

# STATUTORY RULES.

1941. No. .

## REGULATIONS UNDER THE HIGH COMMISSIONER ACT 1909-1940.\*

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 *High Commissioner Act 1909-1940*.

Dated this *Fifth*  
day of *November*, 1941.

(SIGNED) BY HIS EXCELLENCY

Governor-General.

By His Excellency's Command,

Prime Minister.

## HIGH COMMISSIONER (STAFF) REGULATIONS.

### PART I.—PRELIMINARY.

1. These Regulations may be cited as the High Commissioner (Staff) Regulations. Citation.

2. These Regulations are divided into Parts, as follows:— Parts.

PART I.—PRELIMINARY.

PART II.—CLASSIFICATION AND SALARIES.

PART III.—OFFICERS OF THE FIRST AND SECOND CLASSES.

*Division I.—Appointments, Promotions and Transfers.*

*Division II.—Leave of Absence.*

*Division III.—Overtime and Allowances.*

*Division IV.—Offences.*

*Division V.—Retirement.*

*Division VI.—Miscellaneous.*

PART IV.—OFFICERS OF THE THIRD CLASS.

PART V.—ATTENDANCE, HOURS OF DUTY AND HOLIDAYS.

PART VI.—MISCELLANEOUS.

3. In these Regulations, unless the contrary intention appears— Definitions.

“officer” means a person appointed by the High Commissioner in pursuance of the powers conferred upon him by section 9 of the Act;

\* Notified in the *Commonwealth Gazette* on \_\_\_\_\_, 1941.  
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“returned soldier” means any person who enlisted prior to the eleventh day of November, One thousand nine hundred and eighteen and served in the war with satisfactory record in any Expeditionary Force raised under the provisions of the *Defence Act 1903-1918*, 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 services 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, and 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;

“the Act” means the *High Commissioner Act 1909-1940*;

“the Office” means the High Commissioner’s Office;

“the Official Secretary” means the Official Secretary, High Commissioner’s Office;

“the Assistant Secretary” means the Assistant Secretary, High Commissioner’s Office;

“the Service” means the Service of the High Commissioner;

“the War” means the war which commenced on the fourth day of August, 1914.

4.—(1.) The High Commissioner may delegate in writing to the Official Secretary all or any of the powers and functions vested in him by these Regulations, except this power of delegation, so that the delegated powers and functions may be exercised by the delegate as fully and effectually as by the High Commissioner. Delegation of powers and functions of High Commissioner.

(2.) Any delegation under this regulation shall be revocable at will and shall not prevent the exercise of any power or function by the High Commissioner.

5.—(1.) The Official Secretary may delegate in writing to the Assistant Secretary any of the powers and functions vested in him by these Regulations relating to recreation leave, leave of absence under regulation 80 of these Regulations, sick leave and overtime, so that the delegated powers and functions may be exercised by the delegate as fully and effectually as by the Official Secretary. Delegation of powers and functions of Official Secretary.

(2.) Any delegation under this regulation shall be revocable at will and shall not prevent the exercise of any power or function by the Official Secretary.

## PART II.—CLASSIFICATION AND SALARIES.

6.—(1.) The Service shall consist of three Classes, that is to say— Classes.

- The First Class;  
The Second Class; and  
The Third Class.

(2.) The First Class shall include officers who are required to exercise executive or professional functions in the more important offices of the Service, and whose offices the Minister directs to be included in that Class.

(3.) The Second Class shall include clerks, typists and other officers whose offices the Minister directs to be included in that Class.

(4.) The Third Class shall include all officers not included in the First or Second Class.

7. As soon as may be after the commencement of these Regulations, Classification. the Minister shall, having regard to any recommendations of the High Commissioner, classify officers, directing the inclusion of their offices in the respective Classes specified in the last preceding regulation and allotting, subject to these Regulations, to each office in the First and Second Classes limits of salary in accordance with the character and importance of the work required to be performed by the occupant of that office.

8.—(1.) The limits of salary which may be allotted to an office Salaries of officers of the First Class upon classification. in the First Class shall be the limits of such salary range specified in Table A of the First Schedule to these Regulations as the Minister, in pursuance of the last preceding regulation, determines.

(2.) The annual rate of salary payable to an officer upon classification of his office in the First Class shall be such rate specified in Table B of the First Schedule to these Regulations, within the limits of salary allotted, as the Minister determines.

9.—(1.) The limits of salary which may be allotted to an office Salaries of officers of the Second Class upon classification. in the Second Class shall be the limits of such salary range specified in Table A of the Second Schedule to these Regulations as the Minister, in pursuance of regulation 7 of these Regulations, determines.

(2.) The annual rate of salary payable to an officer upon classification of his office in the Second Class shall be such rate specified in Table B of the Second Schedule to these Regulations, within the limits of salary allotted, as the Minister determines:

Provided that, if any such officer, immediately prior to classification, was receiving a rate of salary higher than the maximum rate of the limits of salary allotted to his office upon classification, that officer shall be entitled to be paid at that higher rate so long as he continues to occupy that particular office.

(3.) Notwithstanding anything contained in this regulation—

(a) the minimum rates of salary payable to male clerks twenty-one years of age and under shall be as follows:—

	Per annum.			
	£			
Under 17 years	..	..	..	80
At 17	..	..	..	92
At 18	..	..	..	104
At 19	..	..	..	116
At 20	..	..	..	134
At 21	..	..	..	152

(b) the minimum rates of salary payable to officers twenty-one years of age and under, other than the officers referred to in the last preceding paragraph, shall be as follows:—

				Per annum.
				£
Under 17 years	..	..	..	78
At 17	„	..	..	90
At 18	„	..	..	102
At 19	„	..	..	114
At 20	„	..	..	126
At 21	„	..	..	144

10. An officer of the Third Class shall be paid at the rate provided in the appropriate industrial award (if any) applicable to his trade or calling. If no award is applicable he shall be paid such rate as the High Commissioner, having regard to the nature of his duties, determines from time to time. Salaries of officers of Third Class.

11.—(1.) Whenever an alteration is made in the duties of any office affecting the importance or the character of the work required to be performed by the occupant of that office, the officer responsible for that alteration shall furnish to the High Commissioner, through the Official Secretary, a report setting out particulars of that alteration. Creation, abolition and re-classification of offices.

(2.) The High Commissioner shall report to the Minister whenever he deems it advisable—

- (a) to create a new office in any Class;
- (b) to abolish any office; or
- (c) to vary the classification of, or the salary range allotted to, any office,

and the Minister may, after consideration of that report, create a new office or abolish, reclassify, or vary the salary range of any office, as he thinks fit.

(3.) Where the limits of salary allotted to any office are raised or lowered, the office shall thereupon be deemed to be vacant. 52, 21

12. Unless otherwise determined by the Minister, an officer, upon appointment or promotion to a vacant office, shall be paid salary at the minimum rate within the limits of salary allotted to the office to which he is appointed or promoted: Salary on appointment or promotion.

Provided that, where an officer is promoted and, in his former office, for a period of not less than twelve months, he was receiving a rate of salary not less than the minimum rate of salary of the office to which he is promoted, he shall be advanced to the next sub-division of salary within the limits allotted to the office to which he is promoted.

13.—(1.) On completion of a period of twelve months' service in receipt of a rate of salary less than the maximum rate of the limits of salary allotted to his office, an officer may, subject to the conditions prescribed by this regulation, be granted an increment of salary to raise his salary to the next higher rate, within those limits, specified in Table B of the First or Second Schedule to these Regulations, as the case may be. Increments.

(2.) Except as provided in sub-regulation (4.) of this regulation, an officer shall not be paid an increment unless the High Commissioner considers that the diligence, efficiency and conduct of the officer during the year warrant the advancement and approves of payment of the increment.

(3.) If, in the opinion of the High Commissioner, an officer is not entitled to receive an increment, the High Commissioner may issue an order in writing depriving the officer of the increment for such time as the High Commissioner considers justified.

(4.) If the attendance for duty of an officer during the year has been for a period less than eleven months in the total, the Minister may determine the date from which, and the conditions under which, the officer may be granted incremental advancement.

14. According as the average of the index figures issued by the Ministry of Labour of the United Kingdom for the six months ending on the thirty-first day of March or the thirtieth day of September in any year exceeds 1714 or is less than 1612, salaries payable in pursuance of the provisions of these Regulations to officers and employees other than female office cleaners, floor polishers, the cleaning superintendent, and such other officers as the Minister directs to be exempted from the provisions of this regulation, shall, as from the commencement of the first fortnightly pay period beginning in the month of July or the month of January (as the case may be) next following, be varied as follows:—

Variations of salary on account of variations in the cost of living.

- (a) In the case of officers under twenty-one years of age—by increase or decrease of £3 per annum in respect of each 68 points or portion thereof by which the average of the said index figures for the preceding year exceeds 1714 or is less than 1612;
- (b) In the case of adult female officers—by increase or decrease of £4 per annum in respect of each 68 points or portion thereof by which the average of the said index figures for the preceding year exceeds 1714 or is less than 1612;
- (c) In the case of adult male officers—by increase or decrease of £6 per annum in respect of each 68 points or portion thereof by which the average of the said index figures for the preceding year exceeds 1714 or is less than 1612.

### PART III.—OFFICERS OF THE FIRST AND SECOND CLASSES.

#### *Division I.—Appointments, Promotions and Transfers.*

15.—(1.) A person shall, upon appointment, within fourteen days of a request being made therefor, forward to the High Commissioner—

Requirements upon appointment.

- (a) a properly certified extract from an official register of births, or other evidence of age satisfactory to the High Commissioner; and
- (b) a certificate from a medical practitioner, registered within the United Kingdom and approved by the High Commissioner, of sound bodily health and freedom from physical defects.

(2.) Any officer, whose appointment was confirmed prior to the seventeenth day of September, one thousand nine hundred and thirty-seven, shall, within ninety days of a request being made therefor, forward to the High Commissioner a properly certified extract from an official register of births, or other evidence of age satisfactory to the High Commissioner.

(3.) If the required certificates are not forwarded within the times specified, or are not considered satisfactory, the Minister may—

(a) in the case of an officer referred to in sub-regulation (1.) of this regulation, instruct the High Commissioner to cancel the appointment; and

(b) in the case of an officer referred to in sub-regulation (2.) of this regulation, recommend to the Governor-General cancellation of the appointment and the Governor-General may thereupon cancel the appointment accordingly.

(4.) Notwithstanding anything contained in these Regulations, a returned soldier may be confirmed in his appointment to the Service, although not free from physical defects due to service in the War, if it is certified by a medical practitioner approved by the High Commissioner that the soldier is free from such physical defects as to incapacitate him for the efficient discharge of the duties of the position to which he is to be appointed.

16.—(1.) Every person appointed to the First or Second Class shall in the first instance be appointed by the High Commissioner on probation only, and may be continued on probation for a period of six months, but his services may be dispensed with by the High Commissioner at any time during that period. The High Commissioner at his discretion may extend the period of probation for a further period, provided that the whole term of probation shall not in any case exceed twelve months. Confirmation of appointments.

(2.) Every appointment shall cease to have effect at the expiration of the probationary period determined by the High Commissioner in relation to that appointment, unless the Governor-General in the meantime confirms the appointment.

(3.) A recommendation by the High Commissioner for the confirmation of the appointment of an officer shall be accompanied by a report from the High Commissioner that the diligence, conduct and efficiency of the officer have been satisfactory, together with the certificate furnished in accordance with the last preceding regulation as to the officer's health and physical fitness.

17.—(1.) The appointment of any person shall not be confirmed unless— Requirements for confirmation.

(a) he is a natural-born or naturalized British subject, and

(b) he makes and subscribes an oath or affirmation in accordance with the form in the Third Schedule to these Regulations.

(2.) The Official Secretary or any officer thereto authorized in writing by the High Commissioner may administer the oath or affirmation referred to in sub-regulation (1.) of this regulation.

**18.** The appointment of any person shall not be confirmed if his age at his last birthday previous to appointment was less than sixteen years, or more than fifty years. Age limits for appointment.

**19.—(1.)** Where a vacancy occurs in the First Class and it appears to the High Commissioner desirable to fill the vacancy— Vacancies in First Class.

- (a) by the appointment of a person who is not an officer, or
- (b) by the promotion or the transfer of an officer,

he shall report accordingly to the Minister, stating his views as to how the vacancy should be filled.

(2.) Where, after receipt of the High Commissioner's report, the Minister considers it desirable to fill the vacancy by the appointment of a person who is not an officer, he may approve of the making of such an appointment and notify the High Commissioner accordingly and the High Commissioner shall thereupon make the appointment.

(3.) Where, after receipt of the High Commissioner's report, the Minister considers that the vacancy should be filled by the promotion or by the transfer of an officer, the Minister may promote or transfer the officer.

**20.—(1.)** Where a vacancy occurs in the Second Class, the Official Secretary shall forthwith report the vacancy to the High Commissioner, stating whether, in his opinion, it is necessary that the vacancy should be filled. Vacancies in Second Class.

(2.) If the High Commissioner considers that the vacancy should be filled, and that it is expedient to fill such vacancy by the transfer or promotion of an officer, the High Commissioner may transfer or promote the officer to the vacancy.

**21.—(1.)** In the selection of an officer for promotion, consideration shall be given first to the relative efficiency, and, in the event of an equality of efficiency of two or more officers, then to the relative seniority, of the officers available for promotion. Promotions.

(2.) In this regulation, "efficiency" means special qualifications and aptitude for the discharge of the duties of the office to be filled, together with merit, diligence and good conduct, and, in the case of an officer who is a returned soldier, includes such efficiency as, in the opinion of the High Commissioner, he would have attained but for his absence on active service.

**22.** Seniority of officers of the First and Second Classes shall be determined according to the limits of salary allotted to their respective offices, or, in cases where the limits allotted to two or more offices are the same, the respective dates of entry to the offices with those limits. Seniority.

**23.** Notwithstanding anything contained in these Regulations, whenever a vacancy occurs in any office and it appears advisable to the Minister that the vacant office should not be filled by an appointment, promotion or transfer of an officer under the Act and these Regulations, the Minister may direct that the office be not so filled or may abolish the office and may request the Commonwealth Public Service Board to arrange for the performance of the duties by an officer of the Commonwealth Public Service. Action alternative to filling of vacancy.

*Division II.—Leave of Absence.*

24.—(1.) The Official Secretary may grant to every officer leave of absence for recreation for any period or periods not exceeding in the whole eighteen days in each year, exclusive of Sundays and holidays. Recreation leave.

(2.) The Official Secretary shall, wherever practicable, make such arrangements as will ensure that each officer shall be granted leave of absence annually for recreation, and, if leave is not taken in the year in which it accrues, it shall lapse:

Provided that the Official Secretary may in any case where it is found impracticable to grant leave of absence in any year or for any other sufficient reason, direct in writing that the leave may be taken in the following year in addition to the leave for that year, and any such case shall be reported to the High Commissioner:

Provided further that not more than thirty-six days' recreation leave shall be allowed to accumulate to an officer's credit at any time.

(3.) The Official Secretary may direct an officer to take, at such time as is convenient to the working of the branch or office in which he is employed, recreation leave due to him, whether or not application for leave has been made by the officer.

(4.) Every application for leave shall be made to the Official Secretary through the officer-in-charge of the section in which the applicant is employed. The officer-in-charge of the section shall report as to the conduct of the applicant and as to his compliance with instructions, and as to whether leave may be granted without detriment to the work of the branch.

(5.) An officer shall not be eligible to be granted recreation leave until he has completed twelve months' service.

25.—(1.) In any case in which an officer since his last recreation leave, or, if the officer has not previously had recreation leave, since the date of his appointment, has been absent from duty for any cause for more than twenty-six working days in one or more periods, the period of leave which may be granted shall be subject to a deduction of one and one-half days for each twenty-six working days of absence, excluding the first twenty-six working days: Deductions from recreation leave on account of other absences.

Provided that a deduction shall not be made in respect of absence not exceeding three months for which sick leave has been granted, if the Official Secretary is satisfied that the illness necessitating the officer's absence is the direct result of his service in the war:

Provided further that, where any such absence exceeds three months, the High Commissioner, if he considers circumstances so warrant, may extend the period in respect of which a deduction shall not be made.

26. An officer granted recreation leave shall not be entitled to claim leave for any other purpose during the currency of that recreation leave: Officers on recreation leave not eligible for other leave.

Provided that, if an officer falls sick while on recreation leave and produces at the time satisfactory medical evidence that he is unable to leave the house in which he resides, he may be granted at a time convenient to the office additional leave equivalent to the period of sickness falling within the scheduled period of recreation leave, if the period of sickness is not less than ten days.



27.—(1.) The Official Secretary may, upon sufficient cause being shown, grant any officer leave of absence not exceeding three days in any twelve months without deduction from recreation leave: Short leave of absence.

Provided that where payment is made for overtime 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.

(2.) In addition to leave granted under sub-regulation (1.) of this regulation, the Official Secretary may grant any officer leave of absence not exceeding three days in any twelve months subject to deduction of the period of leave from the officer's next recreation leave.

28.—(1.) In the case of the illness of an officer, the Official Secretary may, subject to the provisions of regulations 29 and 30 of these Regulations, grant the officer leave of absence in accordance with the provisions of this regulation. Sick leave.

(2.) The sick leave with pay which may, subject to the succeeding provisions of this regulation, be granted to an officer shall be determined by crediting the officer with the following periods, such leave to be cumulative:—

	Leave on Full Pay.	Leave on Half Pay.	Leave on Third Pay.
	Working days.	Working days.	Working days.
On date of appointment .. .. .	6	4	3
On completion of six months' service .. .. .	6	4	3
On completion of twelve months' service .. .. .	12	8	6
On completion of each additional twelve months .. .. .	12	8	6

Provided that, where in the case of an officer with long service the Minister considers that exceptional treatment is justified, he may, where the leave on pay to the officer's credit has been exhausted, approve of the officer being granted additional leave on third pay:

Provided further that the maximum period allowable with pay in respect of any continuous absence through illness shall be fifty-two weeks.

(3.) Where an officer has exhausted all leave allowable with pay, he may be granted leave without pay:

Provided that in respect of any continuous period of absence leave with and without pay shall not exceed seventy-eight weeks.

29. If, at the expiration of a continuous period of leave of seventy-eight weeks, an officer is unable to resume his duties, the Governor-General may retire him from the Service and may direct that the retirement shall have effect as on and from the date of the expiration of that leave. Retirement after 78 weeks continuous sick leave.

30.—(1.) Applications from officers for leave of absence on the grounds of illness shall be supported by the certificate of a qualified medical practitioner: Medical certificates in case of sick leave.

Provided that the Official Secretary may grant leave of absence on the grounds 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 production of a medical certificate or other evidence approved by the Official Secretary, such leave shall be without pay.

(3.) Where an officer applies for sick leave in excess of six consecutive working days, his application and accompanying medical certificate shall be submitted to a medical practitioner approved by the High Commissioner for advice as to whether the leave applied for is reasonable, or whether it should be reduced, and sick leave shall be granted in accordance with the advice of such medical practitioner.

31.—(1.) Where an officer who has been absent through illness for thirteen weeks continuously makes application for further leave, the Official Secretary may, subject to these Regulations, provisionally grant further leave, but all such applications with supporting evidence of illness shall be forwarded to the High Commissioner, who may approve of the leave. Provisional extension of leave.

(2.) The granting of further leave after thirteen weeks' continuous absence shall be subject to the officer being examined by a medical practitioner approved by the High Commissioner.

32.—(1.) 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 medical practitioner approved by the High Commissioner has certified that he is fit to resume work. Certificate as to fitness to resume.

(2.) Where an officer resumes duty after a lesser period than thirteen weeks' continuous absence due to illness, the Official Secretary 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 Official Secretary shall grant such further leave of absence as the medical report indicates to be necessary.

33.—(1.) If the Official Secretary 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 qualified medical practitioner, or may require him to submit himself for examination by a medical practitioner named by the Official Secretary. Health of officer rendering him a danger to others.

(2.) Upon receipt of the medical report, the Official Secretary may direct the officer to absent himself from his duties for a specified period, or, if the officer is already on leave of absence, may direct the officer to continue on leave for a specified period, and the officer's absence shall be treated as absence on sick leave.

34.—(1.) Upon report by a qualified medical practitioner that, by reason of contact with a person suffering from an infectious disease and through the operation of restrictions imposed by law in respect of that disease, an officer is unable to attend for duty, the Official Secretary Leave - infectious disease contacts.

may grant the officer leave of absence. The leave of absence may, at the option of the officer, be granted as sick leave or the whole or any portion of the leave may be deducted from any recreation leave for which the officer is eligible.

(2.) Leave of absence under the last preceding sub-regulation shall not be granted for any period beyond the earliest date at which it would be practicable for the officer to resume duty, having regard to the restrictions imposed by law.

35. The rate of salary paid in respect of any public holiday occurring during an officer's absence on sick leave shall be the same as if that holiday were a working day. Pay for holidays when on leave.

36. Where treatment is necessary as a matter of urgency or where physical disability due to dental causes prevents an officer from performing duty, leave of absence may be granted as follows:— Sick leave for dental purposes.

- (a) Where the period for which an officer is absent does not exceed one day, the Official Secretary may grant him leave of absence, without requiring him to produce a dental certificate, if the period of the leave so granted in addition to any leave granted under regulation 28 without production by the officer of a medical certificate does not exceed an aggregate of three days in any twelve months;
- (b) Where the period of an officer's continuous absence exceeds one day, but does not exceed two days, or does not exceed one day, but the officer concerned has exhausted the leave which may be granted under paragraph (a) of this regulation, the Official Secretary may grant leave to the extent of the period of absence, upon production by the officer of a dental certificate. The certificate should indicate—
- (i) that the officer concerned is under treatment by the dentist furnishing the certificate;
  - (ii) the nature of the treatment the officer is undergoing; and
  - (iii) the actual period of absence from duty necessitated by the treatment; and
- (c) Where the period of an officer's continuous absence extends beyond two days sick leave may be granted but only upon production by the officer of a medical certificate.

37. Notwithstanding anything contained in these Regulations, where an officer sustains physical injury while on duty, or in circumstances in which the action of the officer is regarded by the High Commissioner as being so meritorious in the public interest as to warrant special consideration, the Minister may determine the period of leave of absence which may from time to time be granted to that officer and the conditions under which the leave may be granted. Accident leave.

38.—(1.) Leave of absence shall not 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. Illness caused through misconduct.

(2.) The Official Secretary shall advise the High Commissioner of any case in which an officer is absent from duty on account of illness caused by the misconduct of the officer, or without sufficient

cause, and the High Commissioner may determine that the period of any such absence from duty shall not for any purpose be included as part of the officer's period of service.

(3.) Where the Official Secretary has occasion for doubt as to the cause of the illness or the reason for the absence of an officer, he may instruct a medical practitioner to visit and examine the officer, or may direct the officer to attend on a medical practitioner for examination.

(4.) 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 Official Secretary, reasonable cause therefor, a fee for the examination or visit shall be charged against the officer and deducted from his salary.

(5.) 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 Official Secretary, warrant a greater fee than £1 1s., such fee may be paid in accordance with such arrangement as is made between the Official Secretary and the medical practitioner.

(6.) An officer shall submit himself to medical examination, when required to do so, by a medical practitioner selected by the High Commissioner.

39. Where a person was retired from the Service on the ground of invalidity, and is re-appointed as the result of action taken under section 50 of the *Superannuation Act 1922-1937*, he shall be credited upon re-appointment with the sick leave at his credit immediately prior to his retirement. Officers re-appointed to Service.

40.—(1.) On the application of an officer, the High Commissioner may grant to the officer leave of absence without pay for any period not exceeding twelve months. The period during which the officer is absent on leave so granted shall not, unless otherwise ordered by the Minister, be included for any purpose as part of the officer's period of service. Leave without pay.

(2.) In the event of an officer being called up in time of war for duty in any of His Majesty's Armed Forces, the High Commissioner may grant to the officer leave of absence without pay for the period of his duty in those Forces. The period during which the officer is absent on leave so granted shall be included for all purposes as part of his period of service.

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

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

(2.) When an officer who has continued in the Service for at least twenty years is retired from the Service, the High Commissioner 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 the last preceding sub-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, or, if the High Commissioner, after consideration of all the circumstances, directs that the death of an officer so eligible be presumed, the High Commissioner 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, or, in any case where the High Commissioner has directed that the death of the officer be presumed, a date determined by the High Commissioner.

(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 the retirement of an officer under regulation 68 of these Regulations, leave of absence for recreation shall not be granted under regulation 24 of these Regulations 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 this paragraph, be withheld, or regarded as part of the period of leave of absence granted under this regulation, during any officer's 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.

(5.) This regulation shall be deemed to have come into operation as on and from the sixteenth day of September, 1937, and shall apply in relation to officers in the Service on and after that date.

42.—(1.) The High Commissioner may grant to any officer, whose period of service is less than twenty years, who is not eligible for furlough under the last preceding regulation, immediately prior to his retirement from the Service on, or subsequent to, his attaining the age of sixty years, leave of absence on full salary for a period not exceeding that appropriate to his service as specified in the following scale:—

Service.	Leave.
16 years and less than 20 years ..	.. 5 months.
12 years and less than 16 years ..	.. 4 months.
8 years and less than 12 years ..	.. 3 months.
4 years and less than 8 years ..	.. 2 months.

Extended leave or pay in lieu to officers not entitled to furlough.

(2.) In lieu of leave in accordance with the last preceding sub-regulation the High Commissioner may authorize payment to an officer eligible for leave in pursuance of that sub-regulation, upon his retirement from the Service, of a sum equivalent to the salary for a period of leave not exceeding that which the officer could have been granted under that sub-regulation.

(3.) Where an officer, who is less than sixty years of age, retires from the Service after less than twenty years' service, and produces to the High Commissioner satisfactory evidence that his retirement is due to ill-health and that such ill-health is permanent and is not due to misconduct or to causes within his own control, the High Commissioner 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 sixty years, he would have been eligible under sub-regulation (1.) of this regulation.

(4.) Where an officer who is not eligible for leave of absence under the last preceding regulation is being retired from the Service under sub-regulation (2.) of regulation 67 of these Regulations, the High Commissioner may authorize payment to him of a sum equivalent to the salary for a period of leave not exceeding that which, had he attained the age for retirement prescribed by regulation 68 of these Regulations, the High Commissioner could have granted to him under sub-regulation (1.) of this regulation.

(5.) Where, before an officer has completed twenty years' service in the Service and either before or after he has attained the age of sixty years—

- (a) the officer dies; or
- (b) the High Commissioner, after consideration of all the circumstances, directs that the death of the officer be presumed,

the High Commissioner 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, under sub-regulation (1.) of this regulation, for, and been granted, leave of absence at the date of his death, or, in any case where the High Commissioner has directed that the death of the officer be presumed, at a date determined by the High Commissioner.

(6.) 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 salary provided in this regulation may be granted.

(7.) This regulation shall be deemed to have come into operation as on and from the sixteenth day of September, 1937, and shall apply in relation to officers in the Service on and after that date.

**43.** For the purposes of regulations 41 and 42 of these Regulations, "service" means continuous service in the High Commissioner's Office. Definition of service.

*Division III.—Overtime and Allowances.*

**44.** Any officer may be required by the officer in charge of his section to commence work before, or to continue work after, his normal hours of duty whenever the officer in charge considers that that extra duty is necessary owing to arrears of work or to meet pressure of business. Duty outside normal office hours.

**45.—(1.)** Where attendance of an officer outside his normal hours of duty is considered necessary by the officer in charge and that attendance may involve payment of the officer at overtime rates, the officer in charge shall immediately report, in writing, the circumstances to the Official Secretary. Authority for overtime.

(2.) The report shall specify the officer or officers to be employed and the probable duration of the overtime, and the Official Secretary, if satisfied as to the necessity therefor, may sanction the working of the overtime.

(3.) At the end of each four weeks, based on the pay period, the Official Secretary shall furnish to the Minister, through the High Commissioner, a return showing any overtime worked by each officer in each section during the preceding period of four weeks, the amount paid therefor, and the reasons for requiring the overtime to be worked.

(4.) Payment of claims for overtime shall be made only on the approval of the Official Secretary.

**46.—(1.)** If an officer is required to perform any work or duty before the time of 8.30 a.m. or after 6.30 p.m. and the time on duty involved by the extra work or duty so performed and his normal hours of duty exceeds in the aggregate in any one fortnight— Recording and payment of overtime.

(a) in the case of an officer whose normal hours of duty are  $36\frac{3}{4}$  hours per week, 81 hours;

(b) in the case of an officer whose normal hours of duty exceed  $36\frac{3}{4}$  hours but do not exceed 44 hours per week, 88 hours; or

(c) in the case of an officer whose normal hours of duty exceed 44 hours per week, 96 hours,

payment at overtime rates shall be made—

(i) in the case of an officer referred to in paragraph (a) of this sub-regulation, for any time worked on any day from Monday to Friday, inclusive, in excess of  $7\frac{1}{4}$  hours, or on Saturday, after 1.30 p.m.;

(ii) in the case of an officer referred to in paragraph (b) of this sub-regulation, for any time worked on any day from Monday to Friday, inclusive, in excess of 8 hours, or, on Saturday, in excess of 4 hours; or

(iii) in the case of an officer referred to in paragraph (c) of this sub-regulation, for all time worked in excess of 48 hours in any week.

(2.) The hourly rate of overtime, based on time and one-half, shall be calculated in accordance with the following formula:—

$$\frac{\text{Annual salary}}{313} \times \frac{6}{\text{Prescribed weekly hours before overtime is payable}} \times \frac{3}{2}$$

(3.) 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 fortnightly pay period.

(4.) An allowance paid to an officer for the performance of higher duties shall be deemed to be part of the officer's salary for the purpose of computing payment for overtime.

(5.) In cases where an officer works overtime for a period extending over a meal hour the minimum payment for overtime shall be 3s.

(6.) Where an officer, 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.

(7.) Where an officer, 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.

(8.) When overtime is worked and an officer is absent on one or more days or half-days during the fortnight 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 per fortnight to be worked before overtime can be claimed—

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

(b) In the case of officers whose daily hours of duty vary with the volume of work to be performed, the deduction shall be—

(i) for a full day's absence on authorized leave or for a public holiday—the number of hours which would ordinarily have been paid for in respect of an average day's duty on the day of absence or on which the public holiday occurred; or

(ii) for a half-day's absence on authorized leave or for a public half-holiday—the number of hours, from the commencement of the authorized leave or the half-holiday, required to complete the time which would ordinarily have been paid for in respect of an average day's duty on the day on which the officer was absent or on which the half-holiday occurred; or

(iii) for authorized leave of less than half a day or for more than half a day but less than a full day—the actual number of hours' leave granted.

(9.) Officers not working under close supervision, or whose hours of duty cannot be definitely determined, and any officer in receipt of salary exceeding £450 per annum, shall not be entitled to claim overtime, except in such cases and on such conditions as are approved by the Minister.

47.—(1.) Subject to these Regulations, an officer who is required to perform a full day's duty or substantially a full day's duty on a Sunday, shall, wherever practicable, be granted a day off duty during the six days immediately succeeding that Sunday, and in that event the payment to the officer in respect of his attendance on the Sunday shall be half a day's pay. Sunday duty.



(2.) Where an officer performs duty on a Sunday and is not granted equivalent time off during the six days immediately succeeding that Sunday, payment for the duty performed on the Sunday shall be made at the rate of time and one-half.

(3.) Where more than two attendances on a Sunday are required of an officer and the total time of duty does not amount to half a day, the officer shall be credited with half a day's duty, and payment for that period of duty shall be made at the rate of time and one-half.

(4.) This regulation shall not apply, except in such cases as are approved by the Minister, to officers in receipt of salary in excess of £450 per annum.

48. The High Commissioner may require the Office or any part thereof to be kept open in the public interest for the whole or any portion of a holiday observed in pursuance of these Regulations and may require the attendance and services of any officer during that holiday. Holiday duty.

49.—(1.) When the attendance and services of an officer are required during any holiday prescribed by sub-regulation (1.) of regulation 82 of these Regulations, the officer shall be paid as follows:— Payment for or time in lieu of holidays worked.

(a) if the total time worked is less than the period of his normal hours of duty, an amount which bears such proportion to a day's salary as the total time worked bears to the period of his normal hours of duty, but not in any case less than an amount equal to one-half day's salary; or

(b) if the total time worked equals or exceeds the period of his normal hours of duty—

(i) in respect of the time worked equal to that period, an amount equal to a day's salary; and

(ii) in respect of each complete quarter of an hour worked in excess of that period, an amount equal to half the hourly rate of his salary.

(2.) For the purposes of this regulation—

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

$$\frac{\text{Annual salary}}{313} \times \frac{6}{\text{Prescribed weekly hours}}$$

(b) a day's salary shall be calculated by multiplying the hourly rate of salary by the number of hours in a normal day's duty; and

(c) one-half day's salary shall be half of a day's salary calculated in accordance with paragraph (b) of this sub-regulation.

(3.) Where the attendance and services of any officer are required during any holiday or half-holiday authorized in pursuance of the provisions of sub-regulation (2.) of regulation 82 of these Regulations, that officer shall be granted a period off duty equivalent to the time worked on the holiday or half-holiday, and the period off duty shall be added to the officer'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.

(4.) The payment of any amount, in the case of a prescribed holiday, or the allowance of any period off duty, in the case of an authorized holiday, in consequence of the attendance and services of an officer during such a holiday or half-holiday, shall, if the salary of the officer concerned exceeds £450 per annum, be subject to the approval of the Minister.

50.—(1.) Subject to these Regulations, an officer who is required to travel on duty or to attend at some place other than his permanent head-quarters for duty, except as provided for in sub-regulations (2.) and (4.) of this regulation, shall be paid a travelling allowance at the rate specified in the following table opposite to the division, according to salary, in that table which includes his salary:—

Officer's Salary - per annum.	Rate per day.	
	In the United Kingdom.	Outside the United Kingdom.
	£ s. d.	£ s. d.
If the officer's salary is £1,000 or over .. .. .	2 0 0	2 0 0
If the officer's salary is not below £590 and not above £999..	1 0 0	1 5 0
If the officer's salary is not below £400 and not above £589..	19 6	1 5 0
If the officer's salary is not below £280 and not above £399	17 6	1 0 0
If the officer's salary is £279 or under .. .. .	10 0	0 12 6

(2.) Subject to these Regulations, an officer who is required to attend a meeting or conference convened by the League of Nations or the International Labour Office which is attended by a Minister, the High Commissioner or other representative appointed by the Commonwealth Government shall be paid a travelling allowance at the rate specified in the following table opposite to the description of the status with which, or the capacity in which, the officer attends the meeting or conference:—

	Rate per day.
	£ s. d.
Delegate or Substitute Delegate .. .. .	1 11 6
Secretary to Delegation or Adviser (other than a Delegate or Substitute Delegate) .. .. .	1 5 0
Officer attending in any capacity not specified above .. .. .	0 10 0

(3.) In addition to the travelling allowance payable under sub-regulation (2.) of this regulation, an officer required to attend a conference or meeting of the description to which that sub-regulation relates shall, on production by him of a properly receipted hotel account, be paid a sum equal to the cost of his board and lodging.

(4.) An officer who is required to attend an international conference or meeting held outside the United Kingdom, other than a conference or meeting of the description to which sub-regulation (2.) of this regulation relates, shall, on production by him of a properly receipted hotel account, be paid a sum equal to the cost of his board and lodging together with travelling allowance at such rate (not being in excess of the rate prescribed by sub-regulation (2.) of this regulation in the case of an officer of similar status) as the High Commissioner approves.

(5.) Travelling allowance shall be payable from the time of the departure of the train, steamer or other conveyance by which the officer is authorized to travel to the time of his return to the authorized point of departure.

(6.) Where any allowance under this regulation is payable in respect of any period of less than one day, the amount payable shall be computed on an hourly basis. The hourly rate shall be one twenty-fourth part of the daily rate prescribed by, or approved in pursuance of, this regulation, as the case may be.

(7.) For the purpose of ascertaining any rate of travelling allowance prescribed by this regulation according to an officer's salary, his salary shall be deemed not to be affected or varied under the provisions of regulation 12 of these Regulations.

(8.) Where an allowance under this regulation has been paid to an officer in respect of his temporary residence in any one locality for a continuous period of eight weeks, the Official Secretary shall submit the case to the High Commissioner for review. Upon review, the High Commissioner may, if he considers the amount of allowance excessive in the circumstances of the case, direct that its payment be discontinued or that the rate be reduced to such amount as he determines, and may also direct that the matter be submitted for further review from time to time.

51.—(1.) Where an officer is required to attend at some place other than his permanent head-quarters for duty and is there provided with—

(a) subsistence without lodging,  
 (b) lodging without subsistence, or  
 (c) subsistence and lodging,

Allowances payable when subsistence and lodging are provided.

the High Commissioner shall reduce the rate of travelling allowance which would otherwise be payable to the officer under regulation 50 of these Regulations to such rate as he considers reasonable in the circumstances of the particular case.

(2.) When an officer is authorized to travel by steamer or by railway and the fare paid includes subsistence, one-quarter of the rate of travelling allowance which would otherwise have been payable to that officer shall be allowed.

52.—(1.) When an officer absent from his permanent head-quarters on duty is forced by illness not due to his own fault to take sick leave, and he is unable to return to his usual place of residence, he may be paid an allowance to the extent of the proved costs to him of the illness but not exceeding the amount of travelling allowance which would have been payable to him if he had remained on duty for the period involved.

Allowance in the case of illness while away from head-quarters.

(2.) Where the officer returns to his usual place of residence on sick leave, he shall not be eligible for payment of any allowance from the time of his departure from his temporary station until his return thereto, if he is required to return, but the cost of the fare to his usual place of residence and, if he is required to return to his temporary station, of the fare thereto, shall be borne by the Commonwealth.

53. Travelling allowance shall not be payable under these Regulations in any case where an officer is not required to be absent from his usual place of residence overnight, but any officer who is required to attend for duty at some place other than his permanent head-quarters may, if not eligible for travelling allowance, be reimbursed for any travelling expenses necessarily incurred.

Circumstances in which travelling allowances or expenses are payable.

54. Upon proof to the satisfaction of the High Commissioner that, in any particular case, the amount of any travelling allowance payable

Variation of rate of allowance.

under these Regulations is either insufficient to cover, or in excess of, expenses reasonably incurred, the High Commissioner may vary the rate of allowance to such rate as he considers reasonable.

55. Any travelling allowance payable under these Regulations shall be in addition to the cost of conveyance of an officer by the authorized means of transport. Cost of conveyance.

56.—(1.) Where an officer is authorized to travel by railway, a first class fare, if he is an officer of the First Class, or a third class fare, in any other case, shall be allowed: Fares.

Provided that in special circumstances the High Commissioner may allow a first class fare to any officer.

(2.) Where an officer is authorized to travel by a mode of conveyance other than a railway, the High Commissioner shall determine the class of accommodation to be provided.

(3.) An officer who is authorized to travel by railway or steamer and who desires to use the parlour car on the train or a deck cabin on the steamer, as the case may be, may do so if he bears the expense of the difference between the cost thereof and the cost of the fare allowable to him under this regulation.

57. An officer shall not be entitled to claim inclusion in his travelling expenses of such items as gratuities paid by him for services rendered to him personally or payments to porters for handling his personal effects. Personal services rendered to an officer, while travelling.

58.—(1.) Where officers are required to make journeys on official business, cab or motor car fares shall not, except with the approval of the Official Secretary, be allowed if the distance can be travelled by the ordinary mode of conveyance, such as tram, train or bus, and in any event no amount exceeding 5s. for cab or car hire shall be reimbursed unless the officer concerned submits a proper receipt. Cab or motor car hire.

(2.) Where an officer is required to attend for duty at a place other than his permanent head-quarters, any claim by him for hire of a cab or motor car between his usual place of residence and the authorized point of his departure from and return to head-quarters shall be refused, unless upon investigation it is found that—

- (a) a more economical means of transport was not available;
- (b) the quantity of baggage carried made it difficult from the point of view of time and convenience to utilize an alternative to cab or car hire; or
- (c) the status of the officer or the duties upon which he was engaged rendered the use of a cab or car desirable.

59.—(1.) Any officer who uses his own motor car or cycle for official purposes or when travelling on public business, or any officer whose motor car or cycle is used for such purposes, shall, subject to the next succeeding sub-regulation, be allowed, in respect of such use, payment of an allowance therefor at such rate as is determined by the High Commissioner. Car or cycle allowances.

(2.) An officer shall not be entitled to an allowance under this regulation unless it is shown to the satisfaction of the High Commissioner that the use of a motor car or cycle results in greater efficiency and saving than would be the case were other means of conveyance employed.

60.—(1.) Where an officer whose ordinary hours of duty are between 7.30 a.m. and 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 where an officer 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 that attendance necessitates his obtaining a meal away from his usual place of residence, he shall, subject to the succeeding provisions of this regulation, be granted a meal allowance at the rate specified according to his salary in the following table:—

Salary.	Allowance.	
	s.	d.
£750 and over .. .. .	4	0
£500 and under £750 .. .. .	3	0
£400 and under £500 .. .. .	2	6
Under £400 .. .. .	2	0

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

(3.) Payment of meal allowance shall be restricted to cases where the performance of extra duty renders it necessary for an officer to incur expense in obtaining a meal away from his usual place of residence.

(4.) The provisions of this regulation shall apply only in cases where an officer is working at his permanent head-quarters. Expenditure incurred in the purchase of meals during an officer's absence from his head-quarters, but not overnight, shall be dealt with under the provisions of regulation 53 of these Regulations.

61.—(1.) Where an officer has for at least 26 working days (continuously or intermittently in periods each of which is not less than one day), within any period of twelve months, performed, to the satisfaction of the High Commissioner, the whole of the duties of an office the maximum salary allotted to which is higher than that which is allotted to his office, he shall be granted, after the completion of 26 working days and while continuing to perform the higher duties, an allowance equal to the difference between his salary and the minimum salary allotted to the higher office:

Provided that where the salary ranges of the office held by the acting officer and of the office temporarily occupied overlap, the allowance payable to the acting officer shall be such allowance as would raise his total remuneration, while so acting, to the amount he would have received if he had been permanently promoted to the higher office:

Provided, further, that a second period of 26 days without payment of allowance shall not be required to be worked so long as the acting service has been continuous and extending over twelve months.

(2.) Where an officer performs higher duty in a continuous period, and such duty is at least the equivalent of one full day, even though the duty extends from one day to the next day, he shall be credited with, or paid for, as the case may be, the full period of acting service. Duty performed in a higher office on a Sunday shall count in the same way as duty in that office on any other day of the week.

(3.) An officer called upon to occupy a higher office temporarily shall be entitled to increments as though he had been permanently promoted to such office:

Provided that, in the case of the first increment, the officer shall have performed the higher duties for twelve months (continuously or in broken periods) during the preceding two years:

Provided further that the officer shall be entitled to receive a second increment, if he has performed the higher duties for two years (continuously or in broken periods) during the preceding four years, and subsequent increments shall be granted on a corresponding basis.

(4.) In the event of an officer, while acting in a higher office, being permanently promoted to that office, he shall not suffer any reduction of salary or increments, and shall receive increments in the same manner as he would have received them had his acting appointment been permanent. In the event of an officer who has previously acted in a higher office being permanently promoted to that office at a time when he is not temporarily performing the duties of such office, he shall be credited with past higher duties service, but his eligibility for payment of increments shall be subject to compliance with the conditions governing the granting of higher duties allowance increments prescribed in sub-regulation (3.) of this regulation. In the event of an officer being permanently promoted to an office the maximum salary allotted to which is lower than the maximum salary allotted to an office in which he has been acting, his remuneration on promotion shall be equivalent to the amount he would have received had the period of his acting service been in the lower position.

#### *Division IV.—Offences*

62.—(1.) If any officer whose appointment has been confirmed— *Offences.*

- (a) wilfully disobeys or disregards a lawful order made or given by any person having authority to make or give the order;
- (b) is negligent or careless in the discharge of his duties;
- (c) is inefficient or incompetent through causes which appear to be within his own control;
- (d) uses intoxicating liquors or drugs to excess;
- (e) is guilty of any disgraceful or improper conduct, either in his official capacity or otherwise;
- (f) commits any breach of the provisions of these Regulations;
- (g) having made or subscribed an oath or affirmation as prescribed in regulation 17 of these Regulations, does or says anything in violation of that oath or affirmation; or
- (h) has wilfully supplied to any officer or other person acting on behalf of the Commonwealth incorrect or misleading information in connexion with his appointment to the Service,

he shall be guilty of an offence, and shall be liable to such punishment as is determined in accordance with the provisions of this regulation.

(2.) If the Official Secretary has any reason to believe that an officer has committed a minor offence, he may call on the officer for an explanation as to the alleged offence, and if, on consideration of the explanation, he is of opinion that the offence has been committed, he may caution or reprimand the offending officer, or fine him a sum not exceeding Five shillings.

(3.) If the Official Secretary has reason to believe that any officer has committed an offence other than a minor offence punishable under the provisions of the preceding sub-regulation action may be taken as follows:—

- (a) He may charge the officer, and may, if he considers that the offence is of such a serious nature that the charged officer should not continue in the performance of his duty, suspend the officer from duty.
- (b) Suspension may be effected prior to or at the time of, or subsequent to, the laying of the charge, and may be removed at any time by the Official Secretary pending determination of the charge or, in any case where the charge has not been sustained, immediately upon a finding to that effect.
- (c) Upon a charge being laid against an officer, the Official Secretary shall forthwith furnish the officer with a copy of the charge and require him to state in writing whether he admits or denies the truth of the charge, and to give any explanation he desires in regard thereto. If a reply is not made by the officer within seven days of his receipt of the copy of the charge, the officer shall be deemed to deny the truth of the charge.
- (d) If the officer admits the truth of the charge or, if the High Commissioner, after consideration of reports relating to the offence and charge and the reply and explanation (if any) of the officer charged, and such further reports (if any) as the High Commissioner considers necessary, is of opinion that the charge has been sustained, the High Commissioner may—
  - (i) fine the officer any sum not exceeding Five pounds;
  - (ii) reduce his salary;
  - (iii) reduce him to a lower class, or position, and salary;
  - (iv) transfer him to some other position which transfer may be in addition to fine or reduction; or
  - (v) recommend to the Minister the dismissal of the officer from the Service.
- (e) If the High Commissioner recommends to the Minister the dismissal of an officer from the Service he shall at the same time forward to the Minister a report furnishing full particulars of the case, together with the documents referred to in the last preceding paragraph, and the Minister may impose any other punishment specified in the last preceding paragraph, or may recommend to the Governor-General that the officer be dismissed and the Governor-General may dismiss the officer.

(f) Where an officer is suspended for an offence and the finding of the High Commissioner is that the charge has not been sustained, the officer shall be allowed full pay for the period of suspension.

63.—(1.) Where an officer is charged in any Court with having committed any criminal offence, punishable either on indictment or on summary conviction, he may be suspended by an officer authorized in that regard. Officer convicted of criminal offence.

(2.) If, upon the hearing of the charge by any Court, the officer is found guilty of the offence, the High Commissioner may (whether the officer has been suspended or not) recommend to the Minister that the officer be dismissed from the Service, or he may reduce the officer to a lower class or position and salary, or reduce his salary, or inflict such other punishment of the punishments specified in paragraph (d) of sub-regulation (3.) of the last preceding regulation as he thinks fit.

(3.) Any officer who is suspended or dismissed in accordance with this regulation shall, unless the High Commissioner otherwise directs, not receive any salary from the date upon which or for the period during which, he ceased to perform the duties of his office.

(4.) The Official Secretary may at any time remove the suspension of any officer suspended under this regulation, whether before or after conviction.

(5.) This regulation shall not prevent an officer from being dealt with under some other provision in these Regulations, but an officer shall not be punished under these Regulations twice in respect of the same offence or matter.

64. The Official Secretary shall immediately advise the Minister of any punishment imposed under the provisions of these Regulations, except fines of an amount of Two pounds or less and punishments imposed for minor offences. Return of punishments.

65. The Official Secretary shall cause a record to be kept of all punishments of officers, but, in any case where an officer has been punished by caution, reprimand, or fine not exceeding Five shillings, a record of that punishment shall be not kept for a longer period than two years, and in any matter affecting the officer no record, report, or other matter relating to a caution, reprimand, or fine not exceeding Five shillings of over two years' standing shall be taken into consideration. Record of punishments.

*Division V.—Retirement.*

66.—(1.) If an officer appears to the High Commissioner to be inefficient or incompetent or unfit to discharge or incapable of discharging the duties of his office efficiently, the High Commissioner may recommend to the Minister that the officer be transferred to some other office or that he be retired from the Service. Incapacity of officers.

(2.) Upon receipt of the High Commissioner's recommendation, the Minister may transfer the officer to some other office with salary appropriate to such office, or may recommend to the Governor-General that the officer be retired from the Service and the Governor-General may thereupon retire him from the Service from such date as is specified in the instrument of retirement.



67.—(1.) If at any time the High Commissioner finds that the number of officers of a particular classification employed in the Service is greater than is necessary for the efficient working of the office, he shall report to the Minister accordingly.

Excess officers.

(2.) The Minister may transfer to an office of lower classification and salary any officer who, in the opinion of the High Commissioner, is in excess of requirements, or, if no suitable office is available, may recommend to the Governor-General that the officer be retired from the Service and the Governor-General may thereupon retire the officer from the Service.

68.—(1.) Every officer having attained the age of sixty years shall be entitled to retire from the Service, if he desires so to do; but any such officer may (unless retired in pursuance of sub-regulation (2.) of this regulation) continue in the Service until he attains the age of sixty-five years.

Retirement of officers on account of age.

(2.) If any officer continues in the Service after he has attained the age of sixty years, he may at any time before he attains the age of sixty-five years be retired from the Service by the Governor-General upon recommendation by the Minister.

*Division VI.—Miscellaneous.*

69. Notice of all appointments, retirements and dismissals of officers made under the Act and these Regulations shall be published in the *Gazette*.

Gazetted of appointments, &c.

70.—(1.) A married woman shall not be eligible for employment, unless the High Commissioner certifies that there are special circumstances which make her employment desirable.

Married women.

(2.) A female officer shall be deemed to have retired from the Service upon her marriage, unless the High Commissioner certifies that there are special circumstances which make her employment desirable.

(3.) There shall be payable to any female officer who has completed not less than five years' service, who is deemed to have retired from the Service upon her marriage, and who is not eligible for, or has not been granted, leave, or pay in lieu of leave, under regulation 41 or 42 of these Regulations, a sum equivalent to salary in accordance with the following scale:—

Length of Service.	Sum equivalent to salary for—
Not less than 5 years but less than 8 years . . . . .	One month
Not less than 8 years but less than 12 years . . . . .	Two months
Not less than 12 years but less than 20 years . . . . .	Three months

**PART IV.—OFFICERS OF THE THIRD CLASS.**

71. The provisions of Part III. of these Regulations shall not apply to officers of the Third Class:

Conditions of employment.

Provided that, unless the Minister otherwise determines in relation to any particular matter or class of matters, the provisions of that Part which relate to recreation leave, accident leave, overtime and

the performance of duty on holidays and Sundays and payment therefor and meal allowances shall apply to and in relation to officers of the Third Class.

72. The services of an officer of the Third Class may be terminated at any time by the High Commissioner. Termination of services.

73.—(1.) Subject to the provisions of this regulation, the Official Secretary may, if he is satisfied that an absence from duty of an officer of the Third Class is due to illness arising from causes beyond the officer's own control, grant the officer leave of absence. Sick leave.

(2.) If an officer is unable to attend duty owing to illness, he shall apply in writing for leave of absence, stating the reason of his absence.

(3.) An application for leave with pay shall be supported by the certificate of a qualified medical practitioner, if the period of the officer's absence exceeds one day or if the officer during the preceding twelve months has been absent through illness for a period or periods amounting in the aggregate to two days.

(4.) During the first twelve months of continuous service the sick leave which an officer may be granted under this regulation shall not exceed twenty-four days and shall be without pay.

(5.) After an officer has completed twelve months' continuous service he may be granted sick leave at the rate of one day with pay and two days without pay for every twenty-six days' service:

Provided that the total leave so granted in any period of twelve months shall not exceed twelve days with pay and twenty-four days without pay.

#### PART V.—ATTENDANCE, HOURS OF DUTY AND HOLIDAYS.

74. The hours of attendance of officers shall be from 9.30 a.m. to 5.18 p.m. from Monday to Friday, with an interval of forty-five minutes for luncheon. At the discretion of the High Commissioner officers may be excused attendance on alternate Saturdays. The hours of attendance for officers on duty on Saturday shall be from 9.30 a.m. to 12.30 p.m.: Hours of attendance.

Provided that messengers, porters, lift attendants, office cleaners, and any officer engaged in the maintenance of essential services shall observe such hours of attendance as the High Commissioner directs.

75. Such means of recording the attendance of officers as are approved by the Official Secretary shall be provided. The officer in charge of each section of the office provided with means of record of attendance shall be responsible for their use in accordance with these Regulations and such directions as are given him by the Official Secretary. Records of attendance.

76.—(1.) Every officer, unless specially exempted by the High Commissioner, shall record daily in an attendance book, or other means of record approved by the Official Secretary, the actual times of his arrival at the office and of his departure therefrom. Obligation to record attendance.

(2.) The exemption of any officer from the obligation to record his attendance shall not be deemed to authorize that officer to absent himself from duty or to leave his office except on official business within his hours of duty.

77. The approved means of record of attendance shall be accessible at the ordinary time of arrival of officers, and shall be made available at the ordinary time of ceasing duty and not before. Accessibility of attendance record.

78. An officer arriving on duty later than ten minutes after the ordinary time of commencing duty shall not record his attendance, but shall report himself to the officer in charge, by whom the record shall be made, together with the officer's explanation for late attendance. Late attendances.

79. Where a satisfactory explanation of late attendances is not furnished, or where the officer— Reports of late attendances.

(a) is frequently late in arrival after the ordinary hour of commencing duty, whether or not such attendances are ten minutes late;

(b) leaves duty without authority before the ordinary time of departure;

(c) absents himself without authority during office hours; or

(d) records incorrectly the time of his arrival or departure,

it shall be the duty of the officer in charge to report the conduct of the officer to the Official Secretary as a breach of these Regulations.

80.—(1.) An officer shall not be allowed to leave the office during office hours, except on official business or by express permission of the Official Secretary, and the period of such absence, if not on official business, shall be duly recorded in the record of attendances by the officer in charge. Absence from duty during office hours.

(2.) At the discretion of the Official Secretary, leave for such absence may be granted with or without pay, or may be deducted from 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.

81.—(1.) An officer shall not absent himself from duty without proper authority, unless reasonable cause is shown. Absence from duty in case of illness or emergency.

(2.) If an officer is prevented by illness or other emergency from attending to duty, he shall immediately report the fact through the head of his branch to the Official Secretary.

82.—(1.) The following days, or any days prescribed by the law of the United Kingdom to be observed in lieu thereof, shall be observed as holidays:— Holidays.

The first day of January.

The twenty-sixth day of January.

Christmas Day and Boxing Day.

Good Friday and the following Saturday and Monday.

The anniversary of the birthday of the Sovereign.

The twenty-fifth day of April.

(2.) In addition to the days specified in sub-regulation (1.) of this regulation, there may be observed as public holidays or half-holidays such additional days or half-days, not exceeding in the whole four days in any one calendar year, as are authorized by the High Commissioner.

PART VI.—MISCELLANEOUS.

83. When any officer attains the age of sixty years, the High Commissioner shall forthwith report to the Minister as to the willingness and fitness of the officer to continue to perform the duties of his office. Report as to officers attaining 60 years.

84.—(1.) The High Commissioner shall furnish the Minister, in the month of April each year, with a return of officers who have attained the age of sixty years, together with a report in each case as to whether the officer is able and willing to continue to perform his duties. Return of officers over 60 years of age.

(2.) If the High Commissioner is of the opinion that any such officer should be retired on account of inability to perform his duties, he shall take action in accordance with these Regulations for termination of the officer's services.

85. Any reference in these Regulations to any amount of salary or allowance payable to, or any amount by way of fine or penalty imposed on, officers shall be read as a reference to that amount in sterling. Amounts to be read as in sterling.

86.—(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. Insolvent officers.

(2.) If the officer does not apply as aforesaid for a certificate of discharge, or if he applies, and it is shown that the officer has been guilty of fraud, dishonorable conduct, or extravagance, the officer shall be deemed to have committed an offence and may be charged and dealt with in the manner prescribed by regulation 62 of these Regulations.

87. An officer shall not accept or engage in any paid employment other than in connexion with the duties of his office unless the permission of the Minister in writing has first been obtained. Outside employment.

88. An officer shall not, either directly or indirectly, solicit or accept gifts or presents from any member of the public concerned, either directly or indirectly, with any matter connected with the duties of the officer or in which the Commonwealth is interested. Solicitation or acceptance of gifts.

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

90. An officer shall not—

- (a) publicly comment on the administration of the Office; or
- (b) use for any purpose, other than for the discharge of his official duties, any information gained by, or conveyed to, him through his connexion with the Office. Obligations arising from confidential nature of duties.

**91.—(1.)** An officer summoned as a juror shall at once notify the Official Secretary. Officers summoned as jurors.

(2.) Any officer so summoned shall be granted leave of absence for the period necessary for his attendance upon the Court, and the leave shall be with full pay, subject to deduction of a sum equal to any amount received by the officer as compensation for his attendance as juror.

**92.** In the matter of accounts and the collection and payment of public moneys, officers shall conform strictly to the provisions of the *Audit Act 1901-1934* and any regulations made thereunder. Accounts and public moneys.

**93.—(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. Deduction of pecuniary penalty from salary.

(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 or penalties imposed under these Regulations shall be paid into and form part of the Consolidated Revenue.

**94.** All officers shall acquaint themselves with the provisions of the Act and these Regulations. Acquaintance with Act and Regulations.

**95.—(1.)** Every officer shall obey promptly all instructions given to him by the officers under whose control or supervision he is placed. Obedience to instructions.

(2.) If an officer has ground of complaint arising out of any instructions given him by a superior officer, or from any other cause whatsoever, he may appeal in regard thereto, through his immediate superior, to the Official Secretary, who shall deal with the appeal and advise the officer of his decision.

(3.) If the officer is still dissatisfied, he may appeal through the Official Secretary to the High Commissioner.

(4.) The officer shall, nevertheless, as far as possible, carry out any instructions which may be given to him until they are countermanded by competent authority.

## THE FIRST SCHEDULE.

Regulation 8.

TABLE A.

£588-£636; £600-£660; £660-£750; £684-£804; £804-£900; £924-£1,000.

TABLE B.

£588, £600, £618, £636, £660, £684, £708, £732, £756, £780, £804, £828, £852, £876, £900, £924, £948, £972, £1,000.

## THE SECOND SCHEDULE.

Regulation 9.

TABLE A.			TABLE B.					
MALE CLERKS.			£80,	£92,	£104,	£116,	£134,	£152,
£80-£260;	£248-£308;	£272-£344;	£164,	£176,	£188,	£200,	£212,	£224,
£296-£368;	£320-£392;	£344-£404;	£236,	£248,	£260,	£272,	£284,	£296,
£356-£428;	£380-£440;	£392-£452;	£308,	£320,	£332,	£344,	£356,	£368,
£428-£488;	£500-£524;	£524-£584;	£380,	£392,	£404,	£416,	£428,	£440,
£548-£600.			£452,	£464,	£476,	£488,	£500,	£512,
			£524,	£536,	£548,	£560,	£572,	£584,
			£600.					
FEMALE CLERKS.			£78,	£90,	£102,	£114,	£126,	£144,
£78-£244;	£250-£274;	£262-£286;	£150,	£162,	£174,	£186,	£198,	£210,
£286-£322;	£310-£370.		£222,	£234,	£244,	£250,	£262,	£274,
			£286,	£298,	£310,	£322,	£334,	£346,
			£358,	£370.				
STENOGRAPHERS, TYPISTS, FEMALE ASSISTANTS, MACHINISTS AND TELEPHONISTS.			£78,	£90,	£102,	£114,	£126,	£144,
£78-£174;	£78-£186;	£90-£198;	£150,	£156,	£162,	£168,	£174,	£180,
£78-£204;	£168-£222;	£180-£228;	£186,	£192,	£198,	£204,	£210,	£216,
£262-£286.			£222,	£228,	£262,	£268,	£274,	£280,
			£286.					
MALE ASSISTANTS, ATTENDANTS AND PORTERS.			£78,	£90,	£102,	£114,	£126,	£144,
£78-£174;	£90-£192;	£90-£204;	£150,	£156,	£162,	£168,	£174,	£180,
£90-£228;	£156-£228;	£156-£264.	£186,	£192,	£198,	£204,	£210,	£216,
			£222,	£228,	£234,	£240,	£246,	£252,
			£258,	£264.				
MESSENGERS.			£102,	£114,	£126,	£144,	£150,	£156,
£102-£204;	£156-£222;	£192-£276.	£162,	£168,	£174,	£180,	£186,	£192,
			£198,	£204,	£210,	£216,	£222,	£228,
			£234,	£240,	£246,	£252,	£258,	£264,
			£270,	£276.				
STOREMEN.			£144,	£150,	£156,	£162,	£168,	£174,
£144-£198;	£180-£210;	£192-£234.	£180,	£186,	£192,	£198,	£204,	£210,
			£216,	£222,	£228,	£234.		
HOUSEKEEPER.			£240,	£250,	£260,	£270,	£280,	£290,
£240-£300.			£300.					
DISPLAY MAN.			£190,	£202,	£214,	£226,	£238.	
£190-£238.								
ENGINEERS AND ENGINEERS' ASSISTANTS.			£162,	£168,	£174,	£180,	£186,	£192,
£162-£198;	£260-£326.		£198,	£260,	£272,	£284,	£296,	£308,
			£320,	£326.				
CARPENTERS.			£198,	£210,	£222,	£234.		
£198-£234.								
PAINTERS.			£180,	£186,	£192,	£198.		
£180-£198.								
STOKERS.			£162,	£168,	£174,	£180,	£186,	£192.
£162-£192.								
CONTROLLER, UPKEEP.			£516,	£528,	£540,	£552,	£564,	£576.
£516-£576.								

## THE THIRD SCHEDULE.

Regulation 17.

## OATH.

I, *A.B.*, do swear that I will be faithful and bear true allegiance to the King, and will loyally as in duty bound uphold the Constitution of the Commonwealth of Australia established under the Crown of the United Kingdom. *So help me, God!*

## AFFIRMATION.

I, *A.B.*, do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to the King, and will loyally as in duty bound uphold the Constitution of the Commonwealth of Australia established under the Crown of the United Kingdom.

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