



ANALYSIS

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1988, No. 28

An Act to amend the Police Act 1958

[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 Police Amendment Act (No. 2) 1988, and shall be read together with and deemed part of the Police Act 1958 (hereinafter referred to as the principal Act).

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

2. Determinations as to salary—Section 66A of the principal Act (as substituted by section 8 (1) of the Police Amendment Act 1978) is hereby amended by repealing the proviso to subsection (4).

3. Amending determinations—Section 66D of the principal Act (as inserted by section 2 (2) of the Police Amendment Act 1978) is hereby amended by repealing paragraph (d) of subsection (1) (as substituted by section 11 (1) of the Police Amendment Act 1978).

4. Criteria—The principal Act is hereby amended by repealing section 66F (as inserted by section 2 (2) of the Police Amendment Act 1978), and substituting the following section:

“66F. (1) In exercising their powers and functions under this Part of this Act, the Commissioner and the Tribunal shall have regard to—

“(a) The special conditions applicable to employment in the Police:

“(b) So far as such comparison is possible, the levels of remuneration received by and other matters affecting the remuneration of persons doing work of comparable responsibility in employment outside the Police:

“(c) The need to maintain adequate margins of remuneration between ranks in the Police:

“(d) The need to provide sufficient inducement for recruitment:

“(e) Such other matters as the Commissioner or the Tribunal, as the case may be, considers relevant, or as may be agreed upon between the Commissioner and the service organisations concerned.

“(2) The Commissioner shall consult with the State Services Commission when fixing the conditions of employment of the Police under this section. The State Services Commission may at any time, either before or during the fixing of such conditions of employment, indicate to the Commissioner that it wishes to participate with the Commissioner in fixing those conditions of employment, and the Commissioner shall allow the State Services Commission to participate accordingly.

“(3) No determination under paragraph (b) or paragraph (c) of subsection (1) of section 66A of this Act in respect of a matter where the conditions and circumstances are the same in any other branch of the State services and the Police, and no Tribunal order in respect of any such matter, shall contain any provision in respect of the matter that is more favourable than a corresponding provision of any agreement under the State Sector Act 1988.”

5. Jurisdiction to prescribe salaries—Section 66C of the principal Act (as substituted by section 13 (1) of the Police Amendment Act 1978) is hereby repealed.

6. Powers of Tribunal—Section 71 of the principal Act (as substituted by section 5 of the Police Amendment Act 1969) is hereby amended by repealing subsections (2), (2A) (as inserted by section 10 of the Police Amendment Act 1972), and (2B) (as inserted by section 16 (2) of the Police Amendment Act 1978), and substituting the following subsection:

“(2) The Tribunal shall have power to—

- “(a) Alter any rate of remuneration or condition of employment prescribed by a determination in respect of employees in the Police:
- “(b) Make recommendations to the Minister on any matter arising out of any application mentioned in subsection (1) of this section but in respect of which the Tribunal has no power to make an order.”

This Act is administered in the Police Department.
