



THE PUBLIC SERVICE REGULATIONS 1964, AMENDMENT NO. 9

RONALD DAVISON,
Administrator of the Government

ORDER IN COUNCIL

At the Government House at Wellington this 7th day of June 1983

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL
PURSUANT to the State Services Act 1962, His Excellency the Administrator
of the Government, 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 Public Service Regulations 1964, Amendment No. 9, and shall be read together with and deemed part of the Public Service Regulations 1964* (hereinafter referred to as the principal regulations).

(2) Except as provided in regulation 4 (2) of these regulations, these regulations shall come into force on the 1st day of July 1983.

2. Declaration—The principal regulations are hereby amended by inserting in Part VII, before regulation 28, the following regulation:

“27A. (1) Every officer, probationer, or temporary employee shall, upon taking employment in the Public Service, be required to complete a statutory declaration, in the form set out in the Sixth Schedule to these regulations.

“(2) Any wage worker or class of wage worker may also be required by the Commission to complete a similar declaration.”

*S.R. 1964/115

Amendment No. 1: S.R. 1965/123
Amendment No. 2: S.R. 1967/39
Amendment No. 3: S.R. 1969/176
Amendment No. 4: *(Revoked)*
Amendment No. 5: *(Revoked)*
Amendment No. 6: S.R. 1973/151
Amendment No. 7: *(Revoked)*
Amendment No. 8: S.R. 1976/78

3. Furnishing of official information—The principal regulations are hereby amended by revoking regulation 42, and substituting the following regulation:

“42. An employee shall use or disclose information acquired by him as an employee in the Public Service only in accordance with his official duty.”

4. Official information—(1) The principal regulations are hereby amended by inserting, before regulation 65, the following regulation:

“64E. (1) The Permanent Head of every Department of the Public Service shall take proper measures to ensure compliance by the Department with the provisions of the Official Information Act 1982.

“(2) In respect of any official information or of any category of official information, the Permanent Head of a Department may, subject to any instructions issued to employees under section 73 of the State Services Act 1962, from time to time designate certain employees as being the only employees who are authorised, on behalf of the Department, to make decisions about—

“(a) The making available or withholding of that official information or of any information that belongs to that category of official information; or

“(b) The disclosure of the existence or non-existence of that official information or of any information that belongs to that category of official information.

“(3) Any designation under subclause (2) of this regulation may be of a specified person or of persons of a specified class, or of the holder or holders for the time being of a specified office or of specified classes of offices.

“(4) Every such designation shall be revocable in writing at will, and no such designation shall prevent the exercise of any power by the Permanent Head or any delegate of the Permanent Head.

“(5) Any such designation may be made subject to such restrictions and conditions as the Permanent Head thinks fit.

“(6) Any such designation shall, until it is revoked, continue in force according to its tenor.

“(7) In the event of the Permanent Head by whom any such designation has been made ceasing to hold office, it shall continue to have effect as if made by the person for the time being holding that office, or, if there is no person holding that office, by the person for the time being authorised to exercise the powers of the Permanent Head.

“(8) Nothing in subclauses (2) to (7) of this regulation limits subclause (1) of this regulation.”

(2) This regulation shall come into force on the day after the date of the notification of these regulations in the *Gazette*.

5. New Sixth Schedule to principal regulations—The principal regulations are hereby amended by adding, after the Fifth Schedule (as added by regulation 9 (2) of the Public Service Regulations 1964, Amendment No. 2), the Sixth Schedule set out in the Schedule to these regulations.

EXPLANATORY NOTE

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

These regulations amend the Public Service Regulations 1964.

The amendments made are consequential on the passing of the Official Information Act 1982. Except for the amendments made by regulation 4, the amendments made by these regulations come into force on 1 July 1983 (the date of commencement of the main provisions of that Act).

The amendments made include a new form of declaration to be made by persons employed in the Public Service.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 9 June 1983.

These regulations are administered in the State Services Commission.