

1973/164



**THE POST OFFICE STAFF REGULATIONS 1951,
AMENDMENT NO. 28**

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 25th day of June 1973

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to 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 Staff Regulations 1951, Amendment No. 28, and shall be read together with and deemed part of the Post Office Staff Regulations 1951* (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*.

*S.R. 1951/158

Amendment No. 1:	S.R. 1952/33
Amendment No. 2:	S.R. 1952/167
Amendment No. 3:	S.R. 1953/17
Amendment No. 4:	S.R. 1953/176
Amendment No. 5:	S.R. 1954/43
Amendment No. 6:	S.R. 1954/96
Amendment No. 7:	S.R. 1955/109
Amendment No. 8:	S.R. 1955/220
Amendment No. 9:	S.R. 1956/11
Amendment No. 10:	S.R. 1956/83
Amendment No. 11:	S.R. 1957/63
Amendment No. 12:	S.R. 1959/81
Amendment No. 13:	S.R. 1959/179
Amendment No. 14:	S.R. 1960/155
Amendment No. 15:	S.R. 1961/162
Amendment No. 16:	S.R. 1962/183
Amendment No. 17:	S.R. 1963/156
Amendment No. 18:	S.R. 1964/86
Amendment No. 19:	S.R. 1964/125
Amendment No. 20:	S.R. 1964/134
Amendment No. 21:	S.R. 1965/172
Amendment No. 22:	S.R. 1966/2
Amendment No. 23:	S.R. 1966/51
Amendment No. 24:	S.R. 1966/155
Amendment No. 25:	S.R. 1968/204
Amendment No. 26:	S.R. 1969/123
Amendment No. 27:	S.R. 1969/181

2. Retirement—The principal regulations are hereby amended by adding the following Part:

“PART XIII

“RETIREMENT

“**144. Retirement policy**—(1) Every officer whose continuous permanent service in the Department above the rank of Message-boy or Junior Assistant commenced before the 1st day of January 1946 shall be required to relinquish his office at the date on which he completes 40 years continuous permanent service in the Department above those ranks, or on the date on which he attains the age of 65 years, whichever is the earlier.

“(2) Every officer whose continuous permanent service in the Department commenced on or after the 1st day of January 1946 shall be required to relinquish his office at the date on which he attains the age of 60 years if he has completed 40 years continuous permanent service in the Department. Every such officer who has not completed 40 years continuous permanent service in the Department at the date he attains the age of 60 years shall be required to relinquish his office on the date on which he completes such service or at the date on which he attains the age of 65 years, whichever is the earlier.

“(3) For the purposes of subclauses (1) and (2) of this regulation—

“(a) Where an officer leaves the service of the Department and subsequently rejoins the Department and under regulation 11 of these regulations is given any seniority credit for his previous service in the Department, his service in the Department shall, unless the Director-General in his discretion determines otherwise, be deemed to be continuous from the beginning of his last period of previous service:

“(b) Where an officer is transferred to the Department from any other Department in the Government Service, and is accredited under regulation 10 of these regulations for seniority purposes with his service in that other Department, the service so accredited shall, if, and to the extent to which, the Director-General in his discretion so determines, be deemed to be part of the continuous service of the officer in the Department.

“**145. Deferment of retirement**—(1) Notwithstanding anything in regulation 144 of these regulations—

“(a) Any officer may elect to defer his relinquishment of office until not later than the last working day of the quarter during which he is required to relinquish his office under that regulation:

“(b) The Director-General may, for the efficiency of the Department and with the consent of an officer, retain him in office beyond the date on which he would normally be required to relinquish office under that regulation where it is deemed necessary in the public interest to do so:

“Provided that any extension of service under this paragraph shall be reviewed annually, and in no case shall an officer be retained beyond the last working day of the quarter in which he attains the age of 65 years.

“(2) For the purpose of subclause (1) of this regulation—

“‘Quarter’ means a period of 3 months ending with the last day of March, June, September, or December in any year:

“‘Last working day’, in relation to the quarter ending on the last day of December in any year, means the last working day immediately before the 25th day of December in that year.

“146. **Voluntary retirement**—(1) Subject to section 35 of the Superannuation Act 1956 regarding the application of that section by the controlling authority, the Director-General shall authorise the voluntary relinquishment of office of any member of the staff who—

“(a) Is eligible, by length of contributory service or by age, to receive a retiring allowance under that Act; or

“(b) Would be so eligible if he had been a contributor to the Government Superannuation Fund for the whole of his actual service which could qualify as contributory service under that Act.

“(2) For the purposes of subclause (1) of this regulation, unless the Director-General decides otherwise, a member of the staff shall give at least 3 months notice of voluntary relinquishment of office.

“147. **Compulsory retirement**—At the discretion of the Director-General, any member of the staff may be called upon to relinquish his office if the member—

“(a) Is eligible for a retiring allowance under any provision of the Superannuation Act 1956 that permits the payment of a retiring allowance on the retirement of the member, or permits the payment of a retiring allowance subject to the consent of the Director-General; or

“(b) Would be so eligible if he had been a contributor to the Government Superannuation Fund for the whole of his actual service which could qualify as contributory service under that Act.

“148. **Compulsory retirement on medical grounds**—(1) A member of the staff who, in the opinion of the Director-General, may be medically unfit to perform the duties of his office, may be required by the Director-General by notice in writing to be examined by 2 medical practitioners approved by the Director-General, or if the member is a contributor to the Government Superannuation Fund, by 2 medical practitioners approved by the Government Superannuation Board.

“(2) On the certificate of the 2 medical practitioners that a member of the staff referred to in subclause (1) of this regulation is medically unfit to perform those duties, he may be required by the Director-General to relinquish his office within such time, being not less than 3 months, as may be specified by notice in writing:

“Provided that, before issuing the notice the Director-General shall be satisfied that there are no other suitable duties which could be assigned to that member.

“149. Voluntary retirement on medical grounds—(1) Where a member of the staff, not being a contributor to the Government Superannuation Fund, voluntarily applies to relinquish office on the grounds that he is medically unfit to perform the duties of his office he may be required by the Director-General by notice in writing to be examined by 2 medical practitioners approved by the Director-General.

“(2) On the certificate of the 2 medical practitioners that a member of the staff to whom subclause (1) of this regulation applies is medically unfit to perform the duties of his office, the member may, where the Director-General is satisfied that there are no other suitable duties which could be assigned to that member, be permitted by the Director-General to relinquish his office.

“(3) Where a member of the staff, being a contributor to the Government Superannuation Fund, voluntarily applies to relinquish his office on the grounds that he is medically unfit to perform the duties of his office, he shall follow the procedure set down in the Superannuation Act 1956.

“150. Effective date of retirement—Any leave due or granted to a member of the staff who elects or is required to relinquish his office in accordance with this Part of these regulations shall be taken immediately following the date of relinquishment. The officer shall be deemed to be supernumerary during the period of his leave, and retirement will be effective from the date on which the leave expires.”

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 add a new Part XIII to the Post Office Staff Regulations 1951, dealing with the retirement policy of the Post Office.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 28 June 1973.
These regulations are administered in the Post Office.