

1975/178



**THE POST OFFICE EMPLOYEES' SICK BENEFIT FUND
REGULATIONS 1969, AMENDMENT NO. 1**

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 30th day of June 1975

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to Part XII of the Post Office Act 1959, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Post Office Employees' Sick Benefit Fund Regulations 1969, Amendment No. 1, and shall be read together with and deemed part of the Post Office Employees' Sick Benefit Fund Regulations 1969* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Payments from fund during sick leave—The principal regulations are hereby amended by revoking regulation 16, and substituting the following regulation:

“16. (1) Subject to the provisions of these regulations, every employee shall receive payment from the fund during the period of his absence from duty on approved sick leave without salary or on reduced salary except—

“(a) Where the employee is in receipt of payment by the Post Office pursuant to the provisions of section 112 of the Accident Compensation Act 1972; or

“(b) Where the employee is in receipt of earnings related compensation from the Accident Compensation Commission pursuant to the provisions of Part VI of the Accident Compensation Act 1972 and the compensation so paid is equivalent to, or greater than, the amount of salary normally payable to the employee.

“(2) Payment from the fund will be at the rate determined by the trustees from time to time.”

*S.R. 1969/220

3. Payments from fund may be recovered in certain cases—The principal regulations are hereby further amended by revoking regulation 17, and substituting the following regulation:

“17. (1) Where—

“(a) Any employee is absent from duty for any period as a result of an injury or disease; and

“(b) He receives payment from the fund under regulation 16 of these regulations; and

“(c) He later receives, pursuant to an entitlement established under Part VI of the Accident Compensation Act 1972, payment by way of earnings related compensation from the Accident Compensation Commission in respect of any such period or part thereof;

the trustees may recover from the employee as a debt due to the fund the whole of any payment made from the fund under regulation 16 of these regulations except any amount to which the employee is entitled from the fund in excess of that which he has received by way of the earnings related compensation.

“(2) Where an employee is entitled to payment under regulation 16 in respect of any period of absence from duty as a result of an injury or disease and, in the opinion of the trustees, he is entitled to earnings related compensation under the Accident Compensation Act 1972 in respect of that injury or disease, the trustees may, as a condition precedent to the making of any payment under regulation 16, require him to take all necessary steps to initiate and prosecute a claim pursuant to the provisions of the Accident Compensation Act 1972.”

4. Payments to be at discretion of trustees—The principal regulations are hereby further amended by revoking regulation 23, and substituting the following regulation:

“23. Notwithstanding anything in these regulations, the trustees may in their discretion decline to make payment or to continue to make payment to any employee or his dependants.”

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Post Office Employees' Sick Benefit Fund Regulations 1969.

Regulations 2 and 3 are revised to include provision for taking into account payments made under the Accident Compensation Act 1972.

Regulation 4 gives the trustees of the Fund power to discontinue to make payment in addition to their present power to decline to make any payment.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 3 July 1975.
These regulations are administered in the Post Office.