CHAPTER 23.

An Act to amend the law relating to the grant of Superannuation Allowances and Gratuities to certain persons who entered the permanent Civil Service of the State between the passing of the Superannuation Act, 1859, and the fourth day of June one thousand eight hundred and seventy.

[26th May 1873.]

WHEREAS by the Superannuation Act, 1859, it is enacted that for the purposes of that Act no person thereafter to be appointed shall be deemed to have served in the permanent Civil Service of the State unless such person holds his appointment directly from the Crown, or has been admitted into the Civil Service with a certificate from the Civil Service Commissioners: 22 Vict. c. 26. s. 17.

And whereas it appears that in several public departments of the State persons have been appointed since the passing of the said Act to established situations in the Civil Service not held directly from the Crown, but that through inadvertence on the part of the heads of such departments, and without any default on the part of the persons so appointed, no steps were taken before their appointment to procure for them certificates from the Civil Service Commissioners:

And whereas it is unjust that the persons so appointed should be deprived of the superannuation allowances or gratuities which they were led to expect at the time when they entered the Civil Service:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of Superannuation Act, 1859.

1. The Commissioners of Her Majesty's Treasury may, if they think fit, at any time before the first day of January one thousand eight hundred and seventy-four, with the concurrence of the Civil Service Commissioners, and on application being made to them for that purpose by the head or heads of any public department of the State, declare by order or warrant that any person who has been appointed to a permanent situation in such department without a certificate from the Civil Service Commissioners after the passing of the said Superannuation Act, 1859, and before the fourth day of June one thousand eight hundred and seventy, was so appointed through inadvertence on the part of the head or heads of such department, and without any default on the part of the person so appointed, and every person with respect to whom such order or warrant may be issued shall be in the same position as regards his claim to a superannuation allowance or gratuity, under the said Superannuation Act, 1859, as he would have been in if he had been admitted into the Civil Service with a certificate from the Civil Service Commissioners.

Any order or warrant made in pursuance of this Act shall be laid before Parliament in manner provided by the thirteenth section of the said Superannuation Act, 1859.

The Commissioners of Her Majesty's Treasury shall cause to be laid before Parliament, not later than the expiration of one month after the commencement of the session of Parliament in the year one thousand eight hundred and seventy-four, a return showing the names of all persons with respect to whom any order or warrant has been issued in pursuance of this section, together with the situations to which and the departments in which they have been appointed.

Short title of Act.

2. This Act may be cited for all purposes as "The Superannuation Act Amendment Act, 1873."