

## Serial Number 1942/340



## THE PUBLIC SERVICE AMENDING REGULATIONS 1942

IN pursuance and exercise of the authority conferred on him by the Public Service Act, 1912, the Public Service Commissioner doth, subject to the approval of the Governor-General in Council, hereby make the following regulations.

### REGULATIONS.

1. These regulations may be cited as the Public Service Amending Regulations 1942.

2. These regulations shall be read together with and form part of the regulations made under the Public Service Act, 1912, on the 31st day of March, 1913\* (hereinafter called the principal regulations).

3. Regulation 8A of the principal regulations is amended by adding thereto the following words: "Sunday work shall not be ordered except under very special circumstances."

4. Regulation 8B of the principal regulations is revoked and the following substituted :—

#### " OVERTIME.

" 8B. (1) No work shall be regarded as overtime work for which extra payment may be made unless—

" (a) The attendance of the officer undertaking the work has been properly entered in the attendance records ;

" (b) The work cannot be performed during regular hours of duty ; and

" (c) The Commissioner approves overtime payment for the work on the ground that it is special in its character.

" (2) Officers not working under close supervision and officers whose hours of duty cannot be definitely determined shall not be entitled to overtime payments.

" (3) No officer in receipt of a salary of £565 per annum or over shall be entitled to overtime payments.

" (4) Subject to clause (5) of this regulation, no officer shall in any year ending on the 31st day of March receive by way of overtime payments sums exceeding the amount by which the sum of £565 exceeds the sum of his classified salary and any allowance paid to him in that year for performing higher duties and any sum payable to bring a salary to the prescribed minimum rate of remuneration for an officer of adult age or for a married officer.

" (5) Payments for overtime performed on—

" (a) Sundays ;

" (b) The holidays set out in Regulation 66 hereof ; and

\* Gazette, 1st April, 1913, Vol. I, page 977.

“(c) Such other occasions as may from time to time be decided on and notified by the Commissioner,—  
shall not be taken into account for the purpose of clause (4) of this regulation.”

5. Regulation 8E of the principal regulations is revoked, and the following substituted :—

“ RATE OF PAYMENT.

“ 8E. (1) Subject to clause (4) of this regulation payment to officers of the Professional and Clerical Divisions for overtime work for which extra payment may be made pursuant to Regulation 8B hereof shall be made at the following rates :—

“(a) For work in excess of forty hours a week but not in excess of forty-four hours a week, at the hourly rate of pay of the officer concerned, with a minimum rate of 1s. 6d. an hour :

“(b) For work in excess of forty-four hours a week, at one and a half times the hourly rate of payment of the officer concerned, with a minimum rate of 2s. 3d. an hour and a maximum rate of 6s. 9d. an hour :

“ Provided that in any special case the Commissioner may fix a lower or higher overtime rate.”

“(2) For the purposes of this regulation the hourly rate of pay of an officer receiving salary fixed at an annual rate shall be one two-thousand-and-eightieth part of the annual salary, fractions of less than a halfpenny being reckoned at the halfpenny above and fractions of more than a halfpenny at the penny above, and annual salary shall be deemed to include any allowance payable for performing higher duties and also any sums payable to bring a salary to the prescribed minimum rate of remuneration for an officer of adult age or for a married officer.

“(3) Overtime shall be calculated to the nearest quarter of an hour.

“(4) Payment to officers of the Professional and Clerical Divisions for such overtime work as aforesaid performed on—

“(a) Sundays ;

“(b) The holidays set out in Regulation 66 hereof ; and

“(c) Such other occasions as may from time to time be decided on and notified by the Commissioner,—

shall be made at double the respective rates set out in clause (1) (a) of this regulation, with a minimum rate of 3s. an hour and a maximum rate of 6s. 9d. an hour.

“(5) Payment to officers of the General Division for overtime work shall be made according to any special regulations applicable, and in other cases may be made at such rate as the Commissioner may from time to time generally fix.”

6. Regulation 24A of the principal regulations is amended by adding thereto the following paragraphs :—

“(c) To compensate for any out-of-pocket expenses incurred by an officer and arising out of his performance of official duties ;

“(d) In any other case where the Commissioner considers that the circumstances justify payment.”

7. Regulation 117 of the principal regulations is revoked, and the following substituted :—

“ MEAL-ALLOWANCE.

“ 117. In any case where an officer is directed—

“ (a) To commence duty two hours or earlier before his usual hour of commencing attendance ; or

“ (b) To remain on duty, or to resume duty, for at least two hours after the usual hours of attendance, then—

“ (i) If the additional duty necessitates his taking a meal away from home he shall be granted, in addition to any overtime payable, a meal-allowance on the following scale :—

“ Officers receiving remuneration equivalent to a classified salary of £425 a year or over, 2s. 6d.;

“ Officers receiving remuneration less than a classified salary of £425 a year, 2s., but on Sundays and Public Service holidays, 2s. 6d.

“ (ii) If the additional duty enables him to take a meal at home and he regularly travels there by public conveyance, he may be paid the fares to and from his residence.”

8. Regulation 209 of the principal regulations is amended by revoking clauses (6) and (7) thereof, and substituting the following clauses :—

“ (6) If any officer who is performing the duties of a higher class or grade as aforesaid goes on leave, such leave shall not be deemed to interrupt the performance of such duties if the officer goes back to the same or similar higher duties on his return from leave.

“ (7) If leave be taken on full pay or on reduced pay during a period to which clause (6) of this regulation applies, there shall in respect of a leave period not exceeding one month or in respect of the first month of a leave period exceeding one month be payable either the allowance payable for performing higher duties or (if the leave be on reduced pay) the same proportion of that allowance as the proportion of salary which is payable during the leave period, but no such allowance shall be paid for any leave period after the first month thereof, and in case of leave without pay no such allowance shall be paid for any part of the leave period.”

As witness my hand, this 15th day of December, 1942.

J. H. BOYES,  
Public Service Commissioner.

In pursuance of the provisions of the Public Service Act, 1912, His Excellency the Governor-General, acting with the advice and consent of the Executive Council, approves the foregoing regulations.

C. L. N. NEWALL, Governor-General.

Approved in Council, this 16th day of December, 1942.

C. A. JEFFERY,  
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 17th day of December, 1942.

These regulations are administered in the Office of the Public Service Commissioner.