

BILL

No. 22 of 1940.

An Act Respecting Members of the Civil Service who Enlist
For Active Service in the Military, Naval or Air Forces
of Canada during the Present War Between Great
Britain and the German Reich.

(Assented to _____, 1940.)

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

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

2. In this Act unless the context otherwise requires,—

- (a) "Civil Service Commissioner" means the Civil Service Commissioner appointed pursuant to *The Public Service Efficiency Act*;
- (b) "Employee" means any person in the service of the Government or of the Legislative Assembly of the Province.

3. Any employee who desires to enlist in the active military, naval or air forces of Canada during the existing state of war in Canada may make application in writing for leave of absence to the Civil Service Commissioner.

4. Upon the approval of any such application by the Civil Service Commissioner,—

- (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 was employed prior to the tenth day of September, 1939,

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 as at the first day of September, 1939, and has been so employed for at least six months during the years 1937 and 1938 and for at least four months during the year 1939, 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 military, naval or air forces of Canada, that he applies for re-employment within three months after his discharge, and within twelve months after the termination of the existing state of war in Canada, and that he satisfies the Civil Service Commissioner 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 any such employee within three months from the date of his honourable discharge, and within twelve months after the termination of the existing state of war in Canada, providing the employee satisfies the Civil Service Commissioner that he is mentally and physically fit for such employment.

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 Superannuation Act*, such employee shall, subject to the following provisions of this Act, be deemed to be an employee within the meaning of the said Act until the expiration of twelve months after the termination of the existing state of war in Canada or 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.

6. Section 5 of *The Superannuation Act* shall not apply to an employee whose application for leave of absence under this Act has been approved and who enlists as a member of the military, naval or air forces of Canada, and in lieu thereof the following provisions shall apply:

- (a) There shall be paid from the General Revenue Fund into the Superannuation Fund each month to the credit of the employee a sum equivalent to 4 per cent of the monthly salary which was payable to the employee immediately before his enlistment, and there shall be paid half-yearly into the said Fund to the credit of the employee, interest on such payments at the rate of 5 per cent per annum or at such

other rate of interest as may be prescribed by any regulation made under the provisions of *The Superannuation Act*;

Provided always that no such payment shall be made after the expiration of twelve months after the termination of the existing state of war in Canada;

- (b) The employee may pay into the Superannuation Fund monthly an amount not exceeding 4 per cent of the monthly salary he received immediately prior to his enlistment;
- (c) The foregoing provisions shall cease to operate upon the employee or any of his dependents becoming qualified to receive superannuation or any other benefit under *The Superannuation Act*.

7. The Lieutenant Governor in Council may from time to time by regulation 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.

8. This Act shall come into force on the day upon which it is assented to, and upon so coming into force shall be deemed to have been in force at all times on and after the tenth day of September, 1939.

NINTH SESSION
EIGHTH LEGISLATURE
4 GEORGE VI
1940

BILL

An Act Respecting Members of the
Civil Service who Enlist for Active
Service in the Military, Naval or
Air Forces of Canada during the
present War between Great Britain
and the German Reich.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING.

EDMONTON:
A. Shnitka, King's Printer
1940