

**RAILWAYS CLASSIFICATION BOARD.**

14° Geo. VI., No. IV.

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**No. 4 of 1950.**

**AN ACT to amend the Railways Classification Board Act, 1920-1945.**

[Assented to 15th November, 1950.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Railways Classification Board Act Amendment Act, 1950*, and shall be read as one with the Railways Classification Board Act, 1920-1945 (Act No. 38 of 1920 as amended by Acts Nos. 33 of 1935 and 20 of 1945 and as affected by Act No. 38 of 1945) hereinafter called the principal Act.

Citation of principal Act as amended by this Act.

2. The principal Act as amended by this Act may be cited as the *Railways Classification Board Act, 1920-1950*.

s. 2 amended.

3. Section two of the principal Act is amended by substituting for the interpretation, "Commissioner" the following interpretation:—

Cf. No. 78 of 1948, s. 10.

"Commission" means The Western Australian Government Railways Commission constituted pursuant to the provisions of the Government Railways Act, 1904-1948.

4. The principal Act is amended by substituting for the word, "Commissioner" wherever it appears, the word, "Commission" and effecting consequential grammatical adjustments.

General  
amendments.  
Cf. No. 73 of  
1948, s. 6.

5. Section fifteen of the principal Act is amended by adding after subsection (1) the following subsection:—

s. 15  
amended.

(1a) (a) (i) When and as often as a salaried position or office is classified or reclassified, as the case may be, pursuant to the provisions of this Act, the position or office shall thereupon by force of this Act be regarded as vacant for the purposes of the Government Employees (Promotions Appeal Board) Act, 1945-1949, notwithstanding that there is then an occupant in the position or office.

(ii) Where some person other than such occupant is appointed to the reclassified position, the classification of such latter occupant shall not be affected merely by the reclassification or merely by his occupancy of the reclassified position for any period following the reclassification.

(b) The provisions of this subsection shall not prejudice or affect—

(i) the meaning of the expression "vacancy" as used in that Act, but shall be in addition thereto;

(ii) the continuity of the service of the occupant of the office.

(c) The provisions of this subsection shall be regarded as in operation on and from the seventeenth day of February, one thousand nine hundred and forty-eight and all notices, appeals, documents, acts, matters and things given, brought, executed or done in purported pursuance of that Act shall be as effective as would have been the case if this subsection had been incorporated in and formed part of this Act on and from that day.

6. Section twenty-three of the principal Act is amended by deleting the word, "Colonial" in line two.

s. 23  
amended.