

# PUBLIC SERVICE APPEAL BOARD.

7° GEO. VI., No. V.

No. 10 of 1943.

**AN ACT to amend section three of the Public Service Appeal Board Act, 1920-1941.**

[Assented to 30th September, 1943.]

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

Short title.  
No. 21 of  
1941 s. 3.

1. This Act may be cited as the *Public Service Appeal Board Act Amendment Act, 1943*, and shall be read as one with the Public Service Appeal Board Act, 1920-1941 (No. 14 of 1920 as reprinted in the Appendix to the Sessional Volume of the Statutes for the year 1930 and amended by the Acts No. 19 of 1932, No. 29 of 1935, No. 27 of 1937, and No. 21 of 1941), hereinafter referred to as the principal Act.

Amendment  
of s. 3.

2. Section three of the principal Act is amended as follows:—

(a) by inserting in paragraph (a) of subsection (2) after the word "Chairman" in line four of the said paragraph the words "or, when such Judge is for any reason unable to act, of a Stipendiary Magistrate appointed to act in

place of the said Judge as provided for in paragraph (aa) of this subsection who when so acting shall be deputy Chairman.”

(b) by inserting in subsection (2) after paragraph

(a) a new paragraph as follows:—

(aa) (1) For and in connection with the Board as constituted under paragraph (a) of this subsection, the Governor may appoint any Stipendiary Magistrate, who is nominated by the Minister to be the Deputy Chairman of the Board and to act as Chairman thereof in the place of the said Chairman whenever for any reason the Chairman is unable to act.

(2) If and whenever the Chairman of the Board is for any reason unable to act as such Chairman and requests the deputy Chairman aforesaid to act in his place, the deputy Chairman shall have and may exercise the same jurisdiction, authorities, and powers as the Chairman during the period for which he acts in the place of the Chairman pursuant to the request of the Chairman as aforesaid.

(3) Whenever elsewhere in this Act or in any other Act any reference is made to the Chairman of the Board as constituted under paragraph (a) of this subsection, such reference shall, unless the context otherwise requires, be deemed to include the deputy Chairman appointed under this paragraph.

3. Section three of the principal Act as amended by section two of this Act shall operate and have effect in relation to appeals which at the commencement of this Act are pending before the Public Service Appeal Board as constituted under paragraph (a) of subsection (2) of section three of the principal Act and the hearing of which has not been commenced.

Section 3 of the principal Act as amended to apply to appeals pending.

4. The principal Act as amended by this Act may be cited as the Public Service Appeal Board Act, 1920-1943.

Citation of principal Act as amended.