



ANNO VICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1976

No. 37 of 1976

An Act to repeal the Salaries Adjustment (Public Service and Teachers) Act, 1960-1975, and to make provision for the adjustment of salaries of certain employees and for other purposes.

[Assented to 21st October, 1976]

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

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| Short title. | 1. This Act may be cited as the "Salaries Adjustment (Public Offices) Act, 1976". |
| Commence-
ment. | 2. This Act shall come into operation on a day to be fixed by proclamation. |
| Repeal. | 3. The Salaries Adjustment (Public Service and Teachers) Act, 1960, and the Salaries Adjustment (Public Service and Teachers) Act Amendment Act, 1975, are repealed. |
| Operation of
Superannuation.
Act not
affected. | 4. Nothing in this Act shall apply to or in relation to the Superannuation Act, 1974-1976. |
| Rights to
salary apart
from this Act
not affected. | 5. 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. |
| Interpretation. | 6. 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;
(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. (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.

Retro-active
increases in
salary.

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

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

W. R. CROCKER, Governor's Deputy