



ANNO VICESIMO TERTIO ET VICESIMO QUARTO

VICTORIÆ REGINÆ.

A.D. 1860.

No. 12.

An Act to repeal an Act, No. 21 of 1854, intituled "An Act to provide for the retirement of Officers in the Civil Service," and to provide for the settlement of all claims arising under the said Act, and for other purposes.

[Assented to, 17th October, 1860.]

WHEREAS the Act No. 21 of 1854, intituled "An Act to provide for the retirement of Officers in the Civil Service," has failed to secure the objects sought to be attained by the said Act, and it has therefore become desirable that the said Act should be repealed, and that all claims arising under the said Act should be settled, and that other provisions should be made in lieu of the provisions of the said Act—Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled as follows:

1. The said Act, No. 21 of 1854, is hereby repealed, and from the time of the coming into operation of this Act no person shall have any claim against the Treasurer arising out of the said Act hereby repealed, except as provided by this Act.

Repeal of Act No. 21 of 1854.

2. All sums of money heretofore deducted from the salary of or paid by any person, in accordance with the provisions of the said Act, shall be returned by the Treasurer to the person, or the legal personal representatives of any deceased person, having made such payment, or from whose salary such deduction shall have been made, together with compound interest on such sums at the rate of Ten Pounds per centum per annum: Provided that this clause shall

Return of payments with interest.

Proviso.

not extend to any person now in receipt of a pension under the provisions of the said Act hereby repealed, or who may heretofore have withdrawn from the benefits of the said Act.

Pensions to Thomas Lipson and Thomas Gilbert continued.

3. The Treasurer shall pay, out of the General Revenues of the said Province, to Thomas Lipson, R.N., and Thomas Gilbert, named in the said Act, during the term of their natural lives, in every year, the following sums, that is to say—to the said Thomas Lipson, R.N., Two Hundred and Ninety-One Pounds Thirteen Shillings and Fourpence, and to the said Thomas Gilbert, Two Hundred and Eight Pounds Six Shillings and Eightpence.

All other pensions commuted for five years' purchase.

4. The Treasurer shall pay, to every person (other than the said Thomas Lipson, R.N., and Thomas Gilbert), who shall be at the time of the coming into operation of this Act, in the receipt of a pension under the provisions of the said Act hereby repealed, a sum equal to five times the amount of the annual sum received by such person under the provisions of the said Act; and such sum, when so paid, shall be in full satisfaction of all claims and demands on the part of the person to whom such payment shall be made, arising out of the provisions of the said Act No. 21 of 1854.

Officers on removal from office to receive One Month's Salary for every Year they have been in the Service.

5. Every Officer on the Fixed Establishments of the Civil Service of the said Province on being removed from office, or on being permitted to resign his office, on account of illness, infirmity, age, abolition of office, or any other cause whatever, except misconduct, shall, with the consent of the Governor in Executive Council, be entitled to, and shall be paid by the Treasurer, a sum equal to One Month's Salary for every year that any such Officer may have served on the fixed establishments of the said Civil Service; and the average salary received by such Officer during the Three Years next preceding such removal from office shall be taken as the salary of such Officer for the purpose of calculating the amount to be paid by the Treasurer as aforesaid: Provided, that no officer shall be permitted to resign his office except upon a medical certificate of illness, infirmity, or age, until he shall have attained the age of sixty years, or have been twenty years in the Civil Service of the said Province: Provided also, that none of the provisions of this Act shall be construed to extend to any Judge or Responsible Minister of the Crown: And provided also, that a statement of all sums paid by the Treasurer, under the authority of this Act, shall be annually laid before Parliament.

Proviso.

Governor in Executive Council to decide all questions of compensation.

6. All questions as to compensation, arising out of the next preceding clause, shall be decided by the Governor in Executive Council.

Commencement of Act.

7. This Act shall commence and take effect from the first day of July, 1861.