

1967/39



**THE PUBLIC SERVICE REGULATIONS 1964,  
AMENDMENT NO. 2**

—  
BERNARD FERGUSSON, Governor-General  
ORDER IN COUNCIL

At the Government Buildings at Wellington this 13th day of March 1967

Present:

THE RIGHT HON. J. R. MARSHALL PRESIDING IN COUNCIL

PURSUANT to the State Services Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Public Service Regulations 1964, Amendment No. 2, and shall be read together with and deemed part of the Public Service Regulations 1964\* (hereinafter referred to as the principal regulations).

(2) These regulations shall be deemed to have come into force on the 1st day of April 1966.

**2. Interpretation**—Regulation 2 of the principal regulations is hereby amended by adding the following definition:

“‘Working day’ means a day on which an employee is required by the terms of his employment to be on duty for not less than seven and a half hours:”.

**3. Leave to be increased in certain cases**—The principal regulations are hereby amended by inserting in Part IV, before regulation 16, the following regulation:

“15A. Any leave to which an employee is entitled as of right or which may be granted by the Commission pursuant to regulations 16 to 24 hereof shall in every case be increased by a number of days equivalent to the proportion that the employee’s working days (at the time when the leave becomes due) in excess of five working days in each week bear to the full weekly period of five days, calculated to the next highest figure.”

**4. Eligibility for retiring leave**—(1) Regulation 16 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Subject to the provisions of regulation 15A hereof, the following classes of employees shall, after giving notice as specified in section 40 of the State Services Act 1962, unless they are ineligible in accordance with subclause (2) of this regulation, be entitled as of right to the retiring leave prescribed in Parts A and B of the Second Schedule hereto:

“(a) All male employees:

“(b) All female employees who had less than 20 years’ service at the 1st day of April 1962, and who received a benefit by way of increase in either salary or maximum as a result of the implementation of the Government Service Equal Pay Act 1960:

“(c) All female employees appointed to the Public Service on or after the 1st day of April 1962.”

(2) The principal regulations are hereby amended by adding the Second Schedule set out in the First Schedule to these regulations.

**5. Special cases of female eligibility**—(1) The principal regulations are hereby amended by revoking regulation 17, and substituting the following regulation:

“17. (1) Subject to the provisions of regulation 15A hereof, the following additional class of female employees shall, after giving notice as specified in section 40 of the State Services Act 1962, unless they are ineligible in accordance with subclause (2) of this regulation, be entitled as of right to the retiring leave prescribed in this regulation:

“(a) Female employees appointed before the 1st day of April 1962 who did not receive a benefit by way of increase in either salary or maximum resulting from the implementation of the Government Service Equal Pay Act 1960, who shall be entitled to retiring leave as follows:

Qualification Required	Amount of Retiring Leave (In Working Days)
Completion of 35 years’ service	131 days.
Completion of 30 years’ service where the employee has been employed continuously from a date before the 1st day of April 1946; or completion of 20 years’ service and age 50 years or more	65 days or in accordance with Part B of the Second Schedule hereto, whichever is the greater amount.
Completion of 10 or more years’ service, and age 60 years or more, except where any of the foregoing provisions of this paragraph apply	In accordance with Part A of the Second Schedule hereto.
Completion of 10 years’ service, but less than 20 years’ service, and age 55 years or more, except where any of the foregoing provisions of this paragraph apply	22 days.

“(b) Female employees who were 55 years of age or who had 35 years’ service at the 1st day of April 1962, irrespective of whether or not they received any benefit resulting from the implementation of the Government Service Equal Pay Act 1960, who shall be entitled to retiring leave as follows:

Qualification Required	Amount of Retiring Leave (In Working Days)
Completion of 35 years’ service	131 days.
Completion of 20 or more years’ service	In accordance with Parts A and B of the Second Schedule hereto.
Completion of 10 or more years’ service, and age 60 years or more, except where any of the foregoing provisions of this paragraph apply	In accordance with Part A of the Second Schedule hereto.
Completion of 10 years’ service, but less than 20 years’ service, and age 55 years or more, except where any of the foregoing provisions of this paragraph apply	22 days.

“(c) Female employees who had 20 or more years’ service at the 1st day of April 1962, and who received a benefit by way of increase in either salary or maximum as a result of the implementation of the Government Service Equal Pay Act 1960, who shall receive leave in accordance with the Third Schedule hereto which shows, in respect of employees to whom this regulation applies, the retiring leave to which they are entitled and the qualification required.

“(2) Subclauses (2), (3), and (4) of regulation 16 of these regulations shall apply to all employees to whom this regulation applies.”

(2) The principal regulations are hereby amended by adding the Third Schedule set out in the Second Schedule to these regulations.

**6. Eligibility for retiring leave on medical grounds**—(1) Regulation 18 of the principal regulations is hereby amended by inserting in subclause (1), before the words “Any officer”, the words “Subject to the provisions of regulation 15A hereof”.

(2) Regulation 18 of the principal regulations is hereby further amended by revoking subclause (2), and substituting the following subclause:

“(2) Leave entitlement under this regulation shall be a minimum of 65 days where service does not exceed 25 years, but in every other case shall be in accordance with Part B of the Second Schedule hereto.”

**7. Leave in anticipation of retiring leave**—(1) Regulation 20 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) An officer with over 20 years’ continuous service shall be entitled as of right (but subject to subclauses (2) and (3) of this regulation) to leave on full pay in anticipation of retiring leave on the basis set out in the Fourth Schedule to these regulations:

“Provided that an officer with less than 20 years’ continuous service who would be entitled to retiring leave if he retired from the Public Service may at the discretion of the Commission be permitted to anticipate up to one-half of that retiring leave.”

(2) The principal regulations are hereby amended by adding the Fourth Schedule set out in the Third Schedule to these regulations.

**8. Retiring leave for employees whose services are dispensed with through no fault of their own before reaching retiring age**—(1) Regulation 22 of the principal regulations is hereby amended by revoking the table set out in subclause (1), and substituting the following table:

Amount of Retiring Leave (In Working Days)	Qualification Required
65 days .. ..	Completion of 15 or more years’ service.
41 days .. ..	Completion of 10 and under 15 years’ service.
22 days .. ..	Completion of 5 and under 10 years’ service.

(2) Regulation 22 of the principal regulations is hereby further amended by omitting from subclause (2) the expression “six weeks”, and substituting the expression “30 days”.

**9. Eligibility for resigning leave**—(1) Regulation 23 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Subject to the provisions of regulation 15A hereof, the Commission may at its discretion grant resigning leave to officers who have completed 20 or more years continuous service but who have not reached their optional retiring age on the basis set out in the Fifth Schedule to these regulations irrespective of age at the time of resignation.”

(2) The principal regulations are hereby amended by adding the Fifth Schedule set out in the Fourth Schedule to these regulations.

**10. Women resigning to be married or after having married while in the Public Service**—(1) Regulation 24 of the principal regulations is hereby amended by inserting in subclause (1), before the words “The Commission”, the words “Subject to the provisions of regulation 15A hereof”.

(2) Regulation 24 of the principal regulations is hereby further amended by revoking subclause (2), and substituting the following subclause:

“(2) The scales on which marriage leave will be based are as follows:

*Female Officers Who Completed 5, 10, or 15 Years' Service Before 1 April 1962 and Were Married Before 1 April 1962*

Amount of Leave (In Working Days)	Qualification Required
22 days .. ..	5 and up to 10 years' service and production of marriage certificate.
44 days .. ..	10 and up to 15 years' service and production of marriage certificate.
61 days .. ..	15 years' service and production of marriage certificate.

*Female Officers Who Marry After 1 April 1962 or Complete 5 Years' Service After 1 April 1962*

Amount of Leave (In Working Days)	Qualification Required
22 days .. ..	5 to 19 years' service and production of marriage certificate.
30 days .. ..	20 years' service or more."

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SCHEDULES  
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Reg. 4 (2)

FIRST SCHEDULE

NEW SECOND SCHEDULE TO PRINCIPAL REGULATIONS

Regs. 16 (1), 17 (1), 18 "SECOND SCHEDULE

RETIRING LEAVE

PART A

*Entitlement (in Working Days) with Service of Years and Months Specified*

Months	0	2	4	6	8	10
<b>Years</b>						
10 .. ..	22	23	24	24	25	26
11 .. ..	26	27	28	29	29	30
12 .. ..	31	31	32	33	34	34
13 .. ..	35	36	36	37	38	39
14 .. ..	39	40	41	41	42	43
15 .. ..	44	44	45	46	46	47
16 .. ..	48	49	49	50	51	51
17 .. ..	52	53	54	54	55	56
18 .. ..	56	57	58	59	59	60
19 .. ..	61	61	62	63	64	64
20 to 25 .. ..	65	..	..	..	..	..

FIRST SCHEDULE—*continued*

				PART B					
Months				0	2	4	6	8	10
Years									
25	..	..	..	65	66	66	67	68	69
26	..	..	..	69	70	71	71	72	73
27	..	..	..	74	74	75	76	76	77
28	..	..	..	78	79	79	80	81	81
29	..	..	..	82	83	84	84	85	86
30	..	..	..	86	87	88	89	89	90
31	..	..	..	91	91	92	93	94	94
32	..	..	..	95	96	96	97	98	99
33	..	..	..	99	100	101	101	102	103
34	..	..	..	104	104	105	106	106	107
35	..	..	..	108	109	109	110	111	111
36	..	..	..	112	113	114	114	115	116
37	..	..	..	116	117	118	119	119	120
38	..	..	..	121	121	122	123	124	124
39	..	..	..	125	126	126	127	128	129
40 or more	..	..	..	131	..	..	..	..	..”

SECOND SCHEDULE  
NEW THIRD SCHEDULE TO PRINCIPAL REGULATIONS

Reg. 5 (2)

“THIRD SCHEDULE

Reg. 17 (1) (c)

RETIRING LEAVE

*Entitlement (in Working Days) with Service of Number of Years Specified*

Years of Service at 1 April 1962	Total Years of Service																					
	40	39	38	37	36	35	34	33	32	31	30	29 if Age 51	28 if Age 52	27 if Age 53	26 if Age 54	25 if Age 55	24 if Age 56	23 if Age 57	22 if Age 58	21 if Age 59	20 if Age 60	
35	131	131	131	131	131	131	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
34	131	131	131	131	131	108	104	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
33	131	131	131	131	112	108	104	99	..	..	..	..	..	..	..	..	..	..	..	..	..	
32	131	131	131	116	112	108	104	99	95	..	..	..	..	..	..	..	..	..	..	..	..	
31	131	131	121	116	112	108	104	99	95	91	..	..	..	..	..	..	..	..	..	..	..	
30	131	125	121	116	112	108	104	99	95	91	86	..	..	..	..	..	..	..	..	..	..	
29	131	125	121	116	112	108	104	99	95	91	86	82	..	..	..	..	..	..	..	..	..	
28	131	125	121	116	112	108	104	99	95	91	86	82	78	..	..	..	..	..	..	..	..	
27	131	125	121	116	112	108	104	99	95	91	86	82	78	74	..	..	..	..	..	..	..	
26	131	125	121	116	112	108	104	99	95	91	86	82	78	74	69	..	..	..	..	..	..	
25	131	125	121	116	112	108	104	99	95	91	86	82	78	74	69	65	..	..	..	..	..	
24	131	125	121	116	112	108	104	99	95	91	86	82	78	74	69	65	65	..	..	..	..	
23	131	125	121	116	112	108	104	99	95	91	86	82	78	74	69	65	65	65	..	..	..	
22	131	125	121	116	112	108	104	99	95	91	86	82	78	74	69	65	65	65	65	..	..	
21	131	125	121	116	112	108	104	99	95	91	86	82	78	74	69	65	65	65	65	65	..	
20	131	125	121	116	112	108	104	99	95	91	86	82	78	74	69	65	65	65	65	65	65”	

NOTE (a) “Age” refers to completed years.  
(b) For each additional two months of service five-sevenths of one day’s retiring leave will be granted up to a maximum of 131 days.

THIRD SCHEDULE

Reg. 7 (2)

NEW FOURTH SCHEDULE TO PRINCIPAL REGULATIONS

“FOURTH SCHEDULE Regs. 17 (1) (c), 20

RETIRING LEAVE

*Entitlement (in Working Days) With Service of Years and Months Specified*

Months			0	3	6	9
<b>Years</b>						
20	..	..	65	66	66	67
21	..	..	68	69	69	70
22	..	..	71	71	72	73
23	..	..	74	74	75	76
24	..	..	76	77	78	79
25	..	..	79	80	81	81
26	..	..	82	83	84	84
27	..	..	85	86	86	87
28	..	..	88	89	89	90
29	..	..	91	91	92	93
30	..	..	94	94	95	96
31	..	..	96	97	98	99
32	..	..	99	100	101	101
33	..	..	102	103	104	104
34	..	..	105	106	106	107
35	..	..	108	109	109	110
36	..	..	111	111	112	113
37	..	..	114	114	115	116
38	..	..	116	117	118	119
39	..	..	119	120	121	121
40 or more	..	..	122	..	..	..”



Reg. 9 (2)

## FOURTH SCHEDULE

## NEW FIFTH SCHEDULE TO PRINCIPAL REGULATIONS

Reg. 23

## "FIFTH SCHEDULE

## RESIGNING LEAVE

Years of Service	Leave (Working Days)	Years of Service	Leave (Working Days)
20	32	30	46
20½	33	30½	47
21	34	31	48
21½	34	31½	49
22	35	32	49
22½	36	32½	50
23	36	33	51
23½	37	33½	51
24	38	34	52
24½	39	34½	53
25	39	35	54
25½	40	35½	54
26	41	36	55
26½	41	36½	56
27	42	37	56
27½	43	37½	57
28	44	38	58
28½	44	38½	59
29	45	39	59
29½	46	39½	60"

T. J. SHERRARD,  
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 vary the provisions of the principal regulations governing the grant of retiring leave and resigning leave so as to specify entitlements in terms of working days.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 March 1967.

These regulations are administered in the Office of the State Services Commission.