1 5 0
Under £110	...	...	...	...	...	1 0 0

- (c) That in the case of officers or employés who are required to reside at Military Camps in the country in the performance of their work and are provided with camp equipment, the allowance shall be on the following scale:—

Salary.		Daily.	Hourly Rate.
From—	To—		
£	£	s. d.	} One twenty-fourth of daily rate for each hour when officer or employé is absent for more than one-fourth of a day
	Over 600	11 3	
501	600	9 0	
301	500	7 6	
201	300	6 3	
200 and under	...	4 6	

In the event of rations being supplied one-third of the daily rate shall be deducted. Temporary employés engaged at or ordinarily residing in the vicinity of country camps shall not be entitled to travelling allowance.

(d) That unless specially approved by the Secretary no allowance other than for expenses necessarily incurred shall be paid in any case where the officer or employé is not required to be absent from his head-quarters over night.

(e) That in the case of officers or employés supervising contracts who are required to camp on the work, and are supplied with camp equipment and meals, no allowance shall be paid whilst so engaged. If meals are not supplied, allowance of 25s. per week shall be paid.

37. (1) When officers or employés travel by steamer or other vessel in which the fare paid includes subsistence, one quarter of the ordinary rates to which such officers or employés would otherwise be entitled shall be allowed.

(2) In any case where an officer or employé is provided with subsistence and lodging the Secretary shall determine what allowance, if any, shall be granted, but any allowance granted shall not exceed one-quarter of the amount allowable under the ordinary scale of travelling allowances.

38. Officers or employés travelling beyond the limits of the State in which they are ordinarily employed shall receive an increase of one-fifth on the scale rates. Provided that this Regulation shall not apply to officers or employés employed at stations on or near the border of any State when temporarily transferred to stations on or near the opposite border, or to officers or employés performing duties in defined districts extending beyond the border of a State, or to any officer or employé to whom on report from the Chief Officer the Secretary directs it shall not apply, or to any officer or employé travelling by steamer or other vessel in which the fare paid includes subsistence, or to any officer or employé who is provided with subsistence and lodging.

39. All travelling allowances shall be in addition to the cost of conveyance. The period for which travelling allowances may be claimed shall be computed from the time of departure of the train, steamer, or other conveyance by which officers or employés travel.

40. Where it is proved to the satisfaction of the Secretary by any officer or employé that the travelling expenses he would be entitled to draw under these Regulations do not as a rule cover his actual expenses, the Secretary may authorize a payment in addition to that set forth in the foregoing Schedule of Allowances. Provided that the Chief Officer may authorize payments under this Regulation in cases where the amount involved does not exceed the sum of Two pounds.

MODE OF TRAVELLING.

41. Officers and employés shall travel by railway if the cost be not greater than by other means of conveyance.

Whenever an officer or employé does not travel by railway he shall be repaid the actual cost of the necessary and most economical means of conveyance upon furnishing receipts for such payment. Receipts will not be required for any amounts not exceeding Five shillings.

42. First-class railway fares shall be allowed to all officers and employés receiving salary of £185 and upwards per annum, and second-class fares to officers and employés receiving under £185 per annum. Provided that in special cases the Secretary may allow first-class fare to any officer.

CONVEYANCE OF OFFICERS AND EMPLOYÉS TRANSFERRED.

(Where Cost Borne by Officers and Employés.)

43. Officers or employés who are transferred from one locality to another solely at their own request, or by exchange (except as provided

for in the next Regulation), must bear the whole cost of their removal. When transferred on account of misconduct, the cost must be borne by officers or employes in fault, unless otherwise determined by the Secretary prior to removal.

(Where Cost Borne by Department.)

44. When officers or employes are transferred—

- (a) In the public interest;
- (b) To meet the convenience of the Department, or in the ordinary course of promotion;
- (c) On account of illness, due to causes over which the officer or employe has no control, provided a medical certificate be furnished to the effect that a change is needed to restore health—

the actual cost of conveyance of such officers and employes, as well as that of their wives and children, will be paid by the Department.

45. The maximum amounts for removal of furniture shall be as under:—

- (a) Officers and employes whose salaries or wages are under £200 per annum, £25
- (b) Officers and employes with salaries or wages of £200 and under £400 per annum, £35.
- (c) Officers with salaries or wages of £400 and under £600 per annum, £40.
- (d) Officers whose salaries are £600 per annum and over, £50.

In providing for cost of removal, only necessary household furniture and effects shall be taken into consideration.

Where exceptional circumstances can be shown to exist, a reasonable amount in excess of the maximum under these Regulations may be authorized by the Secretary.

46. (1) Before removal is undertaken, the officer or employe shall, where practicable, obtain offers from at least two carriers, and submit same to the Chief Officer, who may authorize the acceptance of the more suitable.

(2) The Secretary may, in lieu of cost of removal, authorize payment of an amount less than the maximum prescribed for removal expenses to compensate for loss in any case where an officer or employe elects to dispose of his furniture and effects instead of removing them to his new station.

(3) An officer or employe shall not be entitled to any compensation from the Government for losses or damages arising from removal.

(4) Furniture, where practicable, shall be removed by railway if the cost be not greater than by other means of conveyance.

(5) Vouchers must be produced for all sums paid.

PUBLIC HOLIDAYS.

47. (1) The following days, or any days prescribed under the law of any State to be observed in lieu thereof in that State, shall be observed as holidays on full pay, namely:—

- First day of January;
- Twenty-sixth day of January;
- Christmas Day and the following day;
- Good Friday and the following Saturday and Monday;
- the Anniversary of the Birthday of the Sovereign;
- Eight Hours Day;

any day proclaimed by the Governor-General or required by any Act to be observed in lieu of any of the said days.

(2) Whenever any of the days specified in sub-regulation (1) of this Regulation falls upon a Sunday the next following Monday shall be observed as a holiday in lieu of such Sunday.

(3) Where by or under the law of a State any day or part of a day is appointed to be or is proclaimed as a public holiday or bank holiday or half-holiday through such State or in any part of such State, such day or half-day shall be observed as a holiday or half-holiday on full pay (as the case may be) throughout such State or in such part of such State (as the case may be).

(4) In addition to the days hereinbefore named any specified day or specified part of a day appointed by the Governor-General may be observed as a holiday or half-holiday in the Commonwealth, or in any part thereof.

(5) Officers or employes absent without leave on the day before or after a holiday shall not receive pay for such holiday.

48. The Minister or the Secretary may require an office or any part thereof to be kept open in the public interest for the whole or any portion of a holiday, and may require the attendance and services of any officer or employe of such office during any such holiday.

DOUBLE RATES FOR WORKING ON HOLIDAYS.

49. Double time shall be paid to all officers and employes instructed to work on holidays granted under these Regulations.

LEAVE OF ABSENCE FOR RECREATION.

50. (1) In each year the Chief Officer may grant eighteen days' leave of absence (exclusive of Sundays and holidays) to officers and employes who shall have been continuously employed for twelve months prior to application.

(2) An employe about to be discharged through no fault of his own shall be entitled to receive payment for recreation leave due under this Regulation, provided that fourteen months shall have elapsed since his engagement or since his last annual recreation leave was taken.

(3) Officers and employes absent without leave the day before or after such recreation leave shall not receive pay for such recreation leave.

FURLOUGH.

51. (1) When an officer or employe has continued in the Government Service at least twenty years, the Governor-General may grant to him, on the recommendation of the Secretary, leave of absence for a period not exceeding twelve months on half pay, or six months on full pay. Where an officer or employe not having been granted such leave of absence retires from the Government Service after at least twenty years' continuous service, the Governor-General, on the recommendation of the Secretary, may grant such officer or employe six months' pay upon retirement, or upon the death of any officer or employe who has continued in the Government Service for at least twenty years, and has not been granted leave of absence under the provisions of this Regulation, the Governor-General, on the recommendation of the Secretary, may pay to the dependants of such deceased officer or employe a sum equivalent to six months' salary of such officer or employe: Provided that where an officer or employe has been reduced in position or salary through misconduct, such misconduct shall be taken into consideration in determining whether the whole or any portion of the prescribed leave of absence may be granted, or, in the event of retirement or death of an officer or employe, whether payment may be made under the conditions prescribed herein, and as to the terms of such payment.

(2) Where any person has become transferred from any position of a permanent nature in the Service of the Commonwealth, or of a State, to a position under the Defence Act, his service shall, for the purpose of furlough, be reckoned as service under these Regulations.

52. (1) The Governor-General may, upon the recommendation of the Secretary, grant to any officer or employé of satisfactory and continuous service who is not eligible for the furlough prescribed in Regulation 51, prior to his retirement on or subsequent to his attaining the age of sixty years, leave of absence with full pay as follows:—

Service of 16 years and under 20 years—5 months.

"	12	"	16	"	4	"
"	8	"	12	"	3	"

(2) Or in lieu of such leave the Governor-General may, on the recommendation of the Secretary, grant to the officer or employé a sum equivalent to the pay for such period of leave, or, in the event of the death of any officer or employé who was eligible for but had not been granted the leave prescribed herein, may authorize payment to the dependants of such deceased officer or employé of a sum equivalent to the pay of such officer or employé for the period of leave which he could have been granted under this Regulation.

UNIVERSAL MILITARY TRAINING.

53. Unless specially exempted by the Minister, all officers and employés subject to Universal Military Training must comply with the Military Regulations, otherwise they forfeit their employment.

EXTENDED LEAVE WITHOUT PAY.

54. With the approval of the Governor-General, on the recommendation of the Secretary, leave of absence, without pay, may be granted to any officer or employé for any period not exceeding twelve months, but the period of such leave shall not for any purpose be included as part of the period of service of such officer or employé.

LEAVE OF ABSENCE ON GROUND OF ILLNESS OR INJURY.

55. (1) Applications for leave of absence on the ground of illness or injury shall be supported by the certificate of a duly qualified medical practitioner approved by the Secretary.

(2) The Chief Officer, in cases of illness or injury, may, on production of satisfactory evidence, provisionally grant leave in accordance with the following Schedule; but a statement of all leave granted under this Regulation shall be submitted monthly for the approval of the Secretary, who may in any case disallow the leave so granted:—

Length of Service.	Period for which Leave may be Granted, on—				
	Full Pay.	Half Pay.	Third Pay.	Without Pay.	
	Months.	Months.	Months.	Months.	
Under five years	1	3	6	8	In exceptional cases, special circumstances may be taken into consideration, <i>e.g.</i> , where an officer or employé in discharge of his duty sustains injuries of such a nature as to incapacitate him for all duty this scale may be varied; provided that in no case shall full pay be allowed for a period exceeding nine months.
Over five years and under ten	2	4	6	6	
Over ten years	3	6	3	6	

56. (1) Sick leave for illness other than injury allowed under Regulation 55 may be granted in one or more periods, but the aggregate amount of leave provided for in the Schedules is intended to cover a period of three years, dating from the first absence on sick leave.

(2) The second or any subsequent triennial period will commence on the date of first absence on sick leave following the date upon which the previous triennial period expired, and for the three years thus commencing the full amount of leave provided in the Schedules according to length of service may again be allowed.

(3) If an officer or employé is absent from duty on account of illness, and such absence has extended beyond three months, he shall not be permitted to return to duty unless and until a medical practitioner approved by the Secretary has certified that he is fit to resume work.

57. When extended leave is granted other than on full pay, the rate paid for Sundays and holidays shall be the same as that allowed for the period of leave.

58. No leave on account of illness shall be granted with pay if the sickness or ill-health has been caused by the misconduct of the officer or employé, to satisfy himself on which point the Chief Officer may send a special medical practitioner to attend on and examine such officer or employé at his residence. A fee of £1 1s. shall be paid to the special medical practitioner for his attendance and report, and if such report is, in the opinion of the Chief Officer, not favorable to the officer or employé concerned, or if the officer or employé is absent from his residence at the time of the medical practitioner's visit without, in the opinion of the Chief Officer, reasonable cause therefor, the amount of the fee so paid shall be deducted from any money which is or becomes payable to the said officer or employé by the Government. The same practice may be followed where an officer or employé is suspected of absenting himself from duty without sufficient cause.

59. Leave of absence in case of illness or injury shall not be reckoned as nor included in leave of absence for recreation.

OFFICERS OR EMPLOYÉS INJURED IN THE PERFORMANCE OF THEIR EMPLOYMENT.

Injuries.

60. In every instance in which an officer or employé is injured in the performance of his employment to such an extent as to require prompt medical attention, the nearest medical practitioner shall at once be sent for to attend to the immediate necessities of the case, and, in addition, in the case of a serious injury, the sufferer shall, provided he can be moved with safety, be conveyed with the least possible delay to the nearest public hospital, or, if he so elect, to his home.

Medical Expenses.

61. Medical expenses may, on the approval of the Chief Officer, be allowed to any officer or employé injured while in the performance of his employment, provided that the Principal Medical Officer, or other departmental medical officer, certifies that such attendance was necessary, and that the charges are reasonable. Medical expenses for treatment at home shall not exceed the cost of treatment at a public hospital.

Treatment at Public Hospitals.

62. Officers or employés injured in the performance of their employment may be treated at the expense of the Department in approved public hospitals.

Compensation on Retirement on Account of Injury.

63. (1) Compensation may be recommended by a Chief Officer in the case of any officer or employé who is retired or discharged on account of injuries received while in the performance of his employment, provided the injury was not due to the officer or employé's default.

(2) The maximum amount of compensation shall be a sum equivalent to three years' pay at the rate the officer or employé received at the date of his retirement or discharge. The maximum amount shall only be awarded in case of total disability to earn a livelihood. In case of partial disability, the compensation shall be less than the maximum amount, and shall be fixed so that the amount awarded shall be proportionate to the degree of disability of the officer or employé.

Compensation for Death on Account of Injury.

64. Compensation may be recommended by a Chief Officer to the dependants of any officer or employé who is killed while in the performance of his employment if the death were not due to the officer or employé's default. The amount of compensation awarded shall not exceed three years' pay at the rate the officer or employé received at the date of his death. No claim for compensation shall be considered unless it be made within twelve months after the date of the death of the officer or employé.

Maximum Amount of Compensation.

65. The maximum amount of compensation awarded under these Regulations shall not exceed £2,000 in any one case.

COMMONWEALTH WORKMEN'S COMPENSATION ACT 1912.

66. The provisions of the *Commonwealth Workmen's Compensation Act* 1912 may be taken advantage of by officers and employés in lieu of these Regulations, but any payments under the Regulations will be deducted from any allowances under the Act.

EMPLOYÉS—GENERAL DIVISION.

APPOINTMENT OF EMPLOYÉS.

67. The General Division shall include all employés (other than temporary employés) appointed by the Minister to the General Division, provided that certain persons appointed by the Governor-General before the commencement of these Regulations shall, if the designations of their offices are named in Regulation 74, be deemed members of the General Division, and be subject to the rates and conditions of salary specified.

QUALIFICATIONS OF CANDIDATES.

68. Candidates for appointment to the General Division shall be either—

- (1) Youths not exceeding eighteen years of age who have passed the Commonwealth Public Service Examination for the General Division, or its equivalent in standard, and produce satisfactory references from their Area Officers and previous employers, if any.
- (2) Members or ex-members of the Defence Force whose ages do not exceed fifty years, and who produce satisfactory references.
- (3) Persons possessed of special qualifications for the duties required to be performed, whose ages do not exceed fifty years, and who produce satisfactory references.

VACANCIES TO BE ADVERTISED.

69. Applications to fill vacancies shall be invited in the metropolitan press and in District Orders of the State concerned, and the applications, accompanied by the Chief Officer's recommendations, shall be submitted to the Secretary.

MEDICAL FITNESS FOR APPOINTMENT.

70. Candidates for appointment shall, before appointment, produce a certificate signed by the Principal Medical Officer, or other departmental medical officer, that they are medically fit and sufficiently active to perform the duties required of them.

CONDITIONS OF APPOINTMENT.

71. Candidates for appointment shall pass such examination or comply with such conditions as may be prescribed by the Minister.

APPOINTMENT ON PROBATION.

72. Every employé shall, in the first instance, be appointed on probation for a period of six months, and his appointment may be annulled, confirmed, or extended by the Minister.

RETENTION OF PREVIOUS SALARY.

73. On first appointment to the General Division, a non-commissioned officer, or man of the Permanent Naval or Military Forces, in receipt of a salary higher than the minimum prescribed for the lowest grade, shall be permitted to retain such higher rate until promoted to a higher grade.

CLASSIFICATION OF EMPLOYÉS.

74. (1) The General Division shall be arranged in grades as set forth in Table A in this Regulation. Except where otherwise provided, the limits of salary to be paid an officer occupying any office designated in Table B in this Regulation shall be those prescribed therein in respect to such office.

TABLE A.

Grade.	Salary.		Amount of Increments.	Remarks.
	Minimum.	Maximum.		
	£	£	£	
A	39	65	13	Annual increments.
B	78	138	12	
I.	138	156	6	
II.	162	186	6	
III.	198	246	12	
IV.	252	276	12	

The minimum and maximum rates shown indicate the limits of pay for each Grade, and appointments may be made at any rate of pay within those limits.

TABLE B.

Office.	Grade.	Salary.		Amount of Increment.	Remarks.
		Minimum.	Maximum.		
		£	£	£	
Armourer	II.	174	186	6	
"	III.	198	246	12	
"	IV.	252	276	12	
Armourer-Assistant ...	I.	144	156	6*	
"	II.	162	168	6	
Artisan	II.	168	186	6	
Assistant, Junior ...	B	78	138	12*	
"	I.	138	156	6	
" Senior	II.	162	186	6	
Blacksmith	II.	168	186	6	
Blacksmith's Striker ...	I.	138	156	6	
Boiler Attendant	I.	138	156	6	
Caretaker	I.	138	156	6	
"	II.	162	180	6	
Carpenter	II.	168	186	6	
Examiners, Assistant ...	II.	162	186	6	
"	III.	198	246	12	
Gardener	I.	138	156	6	
Labourer	I.	138	156	6	
Messenger, Junior ...	A	39	65	13*	
"	B	78	138	12	
"	I.	138	156	6	
" Senior	II.	162	186	6	
" Ministerial	II.	162	186	6	
"	III.	...	198	...	
Messenger Orderly ...	III.	198	210	12	
Printer	I.	138	156	6	
"	II.	162	186	6	
Ranger	I.	144	156	6	
Range Assistant	I.	138	156	6	
Range Foreman*	II.	168	186	6*	
"	III.	198	210	12	
" Clerk	III.	198	246	12*	
"	IV.	...	252	...	
" Superintendent	III.	198	246	12	
Storeman	I.	138	156	6	
" Senior	II.	162	186	6	
" Foreman	III.	198	246	12	
" Magazine	I.	144	156	6*	
"	II.	162	186	6	
Saddler	I.	...	156	...	
"	II.	162	168	6	
Sailmaker	I.	...	156	...	
"	II.	162	180	6	
Telephonist, Junior ...	A	39	65	13	
"	B	78	138	12	
" Senior	I.	138	156	6	
Typist, Junior	B	78	138	12*	
"	I.	138	156	6	
" Senior	II.	162	186	6	
Viewer	I.	144	156	6	
" Senior	II.	162	186	6	
"	III.	198	210	12	
Watchman	I.	...	138	...	

* To be advanced to next Grade after one year's service at maximum.

The minimum and maximum rates shown indicate the limits of pay for each Grade, and appointments may be made at any rate of pay within those limits.

(2) Notwithstanding anything contained in this Regulation, if the rate of pay prescribed for an office named herein is less in any case than the rate determined by an Arbitration Court or Wages Board to be paid for similar employment in the locality of employment, salary corresponding to the latter rate may be paid in such office instead of the salary prescribed herein.

PAY OF GRADE.

75. The grade of an employé under the provisions of Regulation 74 shall be that corresponding to his designation, provided that an employé who is receiving, at the date of these Regulations, less than the minimum salary of his grade as provided thereunder, may be granted such minimum salary as from such date.

MINIMUM SALARY.

76. (1) Every employé in the General Division shall be entitled upon attaining the age of twenty-one years, to a salary of One hundred and thirty-eight pounds per annum.

(2) An employé who has been paid salary at the rate of One hundred and thirty-eight pounds per annum by reason of having reached the age of twenty-one years, shall not be entitled to further increase of salary until such time as he would have become eligible for such increase in the ordinary course of promotion, re-classification, or progression through the increments of his grade.

INCREASES AND INCREMENTS—EMPLOYÉS.

77. (1) All increases and increments shall be discretionary and except where otherwise provided subject to the approval of the Chief Officer and the necessary appropriation of Parliament.

(2) Increments shall be payable from the first day of the month following the date they accrue, provided that any increase of salary accruing through an officer reaching twenty-one years of age shall be paid from the employé's twenty-first birthday.

(3) Where an employé receives no increase of pay on transfer, the time served in his former office may be counted in reckoning the interval for increment.

ALLOWANCE TO SHORTHAND WRITER.

78. If a typist or assistant is in possession of a certificate from the Chief Officer that he is a qualified shorthand writer, an allowance of £12 per annum, in addition to his salary, may be made, provided that the maximum salary of Grade II. shall not be exceeded, and that payment of the allowance shall commence on 1st July following the date of certificate.

ADVANCEMENT AND PROMOTION.

79. Except where otherwise provided no employé shall be advanced within a grade in Grades III. and IV. of the General Division except by promotion, and until he has been at least twelve months in receipt of the salary from which it is proposed to advance him.

80. Except where otherwise provided no advancement within Grades III. and IV. or promotion from grade to grade, shall be allowed unless the Secretary is satisfied that the employé is entitled by the amount and importance of his work, and by his efficiency, seniority, and good conduct, to receive it.

CONDITIONS OF PROMOTION.

81. Promotions to fill vacancies may be conditional upon employés passing an examination prescribed by the Minister.

TERMINATION OF APPOINTMENT.

82. If the Minister is satisfied, after due inquiry, that an employé is inefficient, or incompetent, or is guilty of breach of the Regulations; or that a reduction of staff is necessary, he may terminate his appointment forthwith, and such employé shall thereupon cease to be employed by the Commonwealth.

TEMPORARY EMPLOYÉS.

AUTHORITY FOR EMPLOYMENT.

83. (1) Each Chief Officer is authorized to approve of the engagement and discharge of temporary employés, provided that the amount allocated to him for temporary assistance shall not be exceeded.

(2) No person shall be employed under this Regulation for a longer period than six months in any one year unless with the written approval of the Secretary.

MONTHLY RETURN.

84. Each Chief Officer shall furnish the Secretary with a monthly return of expenditure on temporary assistance and nature of work engaged upon.

ENGAGEMENT.

85. All temporary employés shall be engaged by the day, and their engagements shall be terminable without notice on either side. Temporary employment shall not establish any claim to permanent employment on any ground whatever.

RATES OF WAGES.

86. (1) All temporary employés shall be paid the rate of wages prescribed by law for the trade or calling in which employed, provided that where no statutory rate exists, the Chief Officer shall recommend, and the Minister will prescribe, the wages to be paid, provided that the Minister may, under special circumstances, prescribe special rates of wages, allowances, or privileges, for temporary employés.

(2) For purposes of overtime and Sunday pay the hourly rate of wages shall be ascertained by dividing the daily wage by eight.

SICK LEAVE.

87. Temporary employés shall not be entitled to receive leave of absence on account of illness.

OVERTIME.

88. Subject to Regulation 91, and exclusive of watchmen, overtime pay at the rate of time and a half will be allowed for all time worked outside the prescribed hours of attendance.

SUNDAY PAY.

89. Subject to Regulation 91, double time shall be paid to all employés working on Sundays.

LEAVE OF ABSENCE FOR RECREATION.

90. (1) In each year the Chief Officer may grant eighteen days' leave of absence (exclusive of Sundays and holidays) to temporary employés who shall have been continuously employed for fourteen months prior to application.

(2) A temporary employé about to be discharged through no fault of his own shall be entitled to receive payment for recreation leave due under this Regulation, provided that fourteen months shall have elapsed since his engagement or since his last annual recreation leave was taken.

(3) Temporary employés absent without leave the day before or after such recreation leave shall not receive pay for recreation leave.

REGULATIONS GENERALLY TO APPLY.

91. Where not inconsistent with Regulations 83 to 90 and exclusive of Regulations 27 and 28, the word employé in these Regulations shall be read to include temporary employés, provided that temporary clerical employés shall be subject as regards overtime, Sunday work, and meal allowance, to Regulations 4, 22, 23, 24 and 25.

OFFICERS.

CLASSIFICATION.

92. Officers shall be classified in the Professional Division and the Clerical Division.

PROFESSIONAL DIVISION.

93. The Professional Division shall include all officers appointed by the Governor-General to the Professional Division.

94. (1) The Professional Division shall be divided into six classes. Officers in Class A shall be paid such salaries as are approved by the Minister from time to time and are appropriated by Parliament.

(2) Officers other than those in Class A shall be classified as under:—

Class.	Annual Salary of Subdivision of Class.							
	First Subdivision.	Second Subdivision.	Third Subdivision.	Fourth Subdivision.	Fifth Subdivision.	Sixth Subdivision.	Seventh Subdivision.	Eighth Subdivision.
B	£ 528	£ 546	£ 564	£ 582	£ 600	£ ...	£ ...	£ ...
C	£ 432	£ 450	£ 468	£ 486	£ 504	£ ...	£ ...	£ ...
D	£ 336	£ 354	£ 372	£ 390	£ 408	£ ...	£ ...	£ ...
E	£ 216	£ 240	£ 264	£ 288	£ 312	£ ...	£ ...	£ ...
F	£ 72	£ 96	£ 114	£ 132	£ 150	£ 168	£ 186	£ 204

(3) The Governor-General may, upon the recommendation of the Secretary, determine the classification of the officers to be included in the Professional Division, and such officers may be paid salaries in accordance with such classification from the date of commencement of these Regulations.

(4) Officers granted advance of salary in consequence of this classification shall not be eligible for further increase of salary until twelve months after the receipt of such advance.

95. Except in the cases of persons appointed under Regulation 111, and of persons who have qualified by examination for appointment to Class E or a higher class, all new appointments to the Professional Division shall be made to the First Subdivision of Class F, and the rate of salary at which a person is first appointed to such subdivision shall be £72 per annum. Every such officer shall be advanced after twelve months' service in a subdivision to the next higher subdivision, provided that such advancement has been approved by the Secretary upon report from the Chief Officer as to the conduct, diligence, and general efficiency of the officer; and provided further that every such officer shall be entitled, upon attaining the age of twenty-one years, to a salary of One hundred and twenty-six pounds per annum.

96. An officer of the Professional Division who has been paid salary at the rate of One hundred and twenty-six pounds per annum by reason of having reached the age of twenty-one years shall not be entitled to further increase of salary until such time as he would have become eligible for such increase in the ordinary course of progression through the subdivisions of his class, but Officers of the Professional Division of twenty-two years of age or over in receipt of salary of not less than £126 per annum, and not more than £150 per annum, may be paid on the approval of the Secretary an allowance not exceeding £12 per annum, and such allowance may be increased at the end of each succeeding twelve months by an amount not exceeding £12 per annum, provided that the total amount payable to an officer by way of salary with allowance under this Regulation shall not exceed One hundred and fifty-six pounds per annum.

97. No officer shall be advanced within a class in Classes E to B of the Professional Division except by promotion from one subdivision to the next higher subdivision thereof. No such officer shall until he has been at least twelve months in a subdivision of a class in the Professional Division be promoted to a higher subdivision thereof.

98. No promotion of any officer from class to class or within the limits of a class in Classes E to B in the Professional Division shall be granted, unless the Secretary is satisfied that the officer is entitled by the amount and importance of his work, and by his efficiency, seniority, and good conduct, to receive it, provided that upon a report from the Chief Officer, and the recommendation of the Secretary, any officer may be promoted from a class to the next higher class, although he has not served one year in each subdivision of the class from which he is promoted.

CLERICAL DIVISION.

99. The Clerical Division shall include all officers appointed by the Governor-General to the Clerical Division.

100. (1) Clerical Officers shall be classified as under:—

Class.	Annual Salary of Subdivision or Class.								
	First Subdivision.	Second Subdivision.	Third Subdivision.	Fourth Subdivision.	Fifth Subdivision.	Sixth Subdivision.	Seventh Subdivision.	Eighth Subdivision.	Ninth Subdivision.
First ...	£ 520	£ 540	£ 560	£ 580	£ 600	£ ...	£ ...	£ ...	£ ...
Second ...	420	440	460	480	500	...	...	...	...
Third ...	310	335	360	380	400	...	...	...	...
Fourth ...	210	235	260	280	300	...	...	...	...
Fifth ...	60	72	84	102	120	138	156	168	180

(2) The Governor-General may, upon the recommendation of the Secretary, determine the classification of the officers to be included in the Clerical Division.

101. Except in the cases of persons appointed under Regulation 111, all new appointments to the Clerical Division shall be made to the First Subdivision of the Fifth Class, and the rate of salary at which a person is first appointed to such subdivision shall be Sixty pounds per annum.

Every such officer shall be advanced after twelve months' service in a subdivision to the next higher subdivision, until his salary reaches One hundred and eighty pounds per annum, provided that such advancement has been approved by the Secretary, upon report from the Chief Officer as to the conduct, diligence, and general efficiency of the officer; and provided further that every such officer shall be entitled, upon attaining the age of twenty-one years, to a salary of One hundred and twenty-six pounds per annum.

102. An officer who has been paid salary at the rate of One hundred and twenty-six pounds per annum by reason of having reached the age of twenty-one years shall not be entitled to further increase of salary until such time as he would have become eligible for such increase in the ordinary course of progression through the subdivisions of his class, but officers of twenty-two years of age or over in receipt of salary of not less than £126 per annum, and not more than £150 per annum, may be paid on the approval of the Secretary an allowance not exceeding £12 per annum, and such allowance may be increased at the end of each succeeding twelve months by an amount not exceeding £12 per annum, provided that the total amount payable to an officer by way of salary with allowance under this Regulation shall not exceed One hundred and fifty-six pounds per annum.

103. Where an officer has served at least one year in the Ninth Subdivision of the Fifth Class he may be advanced by yearly increments of Ten pounds to salary of Two hundred pounds per annum, provided that in the opinion of the Secretary such increases are justified by the efficiency of the officer and the value of the work performed.

104. No officer shall be advanced within a class in the Fourth and higher classes of the Clerical Division except by promotion from one subdivision to the next higher subdivision, and until he has been at least twelve months in the subdivision from which it is proposed to promote him, but any such advancement may be authorized subject to regulations, whether there is or is not a vacancy in the subdivision to which the promotion is made.

105. No officer shall be promoted from one class to another unless he has served at least one year in each subdivision of the lower class, and then only to fill a vacancy or a new office in the higher class, provided that upon a report from the Chief Officer and the recommendation of the Secretary an officer may be promoted from any class to the next higher class, although he has not served one year in each subdivision of the class from which he is promoted.

106. No advancement within a class, or promotion from class to class, shall be allowed unless the Secretary is satisfied that the officer is entitled by the amount and importance of his work, and by his efficiency, seniority, and good conduct, to receive it.

INCREASES AND INCREMENTS—OFFICERS.

107. (1) All increases and increments shall be discretionary and subject to the approval of the Secretary and the necessary appropriation by Parliament.

(2) Increments shall be payable from the first day of the month following the date they accrue, provided that any increase of salary accruing through an officer reaching twenty-one years of age shall be paid from the officer's twenty-first birthday.

(3) Where an officer receives no increase of pay on transfer, the time served in his former office may be counted in reckoning the interval for increment.

(4) All recommendations for increments shall be forwarded by the Chief Officer to the Secretary.

ALLOWANCE FOR PERFORMING DUTIES OF HIGHER POSITION.

108. Where any officer has performed the duties of a position of a higher class or grade than that in which he is classified for six months continuously or for six months in the preceding twelve months, he may be granted, on the approval of the Secretary during the period for which he continues to perform the duties of such higher position, payment in addition to salary at a rate equal to the difference between his salary and the minimum salary of the class or grade of the higher position.

EXAMINATION FOR APPOINTMENT AS OFFICERS.

109. (1) Notification of vacancies and of intention to hold an examination will be given by notice in the *Gazette* and by advertisement in the State concerned.

(2) Candidates for appointment as officers must, on the day of the examination, be not less than sixteen nor more than twenty-five years of age at their last birthday.

(3) The subjects and rules of examination, marks, &c., will be as prescribed by the Minister, and, should there be more candidates than vacancies, the examination will be competitive.

APPOINTMENTS ON PROBATION.

110. Every officer shall in the first instance be appointed on probation for a period of six months, but his services may be dispensed with by the Governor-General at any time during such period. Before the expiration of the period of probation the Chief Officer shall report to the Secretary on the manner in which the probationer has performed his duties, and upon his general conduct. Upon receipt of such report, the Secretary will recommend to the Governor-General that the appointment be confirmed or annulled, or that the period of probation be extended. Failure to annul or confirm a probationary appointment shall confer no right whatever upon the probationary appointee.

APPOINTMENTS WITHOUT EXAMINATION.

111. If at any time it appears expedient or desirable in the interests of the Department to appoint as an officer some person who is not an officer in the service of the Department under these Regulations, the Governor-General may, on the recommendation of the Secretary, appoint such person accordingly without either examination or probation, and without regard to age.

INCAPACITY OF OFFICERS.

112. If an officer appears to the Minister, after a report from the Secretary, to be unfit to discharge, or incapable of discharging, the duties of his office efficiently, the Minister may refer the question to a Board of Inquiry to be constituted as specified in Regulation 118, and if such Board finds that such officer is unfit to discharge, or incapable of discharging, the duties of his office, the Governor-General may, on the recommendation of the Minister, deal with such officer either by calling upon such officer to retire from the Commonwealth Service, or by transferring him to some other position; and every such officer, if called upon to retire, shall retire accordingly.

OFFENCES: BOARDS OF INQUIRY.

113. If any officer is charged with—

- (a) a breach of the provisions of these Regulations; or
- (b) wilful disobedience or disregard of any lawful order made or given by any person having authority to give such order; or
- (c) being negligent or careless in discharge of his duties; or
- (d) being inefficient or incompetent, and such inefficiency or incompetency appears to arise from causes within his own control; or
- (e) using intoxicating beverages to excess; or
- (f) any disgraceful or improper conduct,

the charge shall be made in writing. The officer charged shall be immediately furnished with a copy of the charge, and shall be required to forthwith state in writing whether he admits or denies the truth of such charge, and shall be allowed to give any written explanation with regard to the alleged offence.

114. In the case of minor offences against discipline—

- (a) The Secretary or Chief Officer may reprimand or caution any officer.
- (b) The officers hereinafter prescribed as having power to temporarily suspend officers may reprimand or caution any officer in respect of whom the power to temporarily suspend applies; such caution or reprimand shall be immediately reported to the Secretary, together with reasons therefor and particulars of same.

115. (1) For any offence whatever, an officer charged with the commission of such offence, may be temporarily suspended by the Secretary or Chief Officer.

(2) In emergent cases an officer charged with any offence whatever may be temporarily suspended from duty by the Head of the Branch or Office in which such offending officer is employed or with which he is connected, provided, however, that such liability to temporary suspension shall not extend to officers in charge of sub-branches or offices under the control of the officer so prescribed as having power to temporarily suspend. Any such temporary suspension, together with the reasons therefor, shall be immediately reported to the Secretary.

116. If upon consideration of the circumstances and the explanation (if any) the Secretary is of opinion that the alleged offence has not been committed, he may remove the suspension; if, however, he is of opinion that the alleged offence has been committed, but is not of so serious a nature as to justify reference to a Board of Inquiry, he may remove the suspension, and caution or reprimand the officer, or impose a fine not exceeding £10.

117. Where the Secretary is of opinion that an offence is of so serious a nature as to warrant reference to a Board of Inquiry, the following procedure shall be followed:—

- (a) The officer charged, if he has been suspended, shall be further suspended by the Secretary.
- (b) The charge shall be referred forthwith to a Board of Inquiry to be appointed by the Secretary.

118. The Board of Inquiry shall consist of—

- (a) an officer of the Department in which the accused officer is employed;
- (b) an officer of any other Commonwealth Department;
- (c) the elected representative of the corresponding division under the Public Service Act:

Provided that, instead of the officers specified in paragraphs (a) and (b), or either of them, the Secretary may appoint any person or persons he may deem desirable, whether connected with the Commonwealth Public Service or not. Any two members of a Board of Inquiry may exercise all the powers of such Board.

119. When appointing a Board of Inquiry the Secretary shall name the person who shall act as chairman.

120. The Board shall inquire into the truth of the charge or charges made, and after fully hearing the case report to the Secretary the proceedings and evidence taken, and their opinion thereon.

121. (1) When it appears to a Board of Inquiry that it is undesirable, by reason of the officer charged being stationed in a remote locality, or by reason of expense, inconvenience, or delay to require the officer or any particular witness to attend before the Board to give evidence, the Board may, by order in writing under the hand of the Chairman, appoint some fit and proper person to take the evidence of the officer or witness.

(2) The person so appointed shall take the evidence of the officer or witness on oath or affirmation, and for the purpose of so doing shall have all the powers of the Chairman of the Board.

(3) Any party to the inquiry entitled to be represented before the Board shall be entitled to be represented before any person taking evidence in pursuance of this Regulation.

(4) The evidence so taken shall be certified under the hand of the person taking it and forwarded to the Board, and considered by it in connexion with the inquiry.

122. (1) On admission or proof of the charges, the Secretary may—

- (a) impose a penalty upon the officer offending; or
 - (b) deprive him of his leave of absence during a specified period; or
 - (c) reduce the offending officer to a lower class or grade and salary or wages; or
- the Governor-General may—
- (a) dismiss the accused officer; or
 - (b) require him to resign.

(2) In cases where a reduction in status or salary, dismissal, or enforced resignation is recommended, such recommendation, together with all necessary papers, shall be sent to the Secretary.

123. If none of the charges against the suspended officer are found by the Board of Inquiry to be proved, the suspension shall immediately be removed.

124. A Board of Inquiry, when inquiring into the truth of a charge made against any officer, shall—

- (a) conduct its inquiry without regard to legal forms and solemnities;
- (b) direct itself on the best evidence available, whether such evidence would or would not be admissible in a court of law, and may reject any evidence deemed irrelevant;
- (c) have discretion to conduct proceedings in private;
- (d) report for consideration of the Minister in cases where the charge is found to be not proved, whether reasonable expenses, or any part thereof, shall be paid to the accused officer, and state amount of same.

125. (1) Where an officer is suspended for an offence, and the charge has been found to be not proven, full pay for the period of suspension shall be allowed.

(2) Where the offence is admitted or proved the officer may be deprived of pay for the whole or any portion of the period of suspension, but in any such case the recommendation of the Secretary shall set forth, in addition to any other punishment proposed, the amount of pay of which it is intended to deprive the offender, and any such deprivation shall be regarded and recorded as part of the penalty. In cases where it is found impracticable, owing to the remoteness of the locality where the alleged offence is stated to have been committed, or for other cogent reasons, to deal with the charge promptly, an officer on the report of the Secretary, may, after a period of one month from the date of suspension, be granted half pay until the formal investigation is held, provided the suspended officer has not wilfully caused the delay.

126. (1) The following shall be the scale of allowances which may be paid to any witness, not being an officer, summoned on behalf of a Department for his travelling expenses and maintenance during his absence from his usual place of residence, and the claim of any witness upon such scale, as aforesaid, shall be paid and satisfied by the Department concerned if it be certified by the Chairman of such Board:—

Profession, Trade or Calling.	Allowance for each day of actual attendance at an inquiry or of necessary absence from home in travelling to and from the inquiry.
	Not to exceed—
1. Professional men, if attending in a professional capacity	£1
2. Professional men not attending in a professional capacity, bank managers, merchants, accountants, auctioneers, and other persons of similar station in life	15/-
3. Mechanics, clerks, master tradesmen, agriculturists, and other persons of similar station in life	10/- (According to amount of wages or time lost.)
4. Labourers, and other persons of similar station in life	7/- (According to amount of wages or time lost.)
5. Members of the Police Force	The amount of pay lost, and, if stationed out of the locality where the inquiry is held, 2/6 to 5/- extra, according to rank

(2) In addition to above rates, reasonable travelling expenses actually paid may be allowed, but not to exceed One shilling for every mile a witness resides from the place at which he is required to attend.

(3) The Crown will not be responsible for travelling or other expenses of any witnesses summoned by or on behalf of an officer charged with an offence, excepting in cases where the charge has been found to be not proved, and the evidence was, in the opinion of the Chairman, necessary and material.

(4) The officer conducting the case for the Department will submit the claim made by a witness for expenses to the Chairman of the Board of Inquiry, who will, at the hearing, fix the sum to be allowed.

127. In any case where a charge against an officer is submitted to a Board of Inquiry, a copy of all documents intended to be used at such inquiry shall, where practicable, be furnished to such officer at least seven days before the inquiry is held.

128. All officers upon the hearing by a Board of Inquiry of any charge against them shall be entitled to be represented by counsel, attorney, or agent, who may examine witnesses and address the Board of Inquiry in their behalf.

129. The Chairman of any Board of Inquiry shall have power at any time to summon any person whose evidence appears to be material to the determining of any inquiry, and he may examine such person upon oath touching the matter to be investigated.

130. If, without reasonable cause, any person, not being an officer, summoned as aforesaid, being paid or tendered his reasonable expenses, neglects or fails to appear, or refuses to be sworn or to answer any question put to him by a member of a Board of Inquiry, or to produce all books, documents, or writings pursuant to such summons, he shall be liable to pay a penalty not exceeding Twenty pounds, to be recovered by any person authorized so to do by such Board in any court of competent jurisdiction in the State in which such person resides, provided that no such person shall be compelled to answer any question which would tend to incriminate him.

131. Every officer shall be entitled to a copy of the report of any Board of Inquiry which has investigated any charge made against him.

AWARD OF COMMONWEALTH ARBITRATION COURT.

132. Notwithstanding anything contained in these Regulations any award made by the Commonwealth Court of Conciliation and Arbitration, in pursuance of the *Arbitration (Public Service) Act 1911*, shall apply as if it formed part of these Regulations, as from the date on which the award comes into operation, to any department, branch, officer, employé, designation, or position named in such award.

REPEAL OF PREVIOUS REGULATIONS.

133. All Regulations for the employment of persons under section 63, sub-sections 1 and 2 of the Defence Act, heretofore made under the Act, in force at the commencement of these Regulations, are hereby repealed as from the commencement of these Regulations, save as to anything lawfully due, or any right, privilege, obligation, or liability acquired, accrued, or incurred thereunder.

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