

**GOVERNMENT EMPLOYEES  
(PROMOTIONS APPEAL BOARD).**

1° Elizabeth II., No. LIII.

**No. 53 of 1952.**

**AN ACT to amend the Government Employees  
(Promotions Appeal Board) Act, 1945-1951.**

[Assented to 23rd December, 1952.]

BE it enacted, by the Queen'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  
and citation.

1. (1) This Act may be cited as the *Government Employees (Promotions Appeal Board) Act Amendment Act, 1952*.

(2) In this Act the Government Employees (Promotions Appeal Board) Act, 1945-1951,

Act No. 38 of 1945 as amended by Acts Nos. 33 of 1946, 15 of 1949 and 54 of 1951,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Government Employees (Promotions Appeal Board) Act, 1945-1952.

**S. 5**  
**amended.**

2. Section five of the principal Act is amended by—

(a) substituting for the words, “seven hundred and fifty pounds per annum (exclusive of the amounts of basic wage adjustments or

of any living or other allowances)” in lines four, five, six and seven of subparagraph (i) of paragraph (a) of the proviso to subsection (1) the words, “the justiciable salary or wage mentioned in subsection (1a) of this section”;

(b) adding the following subsection—

(1a) For the purposes of this section “justiciable salary or wage” means a salary or wage which corresponds at the time it is determined to the then current equivalent—after taking into account variations authorised by an Agreement entered into or an Award promulgated pursuant to the provisions of State or Commonwealth Industrial Arbitration Legislation—of a salary or wage having a margin over State or Commonwealth basic wage, whichever is applicable, of seven hundred and twenty-five pounds per annum payable to an employee as defined by this Act at the first day of October, one thousand nine hundred and fifty-two.

3. The interpretation, “Seniority” in section <sup>S. 14</sup> amended. fourteen of the principal Act is amended by—

(a) adding after the words, “As between employees” appearing at the beginning of each of paragraphs (a), (b), (c) and (d) the words, “who, not being persons employed as teachers by the Education Department, are”;

(b) adding after paragraph (d) the following paragraph—

(e) In the case of persons employed as teachers by the Education Department the expression means seniority determined in accordance with the provisions of this paragraph:—

(i) A teacher who at the time the promotion appealed against is made, receives in his perman-

ent position in the Education Department a salary or wage greater than that which another at that time receives in his permanent position in the Department, is to be regarded as the senior;

- (ii) Where the salary or wage of teachers at the time the promotion appealed against is made, is equal, the teacher who has the longer period of service in the same grade is to be regarded as the senior;
  - (iii) In respect of corresponding work by teachers in the Education Department, whether of a class, grade, year of service in a class or grade, or other gradation of the service in the department, the salary or wage of a female teacher, although in fact, less than that of a male teacher, is to be regarded as equal to that of the male teacher;
  - (iv) In calculating the salary or wage the amount of basic wage adjustments or of any district or remote allowances shall be excluded.
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