

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE ON THE  
STATUTES AMENDMENT BILL]

*Right Hon. Mr Nash*

**PUBLIC SERVICE AMENDMENT**

ANALYSIS

Title	2. Appointment where salary of position
1. Short Title	increased

**A BILL INTITULED**

**An Act to amend the Public Service Act 1912**

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

**1. Short Title**—This Act may be cited as the Public Service  
Amendment Act 1960, and shall be read together with and  
deemed part of the Public Service Act 1912.

**2. Appointment where salary of position increased**—The  
10 Public Service Amendment Act 1927 is hereby amended by  
inserting, after section 10, the following section:

“10A. Notwithstanding anything to the contrary in the  
Government Service Tribunal Act 1948, when the maximum  
salary of any employee would but for this section be increased  
15 by any order of the Government Service Tribunal or by any  
determination of the Commission under that Act, the Com-  
mission, if in its opinion such action is necessary or expedient  
for the purposes of the principal Act (including this Act),

may, within twenty-one days after the publication of the order or determination or, as the case may be, after notice of the order is received by the Commission, either—

“(a) Declare the employee to have been promoted on the date on which the order or determination takes effect, in which case the declaration shall be deemed to be an appointment made by the Commission without notification of the vacancy; or 5

“(b) Declare vacant on the date on which the order or determination takes effect the position occupied by the employee, in which case the Commission shall fill the vacant position in any manner authorised by the principal Act (including this Act): 10

“Provided that where the employee is appointed to the position following such a declaration, he shall be deemed to have been appointed on the date on which the order or determination took effect.” 15