STATUTORY RULES

1969 No. 115

REGULATIONS UNDER THE COMMONWEALTH EMPLOYEES’ FURLough ACT 1943-1968.*

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 Commonwealth Employees’ Furlough Act 1943-1968.

Dated this 8th day of December, 1969.

Paul Hasluck
Governor-General.

By His Excellency’s Command,

Sgd. "Andrew Peacock"

Minister of State for the Army for and on behalf of the Prime Minister.

AMENDMENTS OF THE COMMONWEALTH EMPLOYEES’ FURLough REGULATIONS†

1. Regulation 4 of the Commonwealth Employees’ Furlough Regulations is amended by omitting sub-regulations (2.) and (3.) and inserting in their stead the following sub-regulations:

"(2.) For the purpose of the Act, salary includes an allowance, in the succeeding sub-regulations of this regulation referred to as ‘group incentive allowance’, payable to a person employed under the Supply and Development Act 1939-1966 in pursuance of a scheme known as a group incentive scheme.

"(3.) The conditions subject to which payments to a person in accordance with the Act are to include amounts by way of, or in respect of, group incentive allowance are—

(a) that the person was employed under the Supply and Development Act 1939-1966 throughout the period of twelve months immediately preceding the date upon which his furlough commences or payment is made in lieu of furlough, as the case may be; and

(b) that the person was not, at any time during that period of twelve months, employed in such a capacity that he was not a member of a class of persons so employed the members of which were eligible to be paid group incentive allowance.

"(4.) Where the salary of a person employed under the Supply and Development Act 1939-1966 includes group incentive allowance but the person was not paid that allowance at the same rate per centum of his weekly salary throughout the period of twelve months referred to in sub-regulation (3.) of this regulation,

* Notified in the Commonwealth Gazette on 8 December, 1969.
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an amount equal to the sum of the following amounts is to be the annual salary, for the purposes of the Act, of the person:

(a) an amount equal to the annual salary of the person excluding any allowances that are to be included in his annual salary by virtue of these Regulations;

(b) an amount in respect of group incentive allowance equal to the percentage applicable to the person in accordance with the next succeeding sub-regulation of the amount referred to in the last preceding paragraph; and

(c) an amount equal to the sum of the annual amounts payable to the person in respect of each other allowance that is included in the salary of the person by virtue of these Regulations.

"(5.) For the purpose of paragraph (b) of the last preceding sub-regulation, the percentage applicable to a person is the average of the percentages of his weekly salary at which the allowance referred to in sub-regulation (2.) of this regulation payable in pursuance of a group incentive scheme was paid or was to be deemed to have been paid to the person each week during the period of twelve months referred to in sub-regulation (3.) of this regulation.

"(6.) A person employed under the Supply and Development Act 1939-1966 who was a member of a class of persons so employed the members of which were eligible to be paid group incentive allowance, at a particular rate per centum of weekly salary, in respect of a week but was not paid that allowance in respect of that week shall, for the purpose of the application of the last two preceding sub-regulations in relation to the person, be deemed to have been paid that allowance in respect of that week at the same rate per centum of his weekly salary.

"(7.) A reference in this regulation to a class of persons employed under the Supply and Development Act 1939-1966 shall be read as a reference to a class of persons so employed that constitutes a group of persons for the purpose of the scheme referred to in sub-regulation (2.) of this regulation."

2. After regulation 5 of the Commonwealth Employees' Furlough Regulations the following regulation is added:

"6.—(1.) Leave of absence granted for the purpose of enabling a Commonwealth employee to engage, whether in Australia or elsewhere, in employment with a prescribed institution, organization or body, or an institution, organization or body that is included in a prescribed class of institutions, organizations or bodies shall be taken to be leave of absence granted for a purpose that is prescribed for the purpose of sub-section (6.) of section 6 of the Act.

"(2.) The reference in the last preceding sub-regulation to a prescribed institution, organization or body or to a prescribed class of institutions, organizations or bodies shall be read as a reference to an institution, organization or body or a class of institutions, organizations or bodies, as the case may be, that is prescribed by the regulations in force from time to time under the Public Service Act 1922-1968 to be a prescribed institution, organization or body or a prescribed class of institutions, organizations or bodies for the purpose of sub-section (1.) of section 72A of that Act."

3. The amendments made by regulation 1 of these Regulations shall be deemed to have come into operation on the seventeenth day of November, 1967.