

South Australia

## Salaries Adjustment (Public Offices) Act 1976

An Act to make provision for the adjustment of salaries of certain employees and for other purposes.

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**The Parliament of South Australia enacts as follows:**

#### **1—Short title**

This Act may be cited as the *Salaries Adjustment (Public Offices) Act 1976*.

#### **4—Operation of Superannuation Act not affected**

Nothing in this Act shall apply to or in relation to the *Superannuation Act 1974*.

#### **5—Rights to salary apart from this Act not affected**

Nothing in this Act shall affect any right to salary in respect of a public office that would exist had this Act not been enacted.

#### **6—Interpretation**

In this Act, unless the contrary intention appears—

***commencing date*** in relation to a retro-active determination, means the date as from which the determination is expressed to have effect;

***public office*** means an office or place—

- (a) constituted or created by, or pursuant to, an Act; or
- (b) to which a person has been appointed by the Governor in the exercise of his executive authority; or
- (c) being any prescribed office or place;

*retro-active determination* means any award or determination (whether of a judicial or administrative nature) purporting to increase the salary payable to the holder of a public office as from a day earlier than the day on which the award or determination is made;

*retro-active period*, in relation to a retro-active determination, means the period commencing on the commencing date and ending on the date on which the determination is made;

*salary* includes wages and allowances and any other form of remuneration in the nature of salary, wages or allowances.

## **7—Retro-active increases in salary**

- (1) Where—
  - (a) a retro-active determination is made in relation to a public office; and
  - (b) a person occupied that office for some time during the retro-active period but had ceased to occupy that office on or before the date on which the determination was made,

that person shall be entitled to be paid a salary as so increased by that determination, in respect of the period, subsequent to the commencing date, for which he occupied that office.

- (2) Subsection (1) of this section shall apply to and in relation to every retro-active determination made after the commencement of this Act whether the retro-active period in relation to that determination commenced before, on or after the commencement of this Act.

## **8—Regulations**

The Governor may make such regulations as are necessary or expedient for the purposes of this Act.

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Legislation repealed by principal Act

The *Salaries Adjustment (Public Offices) Act 1976* repealed the following:

*Salaries Adjustment (Public Service and Teachers) Act 1960*

*Salaries Adjustment (Public Service and Teachers) Act Amendment Act 1975*

### Principal Act

Year	No	Title	Assent	Commencement
1976	37	<i>Salaries Adjustment (Public Offices) Act 1976</i>	21.10.1976	9.12.1976 ( <i>Gazette 9.12.1976 p1880</i> )

### Provisions amended

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Long title	amended under <i>Legislation Revision and Publication Act 2002</i>	
<i>ss 2 &amp; 3</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	