

Bill No. 79 of 1951.

A BILL RESPECTING MEMBERS OF THE CIVIL
SERVICE WHO ENLIST FOR ACTIVE SERVICE
IN NAVAL, MILITARY OR AIR FORCES OF
CANADA OR THE UNITED NATIONS.

NOTE.

This Bill enacts a new Act to be cited as "*The Civil Servants War Service Act*".

This Act, in general outline, is much the same as the former Act, being chapter 38 of the Revised Statutes of Alberta, 1942, which it repeals. It is applicable to civil servants recruited for Korean service or service with the United Nations forces.

The only variation from the former Act appears in section 6 under the heading "Pensions" where it is provided that any employee whose application for leave of absence has been approved, may make pension contributions at the rate of five per cent of the combined salary and cost-of-living bonus which was payable to him immediately prior to his enlistment.

This Bill is retroactive to the 9th day of August, 1950, which was the effective date on which recruiting for the special force for action with the United Nations in Korea commenced.

KENNETH A. MCKENZIE,
Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 79 of 1951.

An Act respecting Members of the Civil Service Who Enlist
for Active Service in the Naval, Military or Air
• Forces of Canada or the United Nations.

(Assented to _____, 1951.)

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Alberta,
enacts as follows:

Short Title.

1. This Act may be cited as "*The Civil Servants War Service Act*". Short title

Interpretation.

- 2.** In this Act, unless the context otherwise requires,—
- (a) "Director of Personnel" means the Director of Personnel appointed pursuant to *The Public Service Act, 1947*; Interpretation
"Director of Personnel"
 - (b) "employee" means any person in the service of the Government or the Legislative Assembly of the Province. "employee"

Leave of Absence.

3. Any employee who desires to enlist in the active naval, military or air forces of Canada or the United Nations may make application in writing for leave of absence to the Director of Personnel. Application for leave of absence

Gratuities and Re-employment.

- 4.** Upon the approval of any such application by the Director of Personnel,— Payment of salary upon enlistment and re-employment upon discharge
- (a) if the employee is a married man who has a wife or children dependent upon him and has been in the service continuously for a period of one year, he shall upon enlistment be paid the equivalent of one month's salary computed from the date of his leaving the service;
 - (b) if the employee is a married man having no wife or child dependent upon him or is an unmarried man, and has been in the service continuously for a period of one year, he shall upon enlistment be paid

the equivalent of one-half of one month's salary computed from the date of his leaving the service;

- (c) if the employee was employed otherwise than temporarily, or if being a temporary employee and at the time of his application for leave of absence was temporarily employed in a position which is ordinarily filled by a permanent employee, and has been so employed for at least one year, or was an employee engaged upon permanent seasonal work on a salary or wage basis and has been so employed for at least six months during each season for two consecutive years, he shall be entitled to re-employment in the same or similar capacity as that in which he was employed prior to enlistment, provided he receives an honourable discharge from the active naval, military or air forces of Canada or the United Nations, that he applies for re-employment within three months after his discharge, and that he satisfies the Director of Personnel that he is mentally and physically fit for such employment;
- (d) an effort will be made to re-employ temporary employees other than those engaged to replace employees who have enlisted for military service, if an application for re-employment is made by the employee within three months from the date of his honourable discharge, and if the employee satisfies the Director of Personnel that he is mentally and physically fit for such employment.

Application
of *The
Public
Service
Pension Act*

5. In case an employee, whose application for leave of absence under this Act has been approved, was immediately prior to his enlistment an employee within the meaning of *The Public Service Pension Act*, that employee, subject to the following provisions of this Act, shall be deemed to be an employee within the meaning of the said Act until the expiration of three months from the date of discharge of the employee from his service or the death of the employee, whichever event shall first happen.

Pensions.

Pension
contributions

6. (1) Any employee, as defined in *The Public Service Pension Act*, whose application for leave of absence under this Act has been approved and who enlists as a member of the naval, military or air forces of Canada or the United Nations, may continue to make contributions to the General Revenue Fund at the rate of five per cent of the combined salary and cost-of-living bonus which was payable to him immediately prior to his enlistment.

(2) If the employee contributes at the rate fixed under subsection (1), the period of his service in the naval, military or air forces of Canada or the United Nations covered by such contributions shall be deemed to be pensionable service for all purposes under *The Public Service Pension Act*.

(3) The employee's contributions to the General Revenue Fund shall cease upon the employee or any of his dependents becoming qualified to receive any benefits under *The Public Service Pension Act*.

Regulations.

7. The Lieutenant Governor in Council, from time to time by regulation, may prescribe as to the manner in which any proceeding under this Act is to be carried on and the forms to be used in relation thereto. ^{Regulations}

8. *The Alberta Civil Servants War Service Act*, being chapter 38 of the Revised Statutes of Alberta, 1942, is hereby repealed. ^{Repeal}

9. This Act shall come into force on the day upon which it is assented to and upon so coming into force it shall be deemed to have been in force at all times on and after the ninth day of August, 1950. ^{Coming into force}

No. 79.

FOURTH SESSION
ELEVENTH LEGISLATURE

15 GEORGE VI

1951

BILL

An Act respecting Members of the
Civil Service Who Enlist for Active
Service in Naval, Military or Air
Forces of Canada or the United
Nations.

Received and read the

First time

Second time

Third time

HON. MR. HOOKE.
