



ANNO VICESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1972

No. 131 of 1972

An Act to amend the State Bank Act, 1925-1968.

[Assented to 30th November, 1972]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "State Bank Act Amendment Act, 1972".

(2) The State Bank Act, 1925-1968, as amended by this Act, may be cited as the "State Bank Act, 1925-1972".

(3) The State Bank Act, 1925-1968, is hereinafter referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of principal Act, s. 4— Interpretation.

3. Section 4 of the principal Act is amended—

(a) by inserting after the definition of "board" the following definition:—

"branch" in relation to the bank, means any branch of the bank for the time being established under section 26 of this Act;;

and

(b) by inserting after the definition of "member" the following definition:—

"officer" in relation to the bank means any person appointed an officer or servant of the bank under subsection (1) of section 19 of this Act:.

4. Section 19 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsections:—

Amendment of
principal Act,
s. 19—
Appointment
of officers.

(2) On and from the day of commencement of the State Bank Act Amendment Act, 1972, officers of the bank shall cease to be Officers as defined in the Public Service Act, 1967, as amended.

(3) Subject to subsection (1) of this section, on and from the day of commencement of the State Bank Act Amendment Act, 1972, the Public Service Act, 1967, as amended, shall, subject to this section, *mutatis mutandis* apply to and in relation to officers of the bank in respect of their employment in the bank as if they were Officers as defined for the purposes of the Public Service Act, 1967, as amended, and for the purposes of that application—

(a) a reference in the Public Service Act, 1967, as amended, to the Public Service Board constituted by section 9 of that Act shall be read as a reference to the board;

(b) a reference in that Act to a Department of the Public Service shall be read as a reference to the service of the bank;

(c) a reference in that Act to the Permanent Head of a Department shall be read as a reference to the General Manager of the bank;

(d) a reference in that Act to the Public Service shall be read as a reference to the service of the bank;

and

(e) a reference in that Act to an Officer shall be read as a reference to an officer of the bank.

(4) Notwithstanding anything in Division V of Part III of the Public Service Act, 1967, as amended, the board may recommend to the Governor that an officer of the bank be transferred

from an office in the bank to any other office in the bank at a higher salary classification without calling for applications for such a transfer if the board gives notice by circular to the officers of the bank of its intention to make such a recommendation.

(5) Where the bank gives notice of its intention to make a recommendation referred to in subsection (4) of this section any officer of the bank may, within fourteen days of the publication of the circular, appeal against the proposed recommendation and, subject to this section, Division V of Part III of the Public Service Act, 1967, as amended, shall apply to and in relation to such an appeal as if it were an appeal against a nomination referred to in that Division.

(6) In the application of Division V of Part III of the Public Service Act, 1967, as amended the Appointments Appeal Committee shall, in lieu of the composition provided for by that Division, for the purposes of each appeal, consist of—

(a) a chairman appointed by the Governor who shall be neither an officer of the bank nor an official of the association and who shall be recommended by the Minister on being satisfied that he is a person acceptable to the board and the association and if no such person can be appointed who is so acceptable the chairman shall be a special magistrate appointed by the Governor;

(b) one member appointed by the Governor on the nomination of the board who shall be an officer of the bank;

and

(c) one member who shall be selected by the appellant from the persons comprised in the panel nominated by the association under subsection (7) of this section.

(7) For the purposes of this section the association shall nominate a panel of three officers of the bank of whom at least one shall be employed at the head office of the bank and at least one shall be a branch manager of the bank.

(8) Where in the case of any appeal there is more than one appellant and the appellants cannot agree on the selection of the member referred to in paragraph (c) of subsection (6) of this section then the chairman of the Committee shall appoint one member of the Appointments Appeal Committee from amongst the officers comprising the panel referred to in sub-

section (7) of this section who shall for the purposes of that appeal be deemed to be the member selected pursuant to that paragraph.

(9) For the purposes of the application of Division VI of Part III of the Public Service Act, 1967, as amended, to officers of the bank—

(a) the member referred to in paragraph (b) of section 67 of that Act shall be an officer of the bank (not of the branch or section of the bank in which the officer concerned is or, being suspended was, employed) nominated by the board;

and

(b) the member referred to in paragraph (c) of that section, shall be an officer of the bank selected by the officer concerned from the panel of officers nominated by the association under subsection (7) of this section,

in each case, appointed by the Governor for the purposes of the appeal.

(10) For the purposes of the application of paragraph (a) of subsection (1) of section 31 of the Public Service Act, 1967, as amended, to offices in the bank the board may create a classification committee or classification committees to make recommendations to it in relation to the classification of such offices and the board may regulate and determine the procedure of any such committee or committees.

(11) Any committee created by the board under subsection (10) of this section shall consist of—

(a) a chairman, who shall not be an officer of the bank or an official of the association, nominated by the board and approved by the Minister after consultation with the association;

(b) an officer of the bank nominated by the General Manager of the bank;

and

(c) a person nominated by the association.

(12) In this section—

“the association” means the Australian Bank Officials’
Association S.A. & N.T. Division.

In the name and on behalf of Her Majesty, I hereby assent
to this Bill.

M. L. OLIPHANT, Governor