



## ANALYSIS

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1. Short Title

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- 3. Rights of appeal
- 4. Consequential repeals

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1982, No. 23

**An Act to amend the State Services Act 1962**

[12 October 1982]

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

**1. Short Title**—This Act may be cited as the State Services Amendment Act 1982, and shall be read together with and deemed part of the State Services Act 1962 (hereinafter referred to as the principal Act).

**2. Appointment of officers of other branches of State Services to Public Service**—The principal Act is hereby amended by repealing section 31 (as substituted by section 3 (1) of the State Services Amendment Act 1973), and substituting the following section:

“31. (1) Any officer of the Post Office may be appointed to any vacancy in the Public Service as if he were an officer thereof.

“(2) Any person who is employed, and has then been continuously employed (whether before or after the commencement of this section) for an immediately preceding period of not less than 2 years,—

“(a) By the New Zealand Railways Corporation; or

“(b) In the Legislative Department; or

“(c) In the New Zealand Security Intelligence Service; or

“(d) In the Hospital service; or

“(e) In the Education service; or  
 “(f) In the regular forces of the Armed Forces; or  
 “(g) By the New Zealand Planning Council,—  
 may be appointed to any vacancy in the Public Service as if he were an officer thereof.

“(3) Any person who is employed—  
 “(a) By the Post Office; or  
 “(b) By the New Zealand Railways Corporation; or  
 “(c) In the Legislative Department; or  
 “(d) In the New Zealand Security Intelligence Service; or  
 “(e) In the Hospital service; or  
 “(f) In the Education service; or  
 “(g) In the regular forces of the Armed Forces; or  
 “(h) By the New Zealand Planning Council,—  
 may, if he has been so employed continuously for an immediately preceding period of less than 2 years and if that period has been immediately preceded by a continuous period of employment as a probationer or officer in the Public Service and if the combined length of those periods of employment has been not less than 2 years, be appointed to any vacancy in the Public Service as if he were an officer thereof.

“(4) Section 27 (1) of this Act shall not apply in respect of the appointment to the Public Service of any person to whom subsection (1) or subsection (2) or subsection (3) of this section applies.

“(5) Any person to whom subsection (1) or subsection (2) or subsection (3) of this section applies—

“(a) Shall not have any right of appeal under section 64 of this Act; and

“(b) Except as provided in subsection (6) of this section, shall not be deemed to be an officer of the Public Service for any other purpose until he has been so appointed.

“(6) Where any person to whom subsection (1) or subsection (2) or subsection (3) of this section applies is appointed to any office or position specified in the Third Schedule to this Act, section 64 (2) of this Act shall apply as if he were an officer immediately before that appointment.

“(7) Notwithstanding anything in this section or in any other section of this Act, no person shall be appointed to the position of Secretary of Defence or Deputy Secretary of Defence or Assistant Secretary of Defence within 3 years of that person having last had service in the regular forces of the Armed Forces.”

**3. Rights of appeal**—Section 64 (1) (a) of the principal Act (as amended by section 3 (3) of the State Services Amendment Act 1973) is hereby amended by inserting, after the words “Education service”, the words “or the regular forces of the Armed Forces”.

**4. Consequential repeals**—The following enactments are hereby consequentially repealed, namely,—

- (a) Section 3 (1) of the State Services Amendment Act 1973;
- (b) Section 15 of the New Zealand Security Intelligence Service Amendment Act 1977.

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This Act is administered in the State Services Commission.

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