

## GOVERNMENT RAILWAYS AMENDMENT BILL

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### EXPLANATORY NOTE

THIS Bill amends the Government Railways Act 1949.

The amendments are consequential on the enactment on 23 November 1953 of section 9 of the Government Railways Amendment Act 1953. That section, taken in conjunction with sections 77 (2) and 95 of the principal Act, brought certain classes of senior positions in the Department within range of appeal for the first time.

*Clause 2* enables the Commission to declare appointments made before 23 November 1953 to be special promotions where the appointments were to positions which were not then subject to appeal. Such a declaration will cause the seniority of the member to whom it applies to be determined, for the purposes of subsequent appointments and appeals relating thereto, as if the member had not been specially promoted.

*Clause 3* provides that no member shall have a right of appeal against any appointment made before 23 November 1953 in respect of which a declaration has been made as aforesaid declaring the appointee to have been specially promoted to the position.

The new provisions are similar to those contained in section 32 of the Finance Act (No. 2) 1948, which was enacted to meet a similar position which arose at that time. The 1948 provisions now appear as sections 84 (8) and 95 (7) of the Government Railways Act 1949. They are now spent, and the new provisions will take their place.

*Hon. Mr Goosman*

## GOVERNMENT RAILWAYS AMENDMENT

### ANALYSIS

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| Title.          | 2. Special promotion.                            |
| 1. Short Title. | 3. No appeal against certain special promotions. |

### A BILL INTITULED

AN ACT to amend the Government Railways Act 1949. **Title.**

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

1. This Act may be cited as the Government Railways Amendment Act 1954, and shall be read together with  
and deemed part of the Government Railways Act 1949  
(hereinafter referred to as the principal Act). **Short Title.**  
1949, No. 40

10 2. (1) Section eighty-four of the principal Act is hereby amended by repealing subsection eight, and substituting the following subsection: **Special promotion.**

“(8) The Commission may by official circular  
15 declare any employee who, on the twenty-third day of November nineteen hundred and fifty-three, held a position classified in any of the grades or classes above Grade Special 3 of Class 4 of the 1953 classification to have been specially promoted to that position, and in any such case the employee shall be deemed to have been  
20 specially promoted to that position from the date of his appointment thereto. In making any declaration under this subsection the Commission shall be bound by the considerations referred to in subsection three of this section.”

1953, No. 63

No appeal  
against certain  
special  
promotions.

(2) Section ten of the Government Railways Amendment Act 1953 is hereby consequentially repealed.

3. Section ninety-five of the principal Act is hereby amended by repealing subsection seven, and substituting the following subsection: 5

“(7) No member shall have a right of appeal against any appointment made before the twenty-third day of November, nineteen hundred and fifty-three, in respect of which a declaration has been made under subsection eight of section eighty-four of this Act declaring the appointee to have been specially promoted to the position.” 10