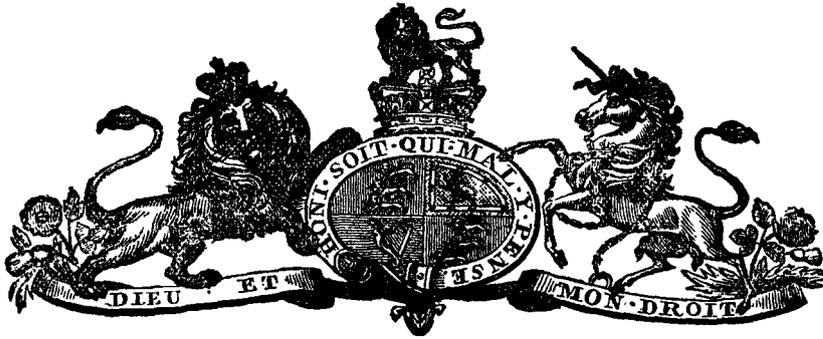


NEW ZEALAND.



QUADRAGESIMO SECUNDO

VICTORIÆ REGINÆ.

No. 12.

ANALYSIS.

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| <p>Title.
Preamble.
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2. Construction.
3. Right to retiring allowances not to be affected by reappointment, or new appointment, or transfer to other offices.</p> | <p>4. Construction of certain sections of "The Civil Service Act, 1866."
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AN ACT to explain and amend certain Provisions of the Acts in force relating to the Civil Service of the Colony. Title.
[23rd September, 1878.]

WHEREAS doubts have arisen whether a person in the Civil Service of the colony, whose right to retiring allowances purports to be preserved by "The Civil Service Act, 1866," and "The Civil Service Act Amendment Act, 1871," is entitled to such allowance when he has been reappointed to the same or a like office in the Civil Service, or has been appointed or transferred to any other office in such service: And whereas it was the intention of the said Acts that the privileges thereby deemed to be secured should attach to the person holding office in the said service irrespective of any such reappointment, new appointment, or transfer: And whereas doubts have also arisen as to the construction of certain provisions of the first-named Act relating to such retiring allowances: And whereas it is just and expedient that all such doubts should be set at rest: Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act shall be "The Civil Service Acts Amendment Act, 1878." Short Title.

Civil Service Acts Amendment.

Construction.

2. In the construction of this Act the expression "the said Act" means "The Civil Service Act, 1866," and the expression "the Amendment Act" means "The Civil Service Act Amendment Act, 1871;" and the expression "retiring allowance" includes also "superannuation allowance."

Right to retiring allowances not to be affected by reappointment, or new appointment, or transfer to other offices.

3. Every person in the Civil Service of the colony whose right or claim to have a retiring allowance granted to him purports to be preserved by the said Act, or the Amendment Act, shall be entitled to such retiring allowance, although he may have been reappointed to the same or a like office in such service, or may have been appointed or transferred to some other office in the said service, whether such office has been created prior to or since the passing of the said Act, or the Amendment Act.

In every such case the retiring allowance shall be calculated and allowed in accordance with the Act under which such person claims to be so entitled.

Construction of certain sections of "The Civil Service Act, 1866."

4. The provisions of the thirtieth and thirty-first sections of the said Act shall confer and be deemed to have conferred upon all officers and persons mentioned in the said sections the right to have a retiring allowance granted to them under either of the Acts repealed by the twenty-ninth section of the said Act, in all cases where such officers and persons entered the Civil Service of the colony prior to the passing of the said Act.

Application of Act.

5. This Act shall be deemed to have been in force with respect to any person whose claim to a retiring allowance may have been allowed before the passing of this Act; and this Act shall extend to all rights, claims, and interests, whether absolute or contingent, purporting to be preserved as aforesaid.

Application of sections 30 and 31 of said Act.

6. Every officer and person now in the Civil Service who has entered such service prior to the passing of the Amendment Act, and who would be entitled to claim a retiring allowance under "The Civil Service Act, 1866," shall be entitled to reckon in the computation of his retiring allowance the time during which he was in the employment of the New Zealand Company or in the service of any Provincial Government; and the provisions of sections thirty and thirty-one of the said Act shall extend and apply to all such officers and persons accordingly.

Reappointment after Amendment Act coming into operation does not entitle.

7. No person who ceased to be in the Civil Service before the coming into operation of the Amendment Act, and who has been reappointed to the Civil Service after such Amendment Act came into operation, shall thereby become entitled to any retiring allowance under the said Act, or any of the Acts thereby repealed.

Provincial officers transferred to Civil Service on "Abolition of Provinces Act, 1875," coming into operation, not entitled.

8. No person who was a provincial officer on the coming into operation of "The Abolition of Provinces Act, 1875," and transferred to the Civil Service on the coming into operation of the Act last mentioned, shall be entitled to any retiring allowance under "The Civil Service Act, 1866," or any Acts repealed by such Act.

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