



ANALYSIS

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1988, No. 31

**An Act to amend the Accident Compensation Act 1982**

[30 March 1988

BE IT ENACTED by the Parliament of New Zealand as follows:

**1. Short Title and commencement**—(1) This Act may be cited as the Accident Compensation Amendment Act 1988, and shall be read together with and deemed part of the Accident Compensation Act 1982 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of April 1988.

**2. New sections inserted**—The principal Act is hereby amended by inserting, after section 15, the following section:

“15A. **Application of State Sector Act 1988**—(1) Part VI of the State Sector Act 1988, with any necessary modifications, and subject to this section, shall apply in relation to the Corporation in the same manner as that Part applies in relation to the Public Service.

“(2) For the purposes of the application of the State Sector Act 1988, every reference to the Commission shall be read as a reference to the Corporation.

“(3) Before entering into any negotiations under Part VI of the State Sector Act 1988 in respect of the conditions of employment of the employees of the Corporation, the Corporation shall consult with the State Services Commission over the conditions of employment to be negotiated. The Commission may at any time, either before or during the

negotiations, indicate to the Corporation that it wishes to participate with the Corporation in the negotiation or continued negotiation of the conditions of employment of employees of the Corporation, and the Corporation shall allow the Commission to so participate in the negotiations.

“15B. **General principles**—(1) The Corporation shall operate a personnel policy that complies with the principle of being a good employer.

“(2) For the purposes of this section a ‘good employer’ is an employer who operates a personnel policy containing provisions generally accepted as necessary for the fair and proper treatment of employees in all aspects of their employment, including provisions requiring—

“(a) Good and safe working conditions; and

“(b) An equal employment opportunities programme; and

“(c) The impartial selection of suitably qualified persons for appointment; and

“(d) Recognition of—

“(i) The aims and aspirations of the Maori people; and

“(ii) The employment requirements of the Maori people; and

“(iii) The need for greater involvement of the Maori people as employees of the Corporation; and

“(e) Opportunities for the enhancement of the abilities of individual employees; and

“(f) Recognition of the aims and aspirations, and the cultural differences, of ethnic or minority groups; and

“(g) Recognition of the employment requirements of women; and

“(h) Recognition of the employment requirements of persons with disabilities.

“(3) In addition to the requirements specified in subsections (1) and (2) of this section, the Corporation shall ensure that all employees maintain proper standards of integrity, conduct, and concern for the public interest.

“15c. **Equal employment opportunities**—(1) The Corporation—

“(a) Shall in each year develop and publish an equal employment opportunities programme for the Corporation:

“(b) Shall ensure in each year that the equal opportunities programme for that year is complied with throughout the Corporation.

“(2) The Corporation shall include in the annual report of the Corporation—

“(a) A summary of the equal employment opportunities programme for the year to which the report relates; and

“(b) An account of the extent to which the Corporation was able to meet, during the year to which the report relates, the equal employment opportunities programme for that year.

“(3) For the purposes of this section and section 15B of this Act, an equal employment opportunities programme means a programme that is aimed at the identification and elimination of all aspects of policies, procedures, and other institutional barriers that cause or perpetuate, or tend to cause or perpetuate, inequality in respect to the employment of any persons or group of persons.”

**3. Transitional provisions**—Sections 94 to 104 of the State Sector Act 1988 shall apply for the purposes of this Act with all necessary modifications.

**4. Repeals**—The following enactments are hereby consequentially repealed, namely:

(a) Subsections (2) to (4) of section 15 of the principal Act:

(b) Section 325 of the Labour Relations Act 1987.

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This Act is administered by the Accident Compensation Corporation.

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