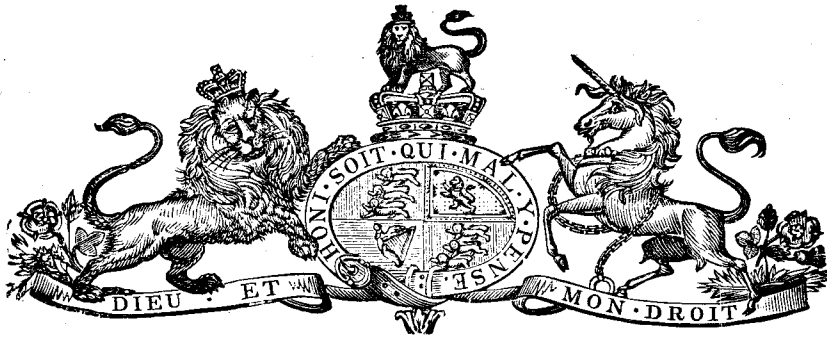


TASMANIA.



1931.

ANNO VICESIMO SECUNDO
GEORGII V. REGIS.
No. 2.

ANALYSIS.

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 AN ACT to provide for certain Percentage
 Reductions in Salaries Payable to Ministers
 of the Crown, and to Members and Officers
 of Parliament, and to Persons Employed by
 or on behalf of the State. [25 July, 1931.]

A.D.
1931.

BE it enacted by His Excellency the Governor of Tasmania,
 by and with the advice and consent of the Legislative Council
 and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as “The Official Salaries Reduction Short title.
 Act, 1931.”

Official Salaries Reduction.

A.D. 1931.

Repeal of 21
Geo. V. No. 4
and 21 Geo. V.
No. 20.

Interpretation.

2 The Official Salaries Reduction Act, 1930, and the Official Salaries Reduction Act (No. 2), 1930, are hereby repealed as from the twenty-fifth day of July, one thousand nine hundred and thirty-one.

3 In this Act, unless the contrary intention appears—

“Annual salary,” in relation to an officer, means the aggregate amount payable to or received by such officer in respect of a full year’s service at a fixed annual rate or rates by way of remuneration, in respect of the duties of any offices held by him, whether under the name of salary, wages, or allowance, either in cash or in kind, and, in the case of wages or allowances paid at rates based on any shorter period than one year, shall mean the amount of such wages or allowances which, calculated at the rate aforesaid, would be payable in respect of a full year’s service:

“Officer” includes—

- I. Any person entitled to payment of any salary or allowance under the Ministers of the Crown Act, 1923; the Officers of Parliament Salaries Act, 1927; or the Payment of Members Act, 1927: and
- II. Any person employed by the State, or by any person, body, or authority constituted by any Act or appointed by the Governor, under the authority of any Act, to administer or control any department, business, or undertaking on behalf of the State: and
- III. Any person appointed or engaged by the State at an annual salary as a member of any board or committee.

Application of
Act.

4 This Act shall have no application to—

- I. The Governor or to any officer in relation to any salary payable to such officer in respect of the performance by him of the duties of Governor:
- II. Any judge of the Supreme Court: or
- III. Any officer whose remuneration is paid at a rate determined, in relation to such officer, under the provisions of any Commonwealth Act—

but, save as aforesaid, this Act shall apply to all officers as defined by this Act.

Reduction of
salaries.

5—(1) Except as otherwise provided, the annual salary which, but for this Act, would be payable to each officer shall

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be reduced by the deduction therefrom, as hereinafter provided, of the percentage applicable to the amount of such salary in accordance with the schedule to this Act. A.D. 1931.

(2) The reduction effected by this section shall apply in respect of every payment of salary falling due after the twenty-fourth day of July, one thousand nine hundred and thirty-one.

(3) Where any such payment as aforesaid falls due between the twenty-fourth day of July and the seventh day of August in the said year, the deduction therefrom shall decrease in proportion to the number of days service covered by such payment which falls on or before the said twenty-fourth day of July.

6—(1) The provisions of Section Five hereof shall be applied by deducting from each payment of salary which, but for this Act, would be made to any officer after the said twenty-fourth day of July, one thousand nine hundred and thirty-one, the percentage of such payment which, in accordance with the schedule hereto, is applicable to such payment. Application of reduction.

(2) In respect of all officers whose salaries are payable by the Treasurer, all such deductions as aforesaid shall be made by the Treasurer and the amount thereof retained by him, and in respect of every other officer the person or authority by whom the salary is payable shall make all such deductions as aforesaid and shall pay the amount thereof to the Treasurer forthwith (except in the case of any salary which is paid out of moneys borrowed by the State) and such amounts shall be paid into the Consolidated Revenue.

(3) The amount of every such deduction as aforesaid shall be ascertained by taking the prescribed percentage of the amount payable in each case, and fractions of a penny shall not be taken into consideration.

7—(1) From and after the commencement of this Act and until Parliament otherwise provides, no increase shall be granted or allowed in the salary payable at the commencement of this Act to any officer or in respect of any office except as hereinafter provided. Provisions relating to increases.

(2) The provisions of Subsection (1) hereof shall not—

- I. Apply in respect of any officer who, by reason of having attained the age of twenty-one years or having served for any given period, becomes eligible for any increase which is prescribed by any regulation or which the authority charged with the determination of such officer's salary certifies to have been generally granted in like cases heretofore:
- II. Prevent the appointment of any officer to any position at a salary not exceeding the salary paid to his

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predecessor in that position, or to any new position at such salary as the competent authority in the particular case may determine: or

- III. Prevent the granting of an increase to an officer whose duties, in the opinion of such competent authority as aforesaid, have materially increased in value and importance after the determination of the salary payable to him at the commencement of this Act.

(3) With respect to all officers to whom, in the financial year last past, the provisions of Paragraph (1) of Subsection II. hereof would have been applicable—

- I. All payments made during the said year to such officers which would have been authorised by such provisions are hereby declared to have been lawfully and validly made: and
- II. It shall be lawful for the Treasurer to pay to every such officer the amount to which he would have been entitled under the said provisions, had the same been in force during the whole of the said year, less any part of such amount already paid to him.

Application of certain provisions to public institutions.

8—(1) Except as otherwise provided, the governing body of every public institution which is a hospital, and the University, and any other such institution, may apply the provisions of Section Five of this Act, in respect of the salary of every permanent employee of such body, in the same manner as such provisions would apply thereto, if such employee were an officer.

(2) For the purposes of this section the term public institution means any institution receiving financial assistance from the State, and which, in the financial year ending on the thirtieth day of June, one thousand nine hundred and thirty-one, received from the State not less than one-half of its total revenue.

(3) In the application of this section the provisions of Section Five of this Act shall be construed as if the words “first day of August” were substituted for the words “twenty-fourth day of July” in Subsection (2) thereof, and the provisions of Subsection (3) of that section shall have no effect.

(4) The Governor, by proclamation at any time, may declare that any institution specified in such proclamation shall be a public institution for the purposes of this section, and thereupon the governing body of such institution shall apply the provisions of Section Five of this Act in respect of the salary of every permanent employee in the same manner as such provisions would apply thereto if such employee were an officer.

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(5) This section shall not apply in respect of any employee whose salary is determined under the provisions of any Commonwealth Act. A.D. 1931.

9 No action, suit, or other proceeding shall be commenced, prosecuted, or maintained against any such governing body as is hereinbefore mentioned for or on account of any reduction made by such body, as provided by this Act, in the salary of any employee, and every contract of service entered into by any such body before the commencement of this Act shall be read and construed as subject to the relevant provisions of this Act. Protection of employers.

10 Nothing in this Act shall prejudice or affect any right of any officer or his representatives under the provisions of the Public Servants' Retiring and Death Allowances Act, 1925, or any resolution of Parliament making the like provision, and effect shall be given to all such rights in the same manner as if this Act had not been passed. Retiring allowances not to be affected. 16 Geo. V. No. 11.

SCHEDULE.**SCALE OF PERCENTAGE DEDUCTIONS.**

1. Where the salary or allowance is payable under any of the Acts specified in Paragraph 1. of the definition of an officer in Section Three of this Act, the percentage reduction shall be twenty-five per cent.

2. In any other case—

Where the Rate of Annual Salary Payable to the Officer—	The Percentage Deduction Applicable to each Payment shall be—
Exceeds £60 but does not exceed £800	20 per cent.
Exceeds £800 but does not exceed £1200	22½ per cent.
Exceeds £1200	25 per cent.

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—

Provided, however, that in the application of this schedule—

- I. The annual salary payable to any officer shall not be at a rate less than £60 per annum, and the salary of no male married officer shall be reduced to a sum less than £200 per annum, and where the normal salary of a male married officer is less than £200 no reduction shall be made:
- II. There shall be made, by way of marriage allowance to every male married officer whose normal salary does not exceed £260, a payment at the rate of £15 per annum by equal monthly payments on the last day of each month:
- III. The annual salary payable to a married officer whose normal salary exceeds £260 shall not be reduced below £223:
- IV. The annual salary payable to an officer shall not be reduced below the amount payable to any other officer who is employed in the same department and whose salary at the commencement of this Act did not exceed the salary of such firstmentioned officer, but the provisions of this paragraph shall not apply in respect of a case where such last-mentioned officer's salary is affected by the fact that he is married:
- v. No deduction shall be made from or in respect of any living allowance payable to any officer whose aggregate annual salary is under £100:
- VI. Where the Auditor-General is satisfied, after such inquiry and upon such evidence as he may think sufficient, that an unmarried officer, whose normal salary does not exceed £260, is providing support, which, in the opinion of the Auditor-General, is of a substantial nature, for any child, parent, grandchild, sister, or infant brother of such officer, the Auditor-General shall certify to the Treasurer that, in his opinion, such officer is entitled to the allowance herein provided for married officers, and thereupon the same shall be paid to such officer accordingly:
- VII. In respect of the salary of any officer employed in the Shipping Branch of the Railway Department, the Commissioner of Railways may apply such reduction, if any, not exceeding the reduction prescribed by this schedule, as the said Commissioner may deem equitable, and such salary shall be payable accordingly.