

Serial Number 1947/116



THE PUBLIC SERVICE AMENDING REGULATIONS 1947

PURSUANT to the Public Service Act, 1912, the Public Service Commission 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 1947.

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

3. These regulations shall be deemed to have come into force on the 1st day of April, 1946.

4. Clauses (2) and (3) of Regulation 8B of the principal regulations are revoked, and the following clauses substituted:—

“(2) No officer in receipt of a salary of £660 per annum or over shall be entitled to overtime payments.

“(3) Subject to clause (4) of this regulation, no officer shall in any year ending on the 31st day of March receive, by way of overtime payments, sums exceeding in the aggregate the amount by which the sum of £660 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. Subclause (b) of clause (1) of Regulation 8C of the principal regulations is revoked, and the following subclause substituted:—

“(b) For work performed on Sundays and the holidays and occasions set out in clause (4) of Regulation 8B hereof, at double the hourly rate of payment of the officer concerned, with a minimum rate of 3s. an hour and a maximum rate of 7s. 6d. an hour.”

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

6. Regulation 65A of the principal regulation is revoked, and the following regulation substituted :—

“ 65A (1) An officer resigning or retiring from the Public Service may be granted by the Commission special leave of absence on full pay as follows :—

- | | |
|---|-----------|
| “ Under ten years’ service | No leave |
| “ Ten and under twenty years’ service | One month |
| “ Twenty years’ service and over | Six weeks |

but any male officer—

- “ (a) With not less than twenty years’ service and being not less than sixty years of age, or
- “ (b) With not less than thirty-five years’ service irrespective of age, or
- “ (c) Who is permitted to retire on a medical certificate which indicates that he is unable to continue work in the Public Service,

or any female officer—

- “ (d) With not less than twenty years’ service and being not less than fifty years of age, or
- “ (e) Who is permitted to retire on a medical certificate which indicates she is unable to continue work in the Public Service,

may be granted three months’ special leave of absence on full pay.

“ (2) In applying this regulation the Commission will take into account whether the officer’s conduct has been good throughout his service, whether his work has been performed efficiently and conscientiously, and whether his sick-leave on pay has exceeded the period due to him in normal circumstances under these regulations.

“ In determining the period of service for the purposes of this regulation the Commission may exclude any continuous period of leave exceeding three months (other than leave for sickness or military service).”

7. The principal regulations are amended by inserting, next following Regulation 65A, the following regulations :—

“ 65AA. Subject to clause (2) of Regulation 65A—

- “ (i) Women resigning from the Public Service to be married, or having married while in the Public Service ; or
- “ (ii) Officers dispensed with through no fault of their own before reaching the retiring-age,

may be granted special leave of absence on full pay as follows :—

- | | |
|---|----------------|
| “ Under five years’ service | No leave. |
| “ Five years’ and under ten years’ service | One month. |
| “ Ten years’ and under fifteen years’ service | Two months. |
| “ Fifteen years’ service and over | Three months.” |

“ 65AB. The Commission may recommend a cash payment to the widow or dependants of a deceased officer of a sum the equivalent in money of the leave that might have been granted to the deceased officer in terms of Regulation 65A had he retired from the Public Service on the date of his death.”

8. The principal regulations are amended by inserting, next following Regulation 65C, the following regulation :—

“ 65D. In special cases the Commission may authorize the granting of retiring-leave on such conditions as it considers appropriate.”

9. Regulation 109 of the principal regulations is revoked, and the following regulation substituted :—

“109. All officers to whom this Part of these regulations applies may be paid travelling-allowances for personal expenses at the following rates :—

“(a) Officers receiving a salary (excluding adult and married allowances in the nature of salary) not exceeding £240 per annum : Actual and reasonable expenses.

“(b) Officers receiving a salary (excluding adult and married allowances in the nature of salary) exceeding £240 but not exceeding £375 per annum.—

	Per Diem.
	s. d.
“ Not exceeding six days in one locality ..	17 6
“ Exceeding six days in one locality ..	15 0
“ Provided that if more than six days are spent in one locality, the minimum payment is to be £5 5s.	

“(c) Officers receiving a salary exceeding £375 but not exceeding £460 per annum 17 6

“(d) Officers receiving a salary exceeding £460 but not exceeding £560 per annum 20 0

“(e) Officers receiving a salary exceeding £560 per annum 22 6

“ Provided that in respect of all the cases hereinbefore referred to—

“(i) While at sea, if the time occupied is more than twenty-four hours, the allowance shall be—

	Per Diem.
	s. d.
“ For the first day of absence from headquarters	10 0
“ For subsequent days	2 6

“(ii) Whenever the Commission or the Permanent Head is satisfied that a lower travelling-allowance than the scale allowance should suffice the scale allowance may be reduced.”

10. Clause (1) of Regulation 111B of the principal regulations is revoked, and the following clause substituted :—

“(1) Officers called upon to perform purely relieving duty which necessitates their absence from home at night may be paid allowances to be determined on the basis of actual and reasonable additional expenses above normal costs, subject to approval by the Permanent Head or the Commission, and not exceeding the following rates unless approved by the Commission—

	Per Diem.
	s. d.
“(a) To officers receiving a salary not exceeding £375 per annum	Up to 12 6
“(b) To officers receiving a salary exceeding £375 but not exceeding £560 per annum	Up to 15 0
“(c) To officers receiving a salary exceeding £560 per annum	Up to 17 6

“ Provided that in any special case the Commission may authorize payment of an allowance at a higher rate.”

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

“ 117. In any case where by direction an officer—

“(a) Commences duty at least two hours before his usual hour of commencing attendance ; or

“(b) Remains on duty, or resumes duty, for at least two hours after the usual hours of attendance ; or

“(c) Returns to duty on a Saturday beyond the usual attendance for the week, and remains on duty or resumes duty for at least two hours after the usual time for a meal, then—

“(i) If the additional duty necessitates his taking a meal away from home which he would not otherwise have taken away from home, he shall be granted, in addition to any payment for overtime, a meal-allowance on the following scale—

	Per Meal.	
	s.	d.
“ Officers receiving remuneration equivalent to a classified salary of not less than £510 a year	2	6
“ Officers receiving remuneration equivalent to a classified salary of less than £510 a year	2	0
“ But on Sundays and Public Service holidays	2	6

“(ii) If the additional duty does not prevent his taking a meal at home and he regularly travels there by public conveyance, he may be paid the fares to and from his residence in lieu of meal-allowance.”

12. Regulation 124 of the principal regulations is revoked, and the following regulation substituted :—

“ 124. Where the transfer of an officer authorized for departmental reasons and not at his own request necessitates the removal of his furniture and effects from one locality to another, the reasonable costs of such removal shall be met by the Department to which he is being transferred. The Permanent Head may authorize payment of an amount up to £75, but if the most acceptable tender exceeds that amount the matter shall be referred to the Commission for decision.”

13. Regulation 125 of the principal regulation is revoked.

14. Regulation 126 of the principal regulations is revoked, and the following regulation substituted :—

“ 126. Cost of removal shall not be allowed on the following effects :—

“(a) All articles not part of the officer’s own household :

“(b) Buildings, materials connected with buildings and structures generally, garden seats, ladders (other than small household), and wireless poles :

“(c) Workshop machinery, engines, cultivating machinery, garden rollers, wheelbarrows, powered mowers, vehicles (including motor-cars, motor-bicycles, caravans, and trailers), and bulky ornaments :

“(d) Boats :

“(e) Wood, coal, and fuel generally :

“(f) Large garden plants (in pots or otherwise) :

“(g) Live-stock, beehives, and dog-kennels.”

15. Regulation 127 and Regulation 130 of the principal regulations are revoked.

16. Paragraph (b) of Regulation 192 is amended by adding, at the commencement thereof, the words "If the Commission requires it".

17. Regulation 195 of the principal regulation is revoked.

18. Regulation 209 of the principal regulations is revoked, and the following regulation substituted:—

"209. (1) *Clerical Division Officers*.—An officer, graded in the Clerical Division, efficiently performing the duties of a position of a higher class than that in which he is graded—

"(i) For a period not less than 61 consecutive days (not being a period treated as one of a series of intermittent periods under the next succeeding paragraph); or

"(ii) For 92 days at intermittent periods in any period of twelve consecutive months which does not include any time for which an allowance has already been paid for the intermittent performance of higher duties; or

"(iii) For shorter periods than those mentioned in the last two preceding paragraphs where, in the opinion of the Commission, the circumstances are shown to be of a special nature,—

may be granted, on approval by the Commission, an allowance for the period or periods during which he has performed such higher duties at the appropriate one of the following rates.

"(a) Class VI officers temporarily performing the duties of positions graded in Class V:

"(i) Officers in receipt of a salary lower than the maximum of C, VI £50 per annum.

"(ii) Officers in receipt of the maximum salary for C, VI £35 per annum.

"(b) Officers temporarily performing the duties of positions graded in the range Class IV to Class I—

Acting in a Position graded	An allowance based on the Difference between the Officers' Maximum Salary and
(i) One class above the officer's own grading	The minimum salary of the next class above the officer's own class.
(ii) Two classes above the officer's own grading	The maximum salary of the next class above the officer's own class.
(iii) Three classes above the officer's own grading	The minimum salary of two classes above the officer's own class.
(iv) Four classes above the officer's own grading	The maximum salary of two classes above the officer's own class.

"(c) Officers acting in positions graded in Class (Special): At such rate as the Commission may determine to be appropriate in the circumstances.

"(d) The Commission may authorize an increase in the allowance payable under paragraphs (a) and (b) of this clause by annual increment to the next successive step of the salary scale until the maximum salary is reached for the position in which the officer is acting.

“(2) *Professional, General, and Educational Division Officers.*—An officer of the Professional, General, or Educational Division may be granted a higher-duties allowance at such rate as the Commission may determine to be appropriate, but generally commensurate with the allowance stated hereinbefore for Clerical Division officers.

“(3) *General as to all Officers performing Higher Duties.*—In any special case the Commission may grant a higher duties allowance at the rate in excess of or less than that stated in clause (1) of this regulation.

“(4) 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.

“(5) (a) If an officer who is performing the duties of a higher class or grade as aforesaid goes on leave on full pay or on reduced pay 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 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.

“(b) If an officer has been in receipt of a higher-duties allowance for a period of at least twelve months immediately preceding the date of his proceeding on annual leave, the allowance may continue to be paid for that period of annual leave referable to the period during which the allowance has been paid.”

19. Regulations 213 and 214 of the principal regulations are revoked, and the following regulations substituted :—

“213. If for reasons of departmental convenience an officer, probationer, or person temporarily employed is stationed away from home, the Commission may authorize the payment of a lodging-allowance at the appropriate rate set out in the following table :—

Annual Salary.	Rate of Lodging-allowance per annum.
“ Not exceeding—	
£	£
“ 100 55
“ 125 50
“ 140 50
“ 150 40
“ 165 30
“ 180 25
“ 190 15

“214. (1) If an officer, probationer, or person temporarily employed whose annual salary does not exceed £190 has no settled home, or is living with his widowed mother and his mother's circumstances, in the opinion of the Commission, are not such as to enable her to give him adequate assistance, the Commission may authorize the payment of a lodging-allowance at such rate as the Commission thinks fit, not exceeding the rate of lodging-allowance prescribed in Regulation 213.

“(2) In cases not provided for in Regulation 213 and clause (1) of this regulation the Commission may authorize payment to an officer probationer, or person temporarily employed whose annual salary does not exceed £190 of (a) lodging-allowance at such rate as he thinks fit, not exceeding the rate prescribed in Regulation 213, or (b) a refund from time to time of fares incurred by him in travelling to and from his place of duty.

“(3) An allowance under this regulation shall not be authorized for a period exceeding six months, but may from time to time be extended, but so that no such extension shall be for a period exceeding six months.

“(4) Any allowance granted under this regulation may, at any time during the period (including an extended period) for which it has been authorized, be terminated by the Commission at its discretion.”

20. The principal regulations are amended by inserting, next following Regulation 216, the following headings and regulations :—

“ REMOTE ALLOWANCE

“ 216A. If for reasons of departmental convenience an employee is stationed or is living in a remote locality where from the general nature of his work he would normally not be so located he may be paid, subject to such conditions as the Commission may determine from time to time, a remote allowance at the appropriate one of the following rates :—

- “ Single employee or married employee residing apart from his family £15 per annum.
- “ Married employee residing with his family £30 per annum.

“ NIGHT DIFFERENTIAL ALLOWANCE

“ 216B. Where at least four hours of a shift (excluding overtime duty) is worked, with the approval of the Commission, between the hours at 7.30 p.m. and 7.30 a.m., an employee who would normally work in the daytime may be paid an allowance at the rate of 4s. a night shift.

“ SHIFT ALLOWANCE

“ 216C. With the approval of the Commission, an allowance at the rate of 2s. 6d. per shift may be paid to employees who are required to work at least four hours per shift outside the normal hours of duty from 8 a.m. to 5 p.m.

“ STANDBY ALLOWANCE

“ 216D. The Commission may authorize the payment of an allowance at the rate of £10 per annum to employees who are instructed by their Controlling Officers to be on call for duty at short notice at any time of the day or night.”

21. Regulation 217 of the principal regulations and the heading thereto is revoked.

As witness our hands, this 7th day of July, 1947.

R. M. CAMPBELL, Chairman,

G. T. BOLT, Member,

A. H. O'KEEFE, Member,

The Public Service Commission.

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

B. C. FREYBERG,
Governor-General.

Approved in Council, this 30th day of July, 1947.

W. O. HARVEY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 31st day of July, 1947.

These regulations are administered in the office of the Public Service Commission.