



ANALYSIS

Title	2. Grants on retirement or death of officers or employees
1. Short Title	3. Remuneration of Chairman

1962, No. 43

An Act to amend the Hospitals Act 1957

[5 December 1962]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Hospitals Amendment Act 1962, and shall be read together with and deemed part of the Hospitals Act 1957 (hereinafter referred to as the principal Act).

2. Grants on retirement or death of officers or employees—(1) The principal Act is hereby amended by inserting, after section 52, the following section:

“52A. (1) On the retirement from the service of any Board of any officer or employee who has had, in the aggregate, not less than ten years’ service with that Board, or with that Board and one or more other Boards, that Board may pay to him by way of gratuity an amount, calculated in relation to the total length of such service and at his rate of pay on his retirement, not exceeding the amount specified in relation to the appropriate period of service in a scale to be prescribed by regulations made under this Act, and not exceeding in any case one hundred and eighty-three days’ pay at such rate.

“(2) On the death of any such officer or employee after his retirement but before he has received a gratuity under subsection (1) of this section, the Board may pay to his dependants or any of them by way of gratuity any amount that it might have paid to him under that subsection if he had not died.

“(3) On the death of any such officer or employee before his retirement, the Board may pay to his dependants or any of them by way of gratuity any amount that it might have paid to him under subsection (1) of this section if he had retired immediately before his death.

“(4) The Board shall deduct from the amount of any gratuity that might otherwise be paid by it under the foregoing provisions of this section the amount of every gratuity which the officer or employee—

“(a) Has previously received (whether before or after the commencement of this section, and whether pursuant to this section or to section 6 of the Finance Act (No. 2) 1941 or to any award or industrial agreement or otherwise) on account of his retirement from the service of that Board or of any other Board; or

“(b) Is entitled to receive under or by virtue of any award or industrial agreement on account of such retirement.

“(5) All payments and deductions made pursuant to this section shall be made in accordance with rules (not inconsistent with this section or with any regulations made for the purposes of this section) to be determined from time to time by the Minister.

“(6) Notwithstanding anything in any bylaw of any Board, whether made before or after the commencement of this section, or in any contract entered into by any Board after the commencement of this section, no Board shall—

“(a) Grant to any officer or employee any leave of absence on account of his retirement; or

“(b) Make to any officer or employee or any of his dependants, on account of such retirement, any payment whatsoever other than one made pursuant to this section or to the express provisions of any regulations for the time being in force under this Act or of any award, industrial agreement, or apprenticeship order.

“(7) Without limiting the general power to make regulations under section 152 of this Act, regulations may be made

under that section prescribing the scale referred to in subsection (1) of this section.

“(8) The first regulations made for the purposes of this section may be made so as to take effect from the commencement of this section.”

(2) Section 6 of the Finance Act (No. 2) 1941 is hereby amended by omitting from subsection (1) (as amended by subsection (2) of section 2 of the Fire Services Amendment Act 1957) the words “Hospital Board”.

(3) Notwithstanding the amendment made by subsection (2) of this section, where any officer or employee of a Hospital Board has retired or died before the passing of this Act, section 6 of the Finance Act (No. 2) 1941 shall continue to apply, so far as it is applicable, in respect of the retirement or death, and nothing in section 52A of the principal Act (as inserted by subsection (1) of this section) shall apply.

3. Remuneration of Chairman—Section 39 of the principal Act is hereby amended—

- (a) By omitting the word “expenditure” wherever it occurs, and substituting in each case the word “payments”;
- (b) By omitting from paragraph (a) the word “does”, and substituting the word “do”;
- (c) By omitting from paragraph (b) the word “exceeds”, and substituting the word “exceed”.

This Act is administered in the Department of Health.
