STATUTORY RULES.

1936. No. 107

REGULATIONS UNDER THE NAVAL DEFENCE ACT 1910-1934.

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 Naval Defence Act 1910-1934.

Dated this 12th day of August, 1936.

(SGD.) GOWRIE.

Governor-General.

By His Excellency's Command,

[Signature]

Minister of State for Defence.

NAVAL ESTABLISHMENTS REGULATIONS.

PART I.—PRELIMINARY.

1. These Regulations may be cited as the Naval Establishments Regulations.

2. The Naval Establishments Regulations (Statutory Rules 1936, No. 107, as amended to present date) are hereby repealed as from the commencement of these Regulations, save as to anything lawfully done or any right, privilege, obligation or liability acquired, accrued or incurred thereunder.

3. These Regulations are divided into parts, as follows:

Part I.—Preliminary.
Part II.—Administration.
Part III.—Attendance and Duties of officers and employees.
Part IV.—Pay, Allowances, &c.
Part V.—Holidays and Leave of Absence.
Part VI.—Travelling and Removal Expenses.
Part VII.—Apprentices.
Part VIII.—Miscellaneous.

4. In these Regulations unless the contrary intention appears—

"Employee" means a person (other than an officer) who is employed in pursuance of sub-section (1) of section 41 of the Naval Defence Act 1910-1934 in a civilian capacity in or in connexion with a naval establishment and who is engaged by the Officer-in-Charge.

"Minister" means the Minister of State administering the Naval Defence Act 1910-1934.

3370.—9/12.6.1936.—Price 1s. 3d.
"Naval Board," means the Naval Board of Administration constituted under the Acts.

"Naval Establishment" includes any dockyard, shipyard, office, victualling depot, armament depot or any undertaking established or carried on in connexion with Naval Defence.

"Officer" means a person who is employed in pursuance of subsection (1) of section 41 of the Naval Defence Act 1910-1934 in a civilian capacity in or in connexion with a naval establishment and who is appointed by the Governor-General, provided that the Naval Board may appoint persons to be temporary officers and may at any time terminate the appointments of temporary officers.

"Officer-in-Charge" means the officer appointed to be in charge of a naval establishment or group of naval establishments, and in respect of Navy Office means the Secretary.

"Returned Soldier" means any person who enlisted prior to the eleventh day of November, 1918, and served in the war with satisfactory record in any expeditionary force raised under the provisions of the Defence Act 1903-1934, and includes—

(a) a member of the Army Medical Corps Nursing Service who was accepted or appointed by the Director-General of Medical Services for service outside Australia during the war;
(b) any member of the Naval Forces of the Commonwealth who has during the war been on active service outside Australia or on a ship of war;
(c) any person who, during the war, has been employed as a radio telegraphist in the transport service in connexion with any such expeditionary force, and who, while so employed, served in the zone of war; and
(d) any person who was born in Australia, or resident in Australia within six months prior to enlistment who, at any time during the war, served with satisfactory record in a naval or military expeditionary force raised in the United Kingdom or in any British Dominion.

"Secretary" means the officer appointed to be Secretary to the Naval Board or such other official as the Naval Board may authorize to act for him.

"Service" means service in a civilian capacity under sub-section (1) of section 41 of the Naval Defence Act 1910-1934.


"The War" means the war which commenced on the fourth day of August, nineteen hundred and fourteen.

PART II.—ADMINISTRATION.

5. The Naval Board shall be responsible for the general administration of naval establishments, and for all the business thereof, and shall advise the Minister on matters relating thereto, and may, where not inconsistent with these Regulations, determine rates of pay, allowances, leave, and other matters affecting an officer or employee.
6. Each Officer-in-Charge shall be responsible—

(a) For the efficient, safe, and economical working of the naval establishment under his charge.

(b) For the direction and supervision of the staff, and that the members of such staff duly fulfill the duties assigned to them, that discipline is maintained, and that the provisions of all Acts and Regulations and orders of the Naval Board relating to naval establishments, officers, and employees thereof are strictly observed.

7. Each Officer-in-Charge is authorized—

(a) To engage, discharge, or retire employees, provided that no employee shall be engaged who has attained the age of 60 years, unless with the approval of the Naval Board.

(b) To fix weekly, daily, hourly, or piece-work rates of wages of employees within the limits approved by the Naval Board; and

(c) Subject to these Regulations, and to the approval of the Naval Board, to make rules for the conduct of the naval establishment under his charge.

8. (1) The Officer-in-Charge may by writing under his hand, and subject to the approval of the Naval Board delegate any of the powers, functions or authorities conferred upon or vested in him by these Regulations.

(2) Every delegation under this regulation shall be revocable at will, and no delegation shall prevent the exercise of any power, function, or authority by the Officer-in-Charge.

9. 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.

10. The Officer-in-Charge shall, in July of each year, submit to the Naval Board a report on the working of the naval establishment under his charge, together with a statement of accounts.

11. If, at any time, the Officer-in-Charge, or Senior Officer under the Officer-in-Charge, finds that the number of officers under his control is greater than the business demands, or can be reduced through re-arrangement of duties or improved method of working, he shall report forthwith accordingly. Such report shall be transmitted through or by the Officer-in-Charge to the Naval Board, and the Naval Board may transfer an excess officer to some other position of equal salary, and if no position of equal salary is available which the excess officer is considered by the Naval Board to be competent to fill, such officer may be transferred to a position of lower salary, and if no such position is available, the Governor-General may, on the recommendation of the Minister, retire the officer from the service.

12. The Naval Board may where expedient transfer an officer from one position to another and may authorize the Officer-in-Charge to transfer an employee from one position to another.

13. The provisions of these Regulations relating to an officer shall apply to a temporary officer excepting regulations 23, 24, 26, 60, 61, 63, 64 and 65 and where otherwise prescribed, provided that the pro...
visions of regulations 56 and 67 shall apply only to a temporary officer who commenced employment under those Regulations prior to 30th November, 1934.

14. Employees shall be temporarily engaged and their engagements may be terminable without notice on either side, provided that an employee engaged under agreement shall be subject to the terms of such agreement. Employment in a temporary capacity shall not establish any claim to permanent employment.

15. Where, in any determination under the Arbitration (Public Service) Act 1920-1934, rates of pay or conditions of employment are prescribed in relation to any officer or class of officers, or employee or class of employees, those rates of pay or conditions of employment, or any of those rates or conditions, may be applied to any other officer or class of officers, or employees or class of employees, as the Naval Board determines.

PART III.—ATTENDANCE AND DUTIES OF OFFICERS AND EMPLOYEES.

16. (1) A week's duty shall be reckoned as 48 hours, provided that the Naval Board may determine that less than 48 hours may be reckoned as a week's duty.

(2) The hours of attendance of officers and employees shall be as determined by the Officer-in-Charge from time to time.

(3) Officers or employees may 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.

17. (1) The time of officers and employees entering or leaving the naval establishment shall be recorded in such manner as may be determined by the Officer-in-Charge.

(2) Any person failing to comply with the orders of the Officer-in-Charge in this respect and any person discovered irregularly recording the attendance of any other person shall be deemed to have committed a breach of these Regulations, and will be dealt with by the Officer-in-Charge accordingly.

18. Any employee arriving at his work after the time determined under regulation 16 may have his time stopped for such period as may be determined by the Officer-in-Charge.

19. No officer or employee shall be absent from his duty during the prescribed hours, except by express permission of the Officer-in-Charge or head of the branch, or unless reasonable cause be shown. If any officer or employee 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 Officer-in-Charge, and it shall be incumbent upon him to furnish such evidence of the illness or emergency as the Officer-in-Charge may consider necessary.

20. Where an officer or employee 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.
21. No officer or employee, except with the express permission of the Naval Board, after report by the Officer-in-Charge 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, occupation or trade, or enter into any employment whether remunerative or not with any person, company or firm who or which is so engaged; 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 employee 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, but an officer or employee shall not take any part in the conduct of the business of the company or society otherwise than by the exercise of his right to vote as a member or shareholder.

22. (1) An officer or employee who is summoned by the Officer-in-Charge, the Naval Board, 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) An officer or employee appearing before the Officer-in-Charge, the Naval Board 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 employee shall be compelled to answer any question tending to incriminate him.

23. An officer who—

(a) commits any breach of these Regulations; or

(b) is negligent or careless in the discharge of his duties; or

(c) is inefficient or incompetent through causes which appear to be within his own control; or

(d) uses intoxicating liquors or drugs to excess; or

(e) is guilty of any disgraceful or improper conduct, either in his official capacity or otherwise,

Performance of work outside Government service.

Officer or employee to give evidence when required.

Penalty for offences.
shall be guilty of an offence, and such offence shall be reported forthwith
to the Naval Board by the Officer-in-Charge, and the Naval Board may,
if the officer is considered to be guilty of the offence, call upon the
officer for an explanation as to the alleged offence and if on considera-
tion of the explanation the officer is deemed to have committed the
offence, may—

(i) fine the officer any sum not exceeding £5, or
(ii) reduce his salary, or
(iii) reduce him to a lower position, or
(iv) transfer him to some other position, which transfer may be
    in addition to fine or reduction, or
(v) recommend to the Minister that the officer be dismissed from
    the service, and the Governor-General may, on the recom-
    mendation of the Minister, dismiss the officer from the
    service.

24. (1) If the estate of an officer is sequestrated either voluntarily
or compulsorily for the benefit of his creditors, the officer shall apply,
as soon as he may legally do so, to a court of bankruptcy or insolvency
for a certificate of discharge.

   (2) If it appears to the court that the applicant has been guilty
of fraud, dishonorable conduct, or extravagance, the court shall direct
the clerk of the court thereupon to report the same to the Naval
Board.

   (3) If the officer does not apply as aforesaid for a certificate of
discharge, or if he applies, and it appears from the report that the
officer has been guilty of fraud, dishonorable conduct, or extravagance,
the officer may be dismissed from the service, or reduced to a lower
division, class, or position, or salary, or punished in such other manner
as the case demands, as may be determined by the Governor-General on
the recommendation of the Minister.

25. (1) Where judgment has been given by any court against any
officer or employee for the payment of any sum of money, the person
in whose favour the judgment is given may serve on the Paying Officer
of the department in which the officer or employee is employed a copy
of the judgment, certified under the hand of the Registrar or other
proper officer of the court by which the judgment was delivered, and
a statutory declaration stating that the judgment has not been satisfied
by the judgment debtor, and setting out the amount due by the judgment
debtor under the judgment.

   (2) Upon the service upon him of a copy of a judgment and a
statutory declaration in pursuance of this regulation, the Paying Officer
shall as soon as practicable notify the judgment debtor in writing
of the service of the copy judgment and statutory declaration, and
require him to state in writing, within a time to be specified by the
Paying Officer, whether the judgment has been satisfied, and if so, to
furnish evidence in support thereof, and, if the judgment has not been
satisfied, to state the amount then due under the judgment.

   (3) If the officer or employee fails to prove to the satisfaction of
the Paying Officer, within the time specified by the Paying Officer,
that the judgment has been satisfied, the Paying Officer may from time
to time deduct from any moneys due to the officer or employee such sums as are in his opinion necessary to enable the judgment to be satisfied, or may direct the deduction therefrom of such sums and shall pay, or direct the payment of, those sums to the judgment creditor.

Provided that in no case shall a deduction be made which will reduce the amount to be received by the officer or employee to less than two pounds per week, or to less than one-third of the amount which would, but for the provisions of this regulation, be payable to the officer or employee.

(4) Where more than one judgment and statutory declaration are served upon a Paying Officer in respect of one judgment debtor, the judgments shall be satisfied in the order in which copies of the judgments are served upon the Paying Officer.

(5) A payment made to a judgment creditor in pursuance of this regulation, shall, as between the Commonwealth and the officer or employee, be deemed to be a payment by the Commonwealth to the officer or employee.

(6) A person to whom any payment has been made in pursuance of this regulation shall notify the Paying Officer immediately a judgment debt, in respect of which the payment was made, is satisfied.

Penalty: Fifty pounds or imprisonment for three months.

(7) If any payment made in pursuance of this regulation exceeds the amount due under the judgment, the excess shall be repayable by the judgment creditor to the judgment debtor, and, in default of payment, may be recovered by the judgment debtor from the judgment creditor in any court of competent jurisdiction.

(8) The foregoing provisions of this regulation shall not apply in relation to any officer or employee whose estate the Paying Officer is satisfied has been sequestrated either voluntarily or compulsorily for the benefit of his creditors, and who has not yet obtained a certificate of discharge.

(9) In this regulation "the Paying Officer" means such officer as the Naval Board appoints as paying officer for the purposes of this regulation.

28. (1) If the estate of an officer is sequestrated, either voluntarily or compulsorily, for the benefit of his creditors, he shall, in addition to compliance with the provisions of regulations 24 and 25, within seven days of the date of sequestration give to the Officer-in-Charge written notice thereof, with a statement of the causes of his embarrassment.

(2) The Officer-in-Charge shall forward the notice and statement, with any remarks he desires to make thereon, to the Naval Board.

(3) Upon being granted a certificate of discharge by a Court of Bankruptcy or Insolvency, an officer shall submit such certificate to the Officer-in-Charge.

27. (1) On receipt of notice of any pecuniary penalty imposed upon, or any order for the payment of money made against, any officer under the authority of these Regulations, the officer who pays the salary, wages or pay of the officer so punished or against whom the order is made, shall deduct from any salary, wages or pay payable to the officer the amount of the penalty, or the sum ordered to be paid, as the case may be, unless he is satisfied that payment has been made by the officer or employee.
(2) The deduction may be made by instalments equal as nearly as practicable to one-fourth of the salary, wages or pay due from time to time to the officer.

(3) All fines and penalties imposed under these Regulations shall be paid into and form part of the Consolidated Revenue.

28. If an officer or employee 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 Naval Board is satisfied that the offence did not involve dishonesty or moral turpitude on the part of the officer or employee, it may direct his reinstatement.

29. If an officer or employee 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 Officer-in-Charge.

30. Where an officer or an employee has become transferred or appointed from any position of a permanent nature in the service of the Commonwealth, or of a State, to a position under these Regulations, all continuous service of such officer or employee under the State or Commonwealth shall be reckoned as service under these Regulations.

31. When an officer attains the age of 60 years the Officer-in-Charge shall report for the information of the Naval Board whether such officer is willing and fit to continue to perform the duties of his position or whether he should be retired from the service.

32. (1) An officer having attained the age of 60 years shall be entitled to retire from the service if he desires so to do, but such an officer may, unless retired as hereinafter provided, continue in the service until he attains the age of 65 years.

(2) If an officer continues in the service after he has attained the age of 60 years, he may at any time before he attains the age of 65 years be retired by the Naval Board.

(3) Where an officer has attained the age of 65 years and in the opinion of the Naval Board it is desirable in the interests of the Commonwealth that the officer should continue in the service, and the officer is willing and able to do so, the Minister may direct that the officer shall continue in the service for a fixed time not exceeding twelve months, otherwise every officer on attaining the age of 65 years shall retire from the service.

33. An employee shall be discharged from the service on his attaining the age of 65 years, provided that the Naval Board may, in exceptional circumstances, permit the employee to continue in the service for a fixed time not exceeding twelve months.

34. An officer or employee in charge of a sub-department, branch, or minor division of a naval establishment shall be accountable for the maintenance of good order, shall afford the utmost aid and support to the Officer-in-Charge, and shall report to the Officer-in-Charge any breaches of these Regulations which come to his knowledge.
35. An application from an officer or employee upon any matter affecting his position shall be made by the applicant himself through the head of his branch to the Officer-in-Charge. Where in exceptional cases an officer or employee desires to communicate with the Naval Board, the communication must be addressed to the Secretary, and shall be forwarded by the Officer-in-Charge, with any remarks considered necessary.

36. An officer or employee 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.

37. An officer or employee shall obey promptly all instructions given to him by the officer or employee under whose immediate control or supervision he is placed. If an officer or employee 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 Officer-in-Charge; 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.

38. If an officer appears to the Naval Board or the Officer-in-Charge to be incompetent or inefficient or to be unfit to discharge or incapable of discharging the duties of his office efficiently, the Governor-General may, on the recommendation of the Minister, retire such officer from the service, or may transfer him to some other position with salary appropriate to such other position.

39. Except in the course of official duty, no information concerning public business or any matter of which an officer, or employee, has knowledge officially shall be given, directly or indirectly, to any unauthorized person by an officer or employee without the written permission of the Naval Board.

40. An officer or employee is prohibited from seeking the influence or interest of any person outside the service in order to obtain promotion, removal, or other advantage. An officer or employee who considers that his claims for promotion or consideration have been overlooked may communicate with the Naval Board in the manner prescribed by regulation 35.

41. (1) Officers and employees shall be held responsible for the careful use and preservation of all Government property in their possession, custody, or care.

(2) A person who carelessly or willfully defaces or damages any building, wall, machine, tool, material, or any other Government property, or who is unable to produce, when called upon, any Government property which is in his custody, shall be liable to pay the cost of any replacement necessary and any sum so ordered to be paid may be deducted from his salary or wages.

42. Any monetary transaction between officers or employees, 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 employees from their subordinates, is forbidden.
<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>Salary Minimum</th>
<th>Salary Maximum</th>
<th>Increments (subject to Naval Board Approval)</th>
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<td>&quot;A1&quot;</td>
<td>£500</td>
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<tr>
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<tr>
<td>Storehouseman</td>
<td>I.</td>
<td>308</td>
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<tr>
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<td>200</td>
<td>273</td>
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<td>252</td>
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<tr>
<td>Storehouse Assistant</td>
<td></td>
<td>228</td>
<td>244</td>
<td>£8 annually</td>
</tr>
<tr>
<td>Senior Assistant (Hunt's Island)</td>
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<td>266</td>
<td>339</td>
<td>One of £10 and two of £12 annually</td>
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<tr>
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<td>268</td>
<td>284</td>
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<tr>
<td>Assistant (Adult)</td>
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<td>244</td>
<td>£8 annually</td>
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<tr>
<td>Assistant (Adult)</td>
<td>II.</td>
<td>284</td>
<td>300</td>
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<tr>
<td>Assistant (Junior)</td>
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<td>370</td>
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<tr>
<td>Assistant Inspecting Officer (Central Stores)</td>
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<td>Naval Optic Instrument Maker</td>
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<td>Gun Examiner (Naval Ordnance Branch, Sydney)</td>
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<td>Senior Examiner, Naval Ordnance Branch, Sydney</td>
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<td>Armament Artificer, Naval Ordnance Branch, Sydney</td>
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<td>Leading Examiner (Naval Ordnance Branch, Sydney)</td>
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<td>Leading Examiner (Navy Office)</td>
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<tr>
<td>Laboratoryman</td>
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<tr>
<td>Laboratoryman</td>
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</tbody>
</table>

*£12 additional salary is payable if employed in magazines or explosive stores.

Payment of increments as prescribed in the above schedule is subject to good conduct, diligence, efficiency and to regular attendance of the officer or employee.
(2) An officer or employee on appointment as Assistant Inspecting Officer (Central Storekeeping) shall be eligible to receive an outfit gratuity of £20, subject to the approval of the Naval Board.

44. (1) Where the Commonwealth Statistician notifies in the *Gazette* the retail price index number for the six State capital cities of the Commonwealth for the twelve months preceding the first day of January in any year, commencing with the twelve months preceding the first day of January, one thousand nine hundred and thirty-three, and the index number so notified is less than one thousand six hundred and seventy-two or more than one thousand seven hundred and forty-four, salary payable in pursuance of the provisions of regulation 43 shall be varied in the following manner:

(a) In the case of officers under 21 years of age—
   by increase or decrease of three pounds per annum in respect of each forty-eight points or portion thereof by which respectively the index number exceeds one thousand seven hundred and forty-four or is less than one thousand six hundred and seventy-two;

(b) In the case of adult male officers—
   by increase or decrease of six pounds per annum in respect of each forty-eight points or portion thereof by which respectively the index number exceeds one thousand seven hundred and forty-four or is less than one thousand six hundred and seventy-two.

(2) Any variation made in pursuance of sub-regulation (1) of this regulation shall take effect on the first day of July next following the notification in the *Gazette* of the index number, and shall continue in force for a period of twelve months.

(3) In this regulation “index number” means the Harvester-all-items index number (“D” Series) published in the *Gazette* by the Commonwealth Statistician as being the retail price index number ascertained in respect of food, groceries, housing (rent of houses of four or five rooms only), clothing and miscellaneous expenditure combined.

45. An employee who is paid under the provision of any arbitration determination or State award shall be dealt with for purposes of overtime, Sunday duty and travelling time, under the conditions of such determination or award. In the event of such determination or award containing no provision for overtime, Sunday duty and travelling time payments, the provisions of these Regulations shall apply.

46. (1) Overtime shall be recorded and paid to officers in accordance with the conditions prescribed in any relative determination under the *Arbitration (Public Service) Act* 1920-1934 and, in the absence of any such determination, in accordance with such conditions as the Naval Board directs, and subject to the provisions of these Regulations.

(2) "Night work" shall be deemed to be work any portion of which is performed between 12.30 p.m. and 4 a.m.

(3) "Broken shift" shall be deemed to be a shift in which any break exceeds two hours.

(4) Where an officer or employee is required to work in alternating weeks or longer periods above and below the prescribed hours of duty, overtime shall be the aggregate time worked during such alternating periods in excess of the prescribed weekly hours multiplied by the number of weeks covered by such periods.
(6) The hourly rate of overtime, based on time and a half, shall be calculated in accordance with the following formula:

\[
\text{Annual salary} \times \frac{6}{313} \times \frac{\text{Prescribed weekly hours before}}{2} \times \frac{3}{2} = \text{overtime is payable.}
\]

(6) The hourly rate of pay for overtime shall be computed to two decimal points of a penny with a minimum rate, except where otherwise prescribed, of 1s. per hour. Overtime shall be calculated to the nearest quarter of an hour of the total amount of overtime to be claimed in each pay period.

(7) An allowance paid to an officer or employee for the performance of higher duties, and allowances granted in such other cases as the Naval Board determines, shall be regarded as salary for the purpose of computing overtime payment.

(8) Where an officer or employee who has ceased work for the day is recalled for duty, such duty shall be recorded as overtime and shall include the time necessarily spent in travelling to the place of duty and returning to his home.

(9) Where an officer or employee is required to perform, outside his usual hours, work for some Department or branch of a Department other than that to which he is attached, and that work is not paid for by allowance or payment of similar nature, the time worked by the officer or employee beyond the usual hours shall be regarded as overtime.

Provided that where the work is performed in connexion with another branch of his own Department, the approval of the Naval Board shall be obtained to the application of the provisions of this sub-regulation.

(10) Where an officer or employee in consequence of having worked overtime, is released from ordinary duty, there shall be deducted from any payment to be made for overtime the value, computed at the ordinary rate of pay, of the time during which he has been released from duty.

(11) When overtime is computed on a weekly basis and an officer or employee is absent on one or more days or half-days during the week on authorized leave, or on account of public holidays or half-holidays, deductions as provided in this sub-regulation shall be made from the number of hours to be worked before overtime can be claimed:

(a) in the case of an officer or employee whose daily hours of duty are clearly defined by regulation, schedule, or otherwise, the deduction shall be the time which the officer or employee would ordinarily have worked on those days or half-days;

(b) in the case of an officer or employee whose daily hours of duty vary with the volume of work to be performed, a deduction at the rate of one-twelfth for a public half-holiday and one-sixth for a public holiday, and a corresponding reduction for authorized leave, shall be made.

Provided that when a public holiday is proclaimed on a day on which an officer or employee would ordinarily be required to attend for only portion of a day the deduction shall be the time which the officer or employee would ordinarily have worked on that day.
(13) In respect of cases not provided for by this regulation, the Naval Board may from time to time determine the conditions under which overtime shall be recorded and paid.

(13) An officer or employee not working under close supervision, or whose hours of duty cannot be definitely determined, such as a caretaker (in residence), messenger, or watchman, shall not be entitled to claim overtime except as prescribed in sub-regulation (9) of this regulation, or in such cases as are specially approved by the Naval Board, nor shall any officer in receipt of salary exceeding £450 per annum be so entitled.

47. (1) Where an officer or employee whose ordinary hours of duty are between 7.30 a.m. and 5.6 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 employee 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, and such attendance necessitates his obtaining a meal away from home, he shall be granted a meal allowance on the following scale:—

<table>
<thead>
<tr>
<th>Salary</th>
<th>Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>£750 and over</td>
<td>4 0</td>
</tr>
<tr>
<td>£500 and under £750</td>
<td>3 0</td>
</tr>
<tr>
<td>£400 and under £500</td>
<td>2 0</td>
</tr>
<tr>
<td>Under £400</td>
<td>2 0</td>
</tr>
</tbody>
</table>

(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.

48. The Naval Board may approve of payment being made to an officer or employee who is on duty away from his usual station in respect of the time, or portion of the time, necessarily spent in travelling in excess of his usual hours of duty for the day.

49. (1) An officer or employee in occupation of Government quarters for purposes of residence shall have deducted from his salary or wages by way of rent such amount as may be fixed by the Naval Board, provided that in exceptional circumstances, the Minister may, on the recommendation of the Naval Board, approve of the deduction being waived.

(2) An officer or employee who occupies for the purpose of residence any building belonging to or occupied by the Commonwealth is prohibited from subletting any portion of the building without the consent in writing of the Officer-in-Charge.

50. (1) Where the performance of Sunday duty is necessitated by public requirements, every officer or employee called upon for such duty shall be liable therefor under the conditions provided in this regulation; provided, however, that an officer or employee possessing conscientious scruples against Sunday duty may be granted permission to furnish a substitute.
Provided further that the provisions of this regulation in regard to extra pay shall not apply to an officer or employee in receipt of salary in excess of £150 per annum except with the approval of the Naval Board.

(2) Subject to these Regulations, an officer or employee who is required to attend for duty on a Sunday shall be paid for such attendance at the rate of time and a half for the period of attendance.

(3) An officer or employee who has been required to perform a full day's duty on a Sunday shall, wherever practicable, be granted a day off duty during the six days succeeding that Sunday, and in such case the payment for Sunday attendance shall be half a day's pay.

(4) Where an officer or employee resides on the premises where his duties are performed, and his attendances on Sundays are intermittent or for brief periods, he shall not, except with the approval of the Naval Board, be entitled to claim extra pay for such attendances. If payment be approved it shall be at the rate of time and a half, but not less than two shillings.

(5) In computing payments for duty performed on Sunday the following conditions shall be observed:

(a) Scheduled duty terminating at 2 a.m. or earlier on Sunday shall not be paid for at Sunday rates unless the officer or employee is again required to be on duty on the same day.

(b) Scheduled duty commencing at 10 p.m. or later on Sunday shall not be paid for at Sunday rates unless the officer or employee has already been on duty on the same day.

(c) Subject to the provisions of (a) and (b) Sunday pay shall be granted for any scheduled duty between midnight on Saturday and midnight on Sunday.

PART V.—HOLIDAYS AND LEAVE OF ABSENCE.

51. (1) The following days, or any days proscribed under the law public of any State to be observed in lieu thereof in that State, shall be observed as holidays, in naval establishments, on full pay, namely:

- 1st day of January;
- 26th day of January;
- Christmas Day and the following day;
- Good Friday and the following Saturday and Monday;
- 25th day of April;
- The anniversary of the Birthday of the Sovereign;
- 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, except the 25th day of April, falls upon a Sunday, the next following Monday shall be observed as a holiday in lieu of such Sunday.

(3) In addition to the holidays proscribed in sub-regulation (1) of this regulation, there may be observed as public holidays or half-holidays such additional holidays or half-holidays, not exceeding, in the whole, four in any calendar year, as are prescribed by the Naval Board.

(4) In addition to the days hereinafore named, any specified day or half-day appointed by the Governor-General may be observed as a holiday or half-holiday.
(5) Where the attendance and services of an officer or employee are required during any holiday or half-holiday authorized under the provisions of sub-regulation (3) of this regulation, such officer or employee shall be granted a period off duty in lieu of the holiday or half-holiday or portion of a holiday so worked, such period off duty being added to the officer's or employee's next ensuing recreation leave.

Provided that no period off duty in respect of work performed on any holiday shall be less than one half-day.

(6) An officer or employee absent without leave on the day before or after a holiday for which pay is allowed shall not receive pay for such holiday.

(7) The rate paid for public holidays occurring during absence on leave shall be the same as that allowed for the period of leave in which the holiday occurs.

52. The Naval Board may require any naval establishment, 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 an officer or employee of such naval establishment during any such holiday; but in that case the officer or employee shall except as prescribed in regulation 51, sub-regulation (5), be granted an amount equal to a day's salary, calculated in the prescribed manner, if a full day's attendance has been required, and a proportionate amount if less than a full day's attendance has been required.

Provided that no proportionate payment shall be less than one half-day's salary calculated in the prescribed manner.

53. In each year, at such time and for such period as may be approved by the Minister, any naval establishment may be closed down.

54. (1) A day's salary for the purpose of payment for duty performed on a holiday shall be calculated by multiplying the hourly rate of salary by the number of hours in an ordinary day's duty for the day on which the holiday occurs, and one-half day's salary shall be half a day's salary so calculated.

(2) The hourly rate of salary shall be calculated in accordance with the following formula:

\[
\text{Annual salary} \times \frac{6}{313} \times \text{Prescribed weekly hours.}
\]

(3) For the purposes of sub-regulations (1) and (2) of this regulation, salary shall include any allowance granted for the performance of higher duties.

55. (1) In each year the Officer-in-Charge may grant leave of Recreation absence on full pay to an officer or employee who shall have been continuously employed in a naval establishment for twelve months prior to application, as follows:

- Officer . . . . . . . . 3 working weeks.
- Employee . . . . . . . . 2 working weeks.

exclusive of Sundays and holidays. Such leave shall, however, be dependent upon the good behaviour and regular attendance of the officer or employee.
(2) An employee about to be discharged through no fault of his own, or at his own request, may, on the approval of the Officer-in-Charge, be granted payment for recreation leave due under this regulation.

56.—(1) When an officer has continued in the Commonwealth service for at least twenty years, the Naval Board may grant to him leave of absence for a period not exceeding one month and a half on full salary, or three months on half salary, in respect of each completed five years of continuous service.

Provided that an officer shall not be granted leave of absence to exceed a continuous period of twelve months at any one time.

Provided further that in the case of any officer appointed after the 25th day of November, 1924, the service which shall be taken into account for the purposes of this regulation and regulation 57 shall not include any service in a temporary capacity.

Provided further that the continuous temporary service of any person who commenced employment under these Regulations prior to the 26th day of November, 1924, and who is appointed an officer at some subsequent date shall be regarded as service for the purposes of this regulation and regulation 57.

(2) When an officer who has continued in the Commonwealth service for at least twenty years is retiring from the Commonwealth service, the Naval Board may authorize payment to him upon retirement of a sum equivalent to the salary for a period of leave not exceeding that which the officer could have been granted under sub-regulation (1) of this regulation.

(3) Upon the death of any officer who at the date of his death was eligible under this regulation for the grant of leave of absence, the Naval Board may authorize payment to the dependants of the officer of a sum equivalent to the amount of salary which would, under this regulation, have been granted to the officer had he retired immediately prior to the date of his death.

(4) Notwithstanding anything contained in this regulation—

(a) there shall not be granted under this regulation, in respect of the service of any officer, leave of absence or pay on retirement or death exceeding in the whole twelve months on full salary or its equivalent;

(b) except upon retirement of an officer under regulation 32, leave of absence for recreation shall not be granted under regulation 55 in respect of the year in which leave of absence granted under this regulation commences, and if leave of absence for recreation has been granted in the year in which leave of absence granted under this regulation commences, it shall be regarded as part of the period of leave of absence granted under this regulation.

Provided that the total period of leave of absence for recreation which may, under the provisions of this paragraph, be withheld, or regarded as part of the period of leave of absence granted under this regulation, during any
officers' period of service, shall not exceed the period of leave of absence for recreation which may be granted in respect of one year of service; and

(c) the official conduct record of an officer shall be taken into consideration in determining whether the whole or any portion of the leave of absence or pay provided in this regulation may be granted.

57. (1) The Naval Board may grant to any officer, whose period of service is less than twenty years, who is not eligible for furlough under regulation 56, immediately prior to his retirement from the Commonwealth service on, or subsequent to, his attaining the age of 60 years, leave of absence on full salary for a period not exceeding that appropriate to his service as specified in the following scale:

<table>
<thead>
<tr>
<th>Service</th>
<th>Leave</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 years and less than 20 years</td>
<td>5 months.</td>
</tr>
<tr>
<td>12 years and less than 16 years</td>
<td>4 months.</td>
</tr>
<tr>
<td>8 years and less than 12 years</td>
<td>3 months.</td>
</tr>
<tr>
<td>4 years and less than 8 years</td>
<td>2 months.</td>
</tr>
</tbody>
</table>

(2) In lieu of leave in accordance with sub-regulation (1) the Naval Board may authorize payment to an officer, eligible for leave in pursuance of this regulation, upon his retirement from the Commonwealth service, of a sum equivalent to the salary for a period of leave not exceeding that which the officer could have been granted under this regulation.

(3) Where an officer who is less than 60 years of age retires from the Commonwealth service after less than twenty years' service, and pronounces to the Naval Board satisfactory evidence that his retirement is due to ill-health and that such ill-health is permanent and not due to misconduct or to causes within his own control, the Naval Board may authorize payment to the officer of a sum equivalent to the salary for a period of leave not exceeding that for which, had he attained the age of 60 years, he would have been eligible under sub-regulation (1) of this regulation.

(4) In the event of the death of an officer before he has completed twenty years' service in the Commonwealth service either before or after he has attained the age of 60 years, the Naval Board may authorize payment to the dependants of the officer of a sum equivalent to the salary for the period of leave which the officer would have received had he been eligible for, and granted leave of absence under sub-regulation (1) of this regulation.

(5) The official conduct record of an officer shall be taken into consideration in determining whether the whole or any portion of the leave of absence or pay provided in this regulation may be granted.

58. (1) A person other than an officer who commenced employment under these Regulations prior to 20th November, 1924, shall be eligible for the grant of furlough or extended leave under the conditions and scale prescribed for an officer in regulations 56 and 57.

(2) In the event of the death of such a person before or after he has completed twenty years' service, payment may be made to his dependants under the conditions prescribed in regulations 56 and 57.
59. (1) Leave of absence for the purpose of attending Naval, Military or Air Force training may be granted under the following conditions by the Officer-in-Charge in any year ending on the thirtieth day of June to an officer or employee who is a member of the Defence Force:—

(a) For attendance for training of the unit or corps to which the officer or employee belongs—With full pay for the minimum annual training required in the year of his unit or corps.

(b) For attendance at one school, class, or course of instruction in the year—With full pay for two days, and without pay for any additional period for which the attendance of the officer or employee is required.

Provided that evidence of the necessity for such attendance shall be submitted with the application of the officer or employee, and, at the conclusion of the camp, school, class or course of instruction, the officer or employee shall produce to the Officer-in-Charge a certificate of attendance thereto.

Provided also that if it would not be in the public interest to grant leave of absence under this regulation to an officer or employee for the purpose of attending a camp, school, class or course of instruction of his own unit or corps, the Officer-in-Charge may grant in lieu leave of absence as prescribed in this regulation for the purpose of attending an equivalent camp, school, class or course of instruction of another unit or corps.

(2) Leave of absence granted with pay under this regulation shall not be deducted from recreation leave.

(3) An officer or employee who, while undergoing the training referred to in this regulation, sustains injury or contracts illness necessitating his absence from duty beyond the period of leave with full pay granted under this regulation may be granted leave on the following terms:—

(a) If compensation is not paid to the officer or employee by the Department of Defence in respect of such absence, the leave may be granted as sick leave.

(b) If compensation is paid, and is equal to or exceeds the amount of remuneration which the officer or employee would have received had he been granted sick leave, the leave shall be granted without pay.

(c) If compensation is paid, and is less than the amount of remuneration which the officer or employee would have received had he been granted sick leave, he shall be paid the difference and his sick leave credit shall be reduced as if he had been granted sick leave with pay corresponding to the amount of the difference.

Provided that where an employee's services are not further required, leave shall only be granted to the date on which he would have ordinarily ceased duty.

60. The Naval Board may, in cases of pressing necessity, grant to any officer leave not exceeding three months, and such leave shall be without pay.
61. With the approval of the Minister, on the recommendation of the Naval Board, leave of absence, without pay, may be granted to an officer for a period not exceeding twelve months, but the period of such leave shall not for any purpose be included as part of such officer’s period of service.

62. (1) The Officer-in-Charge may, upon sufficient cause being shown, grant any officer leave of absence not exceeding three days in any twelve months.

(2) All such periods of leave shall be properly recorded, and at the discretion of the Officer-in-Charge may be deducted from the next recreation leave.

Provided that where the leave is not so deducted and payment is made for overtime worked during the thirty days succeeding such leave, the period of leave, or, where the period of leave exceeds the period of overtime, so much of the period of leave as is equivalent to the period of overtime, shall be without pay.

(3) In addition to leave granted under sub-regulation (1) of this regulation, the Officer-in-Charge may grant leave to an officer to attend any examination which is required to be passed as a condition of advancement or any examination of a university in subjects a knowledge of which would, in the opinion of the Officer-in-Charge, increase an officer’s usefulness in the service.

Provided that leave so granted in excess of five days in any period of twelve months shall, at the option of the officer, be granted without pay or deducted from the officer’s next recreation leave.

63. (1) Applications for leave of absence on the ground of illness shall be supported by the certificate of a duly qualified medical practitioner.

Provided that the Officer-in-Charge may grant leave of absence on the ground of illness, without production of a medical certificate, to the extent of three days in the aggregate in any twelve months, subject to any continuous period of leave so granted not exceeding two days.

(2) Subject to sub-regulation (1) of this regulation where sick leave is granted without the production of a medical certificate or other evidence approved by the Naval Board, such leave shall be without pay.

64. (1) In the case of the illness of an officer, the Officer-in-Charge may, on production of satisfactory medical evidence, grant the officer leave of absence in accordance with the scale and conditions prescribed in the Commonwealth Public Service Arbitrator’s Determination No. 39/1926, as amended from time to time.

65. (1) Where an officer has been absent through illness for thirteen weeks continuously, and application for further leave is made, the Officer-in-Charge may, subject to these Regulations, provisionally grant further leave, but all such applications with supporting evidence of illness shall be forwarded to the Naval Board for determination.

(2) The granting of such further leave shall be subject to the officer being examined by a naval medical officer or other medical practitioner approved by the Naval Board.
68. If any officer is absent from duty on account of illness, and such absence has extended beyond thirteen weeks continuously, he shall not be permitted to return to duty unless and until a naval medical officer, or other medical practitioner approved by the Naval Board has certified that he is fit to resume work.

Provided that where an officer resumes duty after a lesser period than thirteen weeks' continuous absence due to illness, the Officer-in-Charge may, if he is of opinion that the officer is not fit to resume duty, direct him to submit himself for examination by an approved medical officer or practitioner, and if the examination discloses that the officer is unfit to resume duty, the Officer-in-Charge shall grant such further leave of absence on account of illness as the medical report indicates to be necessary.

67. (1) If the Officer-in-Charge has reason to believe that an officer is in such a state of health as to render him a danger to his fellow officers or the public, he may require the officer to obtain and furnish a report as to his condition from a duly qualified medical practitioner, or may require him to submit himself for examination by a naval medical officer or medical practitioner named by the Officer-in-Charge.

(2) Upon receipt of the medical report the Officer-in-Charge may direct the officer to absent himself from his duties for a specified period, or, if already on leave of absence, direct him to continue on leave for a specified period, and the officer's absence shall be regarded as absence on leave owing to illness.

68. (1) No leave shall be granted with pay on account of illness caused by the misconduct of the officer, or in any case of absence from duty without sufficient cause.

(2) Where the Officer-in-Charge or any officer approved by the Officer-in-Charge has occasion for doubt as to the cause of the illness or the reason for the absence, he may instruct a medical practitioner to visit and examine the officer, or may direct such officer to attend on a medical practitioner for examination.

(3) If the report of the medical practitioner is not favorable to the officer concerned, or if the officer is not available for examination at the time of the medical practitioner's visit without, in the opinion of the Officer-in-Charge, reasonable cause therefor, a fee for the examination or visit shall be charged against the officer and may be deducted from his salary.

(4) The fee for examination if conducted at the medical practitioner's rooms shall be 10s. 6d., but if the medical practitioner is required to visit the officer the fee shall be £1 1s.

Provided that where the distance travelled would, in the opinion of the Officer-in-Charge warrant a greater fee than £1 1s., such fee may be paid as is arranged between the Officer-in-Charge and the medical practitioner.

(5) The fee shall be paid to the medical practitioner unless he is a permanent officer of the Commonwealth, when it shall be paid into the Consolidated Revenue.
(6) An officer shall submit himself to medical examination, when required to do so, by the medical practitioner selected by the Officer-in-Charge, or any officer approved by the Officer-in-Charge.

60. (1) A temporary officer who is a returned soldier may be granted leave of absence on account of illness, subject to the following conditions:—

(a) he shall apply in writing, stating the cause of absence;

(b) where he has not completed 26 days' actual duty the Officer-in-Charge, if satisfied that the absence is due to illness, may grant the temporary officer leave of absence without pay;

(c) where he has completed 26 days' actual duty, the Officer-in-Charge may, if satisfied that the absence arises from illness due to causes beyond the temporary officer's own control, grant leave of absence as follows:—

(i) with pay, at the rate of one day for each 26 days of service in respect to which no sick leave with pay has been previously granted;

(ii) without pay, at the rate of two days for each 26 days of service;

(d) the leave granted under this sub-regulation in any twelve months shall not exceed twelve days with pay and 24 days without pay.

(e) Unless otherwise directed by the Officer-in-Charge the production of a medical certificate shall not be necessary in respect of single-day absences not exceeding two in the preceding twelve months; otherwise all applications for sick leave to cover absence through illness shall be supported by a medical certificate.

Provided that where satisfactory medical evidence is produced that the illness originated from active service, the Naval Board may determine the conditions under which leave shall be granted.

(2) A temporary officer who is not a returned soldier may be granted leave of absence on account of illness if the Officer-in-Charge is satisfied that the absence arises from illness due to causes beyond the temporary officer's own control, subject to the following conditions:—

(a) application for leave shall be made in writing stating the cause of absence and, if the leave is applied for with pay, supported by a medical certificate when absence exceeds one day or the temporary officer has previously been absent for one day with pay on two or more occasions in the preceding twelve months;

(b) during the first twelve months of continuous service the leave granted shall not exceed 24 days and shall be without pay; and

(c) after completion of twelve months' continuous employment the leave granted shall be at the rate of one day with pay and two days without pay for every 26 days' service, but not more than six days with pay and 24 days without pay shall be granted in any twelve months.
(3) Notwithstanding anything contained in this regulation, where a temporary officer sustains physical injury while on duty, or in circumstances in which the action of the temporary officer is regarded by the Officer-in-Charge as being so meritorious in the public interests as to warrant special consideration, the Naval Board may determine from time to time the period of leave of absence on account of such injury which may be granted to that temporary officer and the conditions under which the leave may be granted.

70. (1) Applications for leave of absence on the ground of illness due to an injury sustained in the discharge of duty shall be supported by the certificate of a duly qualified medical practitioner approved by the Officer-in-Charge.

(2) Subject to such instructions as may be issued by the Naval Board, the Officer-in-Charge, in cases of injury on duty, may, on production of satisfactory evidence, provisionally grant weekly payments in accordance with the provisions of the Commonwealth Employees' Compensation Act 1930.

(3) No leave on account of illness or injury shall be granted with pay if the illness or injury has been caused by the misconduct of the employee, to satisfy himself on which point the Officer-in-Charge may send a medical officer to attend on and examine such employee at his residence.

PART VI.—TRAVELLING AND REMOVAL EXPENSES.

71. (1) An officer or employee transferred from one locality to another because of misconduct shall pay the whole cost of transfer unless otherwise determined by the Naval Board.

(2) Except as provided in regulation 72 an officer or employee transferred from one locality to another at his own request shall bear the whole cost of his removal.

72. When an officer or employee is transferred—
(a) in the public interest;
(b) in the ordinary course of promotion;
(c) on account of illness, due to causes over which the officer or employee has no control, subject, if considered necessary by the Naval Board, to satisfactory medical evidence;
(d) after a residence of three years or over in an isolated locality; or
(e) to fill a vacancy occurring at a place described in paragraph (d)—
the actual cost of conveyance of such an officer or employee, together with his wife and children, and of removal of furniture and household effects, subject to the provisions of regulation 73 shall be paid by the Department.

73. (1) Payment of the cost of removing furniture and household effects shall be subject to the following limitations:

<table>
<thead>
<tr>
<th>Salary or Wages</th>
<th>Maximum Amount Allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>£</td>
<td>35</td>
</tr>
<tr>
<td>£200 to £500 per annum</td>
<td>40</td>
</tr>
<tr>
<td>Over £500 per annum</td>
<td>50</td>
</tr>
</tbody>
</table>
Provided that, where it is shown to the satisfaction of the Naval Board that removal cannot be effected for the amount prescribed above as the maximum, the Naval Board may authorize the payment of such amount as will, in their opinion, cover the reasonable cost of removal.

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

(3) Where an officer or employee elects to dispose of his furniture and effects instead of removing them to his next station, the Naval Board may authorize payment to the officer of an amount equal to the loss shown, to the satisfaction of the Naval Board, to have been sustained in the disposal, but not exceeding the amount for which removal might have been effected under this regulation.

(4) An officer or employee shall not be entitled to any compensation from the Commonwealth for losses or damages arising from removal.

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

(6) No payment shall be admitted for purposes of this regulation unless vouchers are produced.

74. (1) For the purpose of calculating any allowance payable to an officer or employee under regulations 75 to 83, the maximum salary of the position occupied by the officer or employee shall not be deemed to be affected or varied by the provisions of the Financial Emergency Act 1931-1935, or to have been varied by the provisions of regulation 44.

(2) Where any allowance under regulations 75 to 83 is payable for less than a day, the allowance shall be at an hourly rate of one twenty-fourth part of the daily rate or one hundred and sixty-eighth part of the weekly rate, as the case may be.

75. (1) Subject to these Regulations, the following shall be the scale of travelling allowances for officers and employees:

<table>
<thead>
<tr>
<th>Salary Range</th>
<th>Allowance Capital Cities</th>
<th>Allowance other than Capital Cities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>First Fourteen Days' Residence</td>
<td>After Fourteen Days' Residence</td>
</tr>
<tr>
<td></td>
<td>Married Officer</td>
<td>Unmarried Officer</td>
</tr>
<tr>
<td></td>
<td>Per day, s. d.</td>
<td>Per week, s. d.</td>
</tr>
<tr>
<td>£312 and under</td>
<td>12 0</td>
<td>42 0</td>
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<tr>
<td>£313 to £480</td>
<td>14 0</td>
<td>60 0</td>
</tr>
<tr>
<td>£481 to £708</td>
<td>17 0</td>
<td>63 0</td>
</tr>
<tr>
<td>£709 to £999</td>
<td>20 0</td>
<td>70 0</td>
</tr>
<tr>
<td>£1,000 and over</td>
<td>(a)</td>
<td>(b)</td>
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</table>

(a) As may be determined from time to time by the Naval Board.
(2) Where allowance has been paid to an officer or employee under this regulation for eight weeks' residence in one locality, the Officer-in-Charge shall submit the case to the Naval Board for review. No such allowance shall be continued beyond three months without the concurrence of the Naval Board, and if, upon review, the Naval Board considers the amount excessive it shall be discontinued or reduced to such amount as the Naval Board thinks fit.

(3) No allowance, other than for expenses necessarily incurred, shall be paid under this regulation in any case where an officer or employee is not required to be absent from his headquarters over night.

76. (1) An officer or employee temporarily transferred to perform duty at another station or stations other than in a capital city, involving absence from home for a period of not less than six weeks shall subject to the provisions of sub-regulation (2) of regulation 75, be paid an allowance on the following scale, provided—

(a) that the officer or employee is informed in writing before leaving his head-quarters of the allowance to be paid; and

(b) that a period of not less than three weeks elapses between the time of first arrival in and time of ultimate departure from any town.

<table>
<thead>
<tr>
<th>Where Maximum Salary of Position is—</th>
<th>One Week or More.</th>
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<tr>
<td></td>
<td>Married Officers</td>
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<td>£312 and under</td>
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<td>£313 to £480</td>
<td>12 0</td>
</tr>
<tr>
<td>£481 and over</td>
<td>14 0</td>
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</table>

(2) Officers or employees whose place of work is variable within a specified district shall, subject to the provisions of sub-regulation (2) of regulation 75, be paid an allowance as prescribed in sub-regulation (1) of this regulation, provided—

(a) that the officer or employee is informed in writing before leaving his head-quarters of the allowance to be paid; and

(b) that a period of not less than two weeks elapses between the time of first arrival in and time of ultimate departure from any town.

(3) If, in any case, it is proved to the satisfaction of the Naval Board that the allowance paid under this regulation is insufficient to meet extra expenses necessarily incurred, the Naval Board may increase the allowance.
77. (1) When an officer or employee travels by steamer or by railway, and the fare paid includes subsistence, one-quarter of the ordinary rates to which the officer or employee would be entitled shall be allowed.

(2) Where an officer or employee is provided with subsistence and lodging, the Naval Board shall determine what allowance, if any, shall be granted, but any allowance granted shall not exceed one-quarter of the amount specified in the scale of travelling allowances, according to the period of residence in the same place.

(3) Where an officer or employee is provided with subsistence without lodging, or is provided with lodging without subsistence, the Naval Board may reduce the prescribed travelling allowance, but the allowance shall not be reduced by more than one-third in any case where lodging only is provided, and by not more than two-thirds where subsistence only is provided.

78. Travelling allowance shall be in addition to the cost of conveyance. The period for which travelling allowance may be claimed shall be computed from time of departure to time of arrival on return, or the train, steamer, or other conveyance by which an officer or employee travels.

Provided that in the case of an officer or employee travelling on permanent transfer, to whom the provisions of regulation 72 are applicable, the period shall be computed to time of arrival at the place to which he has been transferred.

79. Where an officer or employee in receipt of a weekly rate of allowance is required to leave his temporary head-quarters for a period of less than one week, he shall be paid, in respect of such absence, travelling allowance as prescribed and, in addition, an amount to meet any extra expense necessarily incurred, but not exceeding the amount which would have been paid had he remained at his temporary station.

80. Upon proof to the satisfaction of the Naval Board that the travelling allowance payable to an officer or employee under these Regulations is either insufficient to cover or in excess of any expense reasonably incurred, the Naval Board may vary the allowance.

81. (1) When an officer or employee absent from his head-quarters on duty is obliged by illness not due to his own fault to take sick leave, and he is unable to return to his own home, he may be paid an allowance to the extent of the proved costs to him of such illness, but not exceeding the sum to which he would have been entitled under the regulations governing travelling or relieving allowance had he been on duty for the period involved.

(2) The operation of this regulation shall be subject to the conditions prescribed in sub-regulation (2) of regulation 75.

82. (1) While travelling on duty an officer or employee shall travel by railway if the cost be not greater than by other means of conveyance.
(2) Whenever an officer or employee does not travel by railway he shall, upon furnishing a receipt for the payment, be repaid the actual cost of the necessary and most economical means of conveyance. A receipt will not be required for any amount not exceeding 5s.

83. (1) An officer or employee, the maximum salary of whose position does not exceed £336 per annum, shall be required to travel second class, and in other cases first class transport shall be provided.

Provided that in special circumstances the Naval Board may provide first class transport for any officer or employee.

(2) In determining the maximum salary of the position of an officer or employee for the purpose of this regulation, variations of salary made in the manner set forth in regulation 44 shall not be taken into account.

PART VII.—APPRENTICES.

84. Apprentices may be engaged for employment in the various trades in His Majesty's Australian Naval Establishments, Sydney.

(2) Apprentices engaged prior to 1st February, 1936, shall be subject to the conditions prescribed in these Regulations.

(3) After 1st February, 1936, apprentices shall be engaged under the conditions prescribed by the Naval Board.

85. (1) There shall be an Apprenticeship Committee, the members of which shall be appointed by the Naval Board.

(2) It shall be the function of the Apprenticeship Committee to interview personally all candidates who qualify educationally to ascertain their suitability for entry as apprentice to the trade selected, and to make suitable recommendations to the Naval Board in each case.

86. (1) To be eligible for entry as apprentice, a candidate shall comply with the conditions prescribed in the following sub-regulations except as provided in regulation 89.

(2) In a year when the entrance examination is held after 30th June, he shall not have been less than thirteen years of age nor have attained the age of sixteen years on 31st March of that year.

(3) In a year when the entrance examination is held on or before 30th June, he shall not have been less than fourteen years of age nor have attained the age of seventeen years on 31st March of that year.

(4) He shall be medically examined by a medical officer appointed by the Naval Board, and shall be rejected on medical grounds if his physical condition does not comply with the following standards:

(a) he shall be in good health and of sound constitution, and be free, as far as can be ascertained, from any disease or defect that would unfit a candidate for the duties of an artisan;

(b) hearing shall be unimpaired;
(c) the sight of both eyes shall be sufficiently good for the performance of any work. The standard of eye-sight shall not be less than 6-9ths in each eye without glasses, or 6-19ths corrected to normal by glasses;

(d) he shall possess sufficient teeth, natural or artificial, with which he can masticate his food and keep himself in good health;

(e) he shall be, in the opinion of the medical officer, of good general physique, but no definite standard of measurements shall be prescribed.

(5) He shall be of pure European descent and the son of natural-born or naturalized British subjects.

(6) He shall pass a competitive educational examination approved by the Naval Board.

87. (1) The sons of persons who are deceased or totally and permanently incapacitated as a result of active service in the Royal Australian Navy or in an expeditionary force raised under the provisions of the Defence Act 1903-1904, are, if otherwise eligible under the provisions of regulation 86, eligible for entry as apprentices under the conditions prescribed in the following sub-regulations.

(2) In cases where there are more than one but less than four vacancies for apprentice in any one trade, one vacancy, and where there are four vacancies or more in any one trade, one vacancy for each group of four or fraction thereof, shall be reserved for candidates eligible under sub-regulation (1) of this regulation.

(3) Candidates for entry under this regulation shall compete among themselves at the educational examination for the vacancy or vacancies reserved for them in each trade, provided that such a candidate who is not successful in securing an entry under the provisions hereof shall afterwards be considered on the merits of his educational examination for competition with the other candidates for entry under regulation 86.

88. (1) In the event of a vacancy specially reserved for candidates under regulation 87 not being filled, such vacancy shall be allotted to other candidates applying for entry under the provisions of regulation 86.

(2) A position which would have been filled by a candidate who is eligible for entry by reason of his position on the examination list, but is not entered because he is considered by the Apprenticeship Committee for any reason to be unsuitable for entry, shall be filled by selection from other qualified candidates in their order of merit on the examination list.

89. An apprentice in the employment of a private establishment may, with the approval of the Naval Board, be specially entered as an apprentice if a vacancy exists, provided that such vacancy for any reason cannot be filled by a candidate qualified for entry by passing the educational examination, on the condition that he—

(a) produces satisfactory evidence of his having attained an educational standard at least equivalent to that prescribed for ordinary candidates for entry to the trade in question;
(b) is medically fit as prescribed in regulation 86;
(c) produces his indenture to the private establishment;
(d) is considered by the Apprenticeship Committee as suitable for entry.

90. Before a successful candidate who is liable to undergo compulsory training under Part XII. of the Defence Act 1903-1914 is entered he shall produce evidence that he has rendered the personal service required, or has been granted exemption therefrom.

91. (1) The period of apprenticeship shall be five years; provided that any time served as apprentice in the employment of a private establishment, by an apprentice entered under the provisions of regulation 89 may, for the purposes of this sub-regulation, be deducted from the period of apprenticeship herein prescribed.

(2) An apprentice shall serve a probationary period of three months, on the expiration of which, if he is considered satisfactory, shall be completed an apprenticeship agreement vide pro forma in Appendix A to which his parents or other legal guardian shall become a party.

(3) There shall be kept a record of all time lost by an apprentice——
   (a) owing to absence without leave, and
   (b) through illness or other absence with approval in excess of fourteen days in any one year,

and such time shall be added to the term of apprenticeship, of which the calendar period of the succeeding year shall not be deemed to begin until the said additional period shall have been served, provided that in exceptional circumstances the Officer-in-Charge may approve of such lost time not being so added.

(4) In any case where the period of apprenticeship shall not have been completed prior to the date on which the apprentice attains the age of twenty-one years, the apprentice shall nevertheless continue to serve his apprenticeship under the conditions of his agreement and the provisions of these Regulations until such time as the prescribed period of apprenticeship shall have been completed.

92. The rates of pay of apprentices shall be in accordance with the appropriate award of the Commonwealth Court of Conciliation and Arbitration or the State Arbitration Court, except as provided in regulation 93.

93. (1) An apprentice whose ability, progress, and general conduct have been satisfactory, who has attended regularly at a State Technical School, and who passes the annual examination of the State Technical Education Department, shall, on the approval of the Officer-in-Charge, be granted an increase of 2s. 6d. per week in his pay for the following year.

(2) An apprentice who is late in attendance at the workshop or the Technical College on twelve occasions or more during the year shall not be granted the increment of pay provided for in sub-regulation (1) of this regulation.
94. (1) An apprentice shall be required to attend a trade course in trade exercises, trade mathematics, and trade drawing, at least three times each week at a State Technical School approved by the Officer-in-Charge.

(2) An apprentice shall pay the fees for his trade course, but the total amount involved shall be refunded by the Government at the conclusion of each school term, provided his attendance and progress have been satisfactory during such period.

95. (1) An apprentice may be permitted to attend a higher course at Government expense at a State Technical College approved by the Officer-in-Charge, if his prior work and progress at the Junior Technical School are considered satisfactory.

(2) An apprentice who is awarded a scholarship at a Technical College shall be provided at Government expense with such text-books and instruments up to the value of £2 per annum as the Superintendent of the Technical College may consider desirable.

96. A sum not exceeding £10 may be allotted annually for distribution as prizes to apprentices at His Majesty's Australian Naval Establishments, Sydney, under such conditions as may be approved.

97. (1) An apprentice who is obliged to live away from his home on account of its inaccessibility or distance from his place of employment may, with the approval of the Officer-in-Charge, be granted an allowance such as will raise his total wages to £2 10s. per week.

(2) In special circumstances and with the approval of the Naval Board, an apprentice who is required to live away from home under the conditions prescribed in sub-regulation (1) of this regulation may be granted such additional allowance as the Officer-in-Charge may consider is warranted, but not so as to increase his total wages to more than £2 10s. per week.

98. Leave shall be granted to apprentices under the same conditions as apply generally to other employees at His Majesty's Australian Naval Establishments, Sydney.

99. Time lost by an apprentice on account of illness shall be Lost time.

100. An apprentice, on first taking up duty, may be refunded the Refund of cost of taking up appointment.

Part VIII.—Miscellaneous.

101. (1) For the purpose of ascertaining whether an offence is being or has been committed or attempted at any naval establishment, a member of the Naval Dockyard Police may, without warrant, detain
and search any person who is in a naval establishment, or any bag, parcel, vehicle, or other receptacle which is in, or is being conveyed into, or out of, a naval establishment, or any ship, boat or aircraft in or alongside or in the vicinity of a naval establishment.

(2) If a member of the Naval Dockyard Police has reasonable ground to believe—

(a) that any person has committed, or attempted to commit, any offence in a naval establishment; and

(b) that proceedings against the person by summons would not be effective, he may, without warrant, apprehend the person and deliver him into the custody of the civil authorities to be dealt with according to law.

(3) For the purposes of this regulation, "offence" means an offence against the common law, the Naval Defence Act 1910-1934, the Control of Naval Waters Act 1918, the Crimes Act 1914-1932 or any other Act relating to naval establishments or government property generally.

APPENDIX "A."

APPRENTICESHIP AGREEMENT.

This Agreement made the

between

of

born on the

hereinafter called "the Apprentice," of the first part,

of

(he, of the said

of the said

), of the second part, and

the Officer-in-Charge of His Majesty's Australian naval establishment at

, who with his successors in his said office or other person appointed from time to time to perform the duties of his said office, is hereinafter called "the Master" (for and on behalf of the Commonwealth of Australia), of the third part: Whereas the party of the second part has requested the Master to take the Apprentice as his Apprentice, for the purposes and on the conditions hereinafter set out; And whereas the Master has agreed so to do subject to the party of the second part entering into the agreements hereinafter set forth: And whereas the Apprentice has voluntarily agreed to become Apprentice to the Master for the said purposes and on the said conditions: Now it is hereby agreed as follows:—

1. In consideration of the agreements of the Master hereinafter contained the Apprentice (with the consent and approbation of the said party of the second part, testified by his being a party hereto), doth by this Agreement, freely and voluntarily put and place himself Apprentice to the Master to learn and exercise the art or occupation of

in the several branches or departments thereto in which apprentices are, or shall, or may be employed

The Apprentice.

Father, Guardian, or next Friend.
in His Majesty's Australian naval establishment at or other places, as may at any time or times during the term of his apprenticeship, be directed by the Commonwealth Naval Board, to serve as an Apprentice with and under the Master for the use and benefit of the Commonwealth Naval Board, for and during, and unto the end of the full term of years, to be computed, save as hereinafter provided, from the day of the date of entry on the yard books.

And the Apprentice doth hereby agree with the Master to continue to serve as aforesaid notwithstanding that the Apprentice may be unable to complete the said term of five years' service before reaching the age of twenty-one years. And the Apprentice at the end of the calendar period of any year in which he has actually given service to the Master, upon less than the ordinary working days of the naval establishments or in which he has voluntarily absented himself without the consent of the Master, doth hereby agree to serve one day for every day short of the said number of working days (less fourteen days), and in the second case for every day of such absence, if the Master shall so order; and the calendar period of the succeeding year of the Apprentice's service shall not be deemed to begin until the said additional days shall have been served.

2. The Apprentice and the party of the second part do severally hereby agree with the Master that he the said Apprentice shall and will during the said term faithfully and industriously serve the Master, and also such persons as he the said Apprentice may be placed under by the Master, and obey all their respective lawful commands, orders, and directions, and will observe all rules and regulations which are or shall be from time to time made by the said Commonwealth Naval Board in respect of apprentices, and will attend a Trade Course at a State Technical School as and when required by the said Rules and Regulations, and generally will diligently conduct himself, and use his best abilities and endeavours towards his improvement and perfection in the said art or occupation of and for the good and benefit of the Commonwealth Naval Board. And also that he the said Apprentice shall not and will not at any time during the said term do, or willingly suffer to be done, any act or thing whatsoever whereby the goods and effects of the Commonwealth of Australia can, shall, or may in any wise be embezzled, injured, or damaged, or its officers or service defrauded, or otherwise prejudiced in any manner howsoever, nor shall, nor will, at any time absent himself from the service or work without the leave of the master or any officers under whose authority he may be placed; nor be guilty by word or action of any immoral, indecent, irregular, or improper conduct or behaviour in any respect whatsoever, but shall and will demean himself at all times with strict propriety and submission to his superiors.

3. The party of the second part doth hereby agree with the Master—

(1) That he the said party of the second part shall from time to time during the said term find and provide for the Apprentice good and sufficient board, lodging, clothing and washing and all other necessaries proper to his personal accommodation and benefit, suitable to his said intended situation, and shall also provide such implements, working tools and instruments as the customs of the trade require to enable him to learn and practise the said art or occupation of

and

(2) If the Master shall under clause 5 hereof have declared this agreement to be void for any of the following reasons, namely—

(a) That the said Apprentice shall for the space of one week during the said term (unless disabled from working by sickness or accident, or unless from some other cause proved to the satisfaction of the Master to be reasonable) have absented himself from his service and employment under this Agreement without the licence and consent of the Master or other person authorized in that behalf, or

(b) That the said Apprentice shall have neglected or been unfit to carry out the reasonable and necessary work required of him, or

(c) That the said Apprentice shall have been guilty of embezzlement or other criminal conduct,
(i) repay to the Master the amount of all fees paid by or on behalf of the Apprentice to any Trade School in respect of any trade classes attended by the Apprentice during the currency of this Agreement and refunded by the Master or the Commonwealth, and

(ii) pay to the Master the amount of all fees expended by the Master or the Commonwealth during the currency of this Agreement for the attendance of the Apprentice at any Technical College, and

(iii) pay to the Master the amount of all fees expended by the Master or the Commonwealth in payment of instructional allowances made to instructors at the establishment where the Apprentice is receiving instruction.

4. In consideration of all and singular the premises the Master doth hereby agree with the Apprentice and the party of the second part, and each of them that he, the said Apprentice, duly observing, performing, and keeping all the agreements on his part hereinafter contained shall be properly taught and fully instructed in the said art or occupation of . And shall during such time as he shall continue at his work be entitled to receive all the wages, earnings, and advantages subject to the proviso hereinafter contained in this paragraph which the Commonwealth Naval Board shall from time to time think proper to allow to apprentices of his description.

Provided that the Master may deduct from the wages payable to the Apprentice amounts proportionate to working time lost by the Apprentice in any year owing to his absence from the Master’s service otherwise than is provided in the appropriate award and the said Rules and Regulations.

5. It is hereby specially stipulated and agreed by and between the said parties hereto, that in case the said Apprentice shall for the space of one week during the said term (unless disabled from work by sickness or accident, the latter arising in or from his employment) absent himself from his service and employment under this Agreement without the license and consent of the Master or other person authorized in that behalf, or shall neglect or be unfit to perform the reasonable and necessary work required of him, or shall be guilty of embezzlement or other criminal conduct, or shall for a period of six consecutive calendar months be disabled from work by sickness, or shall suffer from any disease or complaint that would render his continued employment dangerous to himself or his fellow employees, it shall be lawful for the Master, the approval of the Commonwealth Naval Board having previously been obtained, to declare this Agreement to be void by notice in writing, signed by the Master, and left at the usual or last place of abode of the party of the second part, or if he be dead, or cannot be found, by exhibiting the said notice publicly in the naval establishment, and thereupon this Agreement shall be void accordingly.

6. This Agreement may be terminated by mutual consent or by one calendar month’s notice on either side or one calendar month’s pay in lieu thereof from the Master and the Apprentice may be dismissed without notice in the event of his being guilty of misconduct.

In witness whereof the parties to this Agreement have hereunto subscribed their names, the day and year first above written.

Signed by the said

in the presence of

Signed by the said

in the presence of

Signed by the said

in the presence of

The Apprentice.

Father.

Guardian, or

next Friend.

Master.