

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,  
30th October, 1905

Hon. Sir J. G. Ward.

CIVIL SERVICE CLASSIFICATION.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Classification of the Civil Service. Title.

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

5 1. The Short Title of this Act is "The Civil Service Classification Act, 1905." Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.  
"Board" means the Civil Service Classification Board constituted under this Act:

10 "Civil Service" includes every Department of the Government service except the Government Railways, the Post and Telegraph, and the members of the Defence Forces:

15 "Head" of a Department includes any person acting as such in the temporary absence of the permanent head of the Department:

"Pay" includes salary and wages:

"Prescribed" means prescribed by this Act or by regulations made thereunder.

*Classification.*

20 3. (1.) The Minister in charge of any Department of the Civil Service shall cause to be prepared a scheme for the classification Civil Service may be classified.

of the Department into two or more divisions, with such subdivisions, classes, subclasses, and grades as he thinks fit.

(2.) Such scheme shall fix the minimum and maximum rate of pay for each subdivision, class, subclass, and grade, and the rate of increment thereof.

(3.) The Minister shall lay the scheme before the House of Representatives within ten days after the commencement of the next ensuing session after the passing of this Act, and if before the close of that session a resolution is passed by the said House approving of such scheme in Committee of the Whole, then it shall have effect as from the thirty-first day of March then next, but shall not otherwise have effect.

All members to be classified as specified in scheme.

4. For the purpose of the *last preceding* section the Minister shall, on the said thirty-first day of March, cause all members then in the service of the Department to be classified according to the classification set forth in the scheme, and shall fix each member's rate of pay and the date on which his first annual increment (if provided by the said scheme) begins to be payable :

Provided that in no case shall such increment begin earlier than twelve months after the date on which his last previous increment began to be payable :

Provided further that with respect to all persons who are then members of the Department, nothing herein shall be construed to reduce the pay of any such member below the rate then actually received by him, or to prejudicially affect his right to any increase of pay provided for by any regulations then in force.

Annual list to be laid before Parliament.

5. From such classification there shall be prepared and laid before Parliament each year a list setting out in order of classification the names, status, and pay of each member, and the number of years he has been continuously in the service of the Government.

Right to increases of salary.

6. (1.) The right to any increase of pay in any year shall in each case depend upon the efficiency and good conduct of the member to whose pay such increase is attached by the scheme aforesaid, and no such increase shall be payable unless the permanent head of the Department certifies in writing that such member is entitled thereto.

(2.) It shall be the duty of the permanent head of the Department to annually certify respecting each member to whose pay an increase is attached whether he is or is not entitled thereto.

Member may appeal.

7. Any member who is dissatisfied with the classification under section *four* hereof as regards himself, or with the certificate under the *last preceding* section respecting himself, may appeal to the Board hereinafter constituted.

When and where appeal to be lodged.

8. (1.) Every appeal shall be instituted by notice of appeal, which shall, within one month after the date of the receipt by the member of the decision appealed against, be lodged in the prescribed form with the Minister of the Department or with some member appointed by the Minister for that purpose, and every such appeal shall be heard within three months after the date of the lodging of such notice.

(2.) For the purposes of the appeal the Board shall have all the powers conferred on Commissions by "The Commissioners Act, 1903."

9. The Board shall have full power to confirm, modify, or disallow the decision appealed against in such manner in all respects as it deems just, but the decision of the Board shall not take effect unless and until the Minister signifies his approval thereof.

Decision of the Board.

5 *Civil Service Classification Board.*

10. For the purposes of this Act a Board, called the "Civil Service Classification Board" is hereby constituted, consisting of—

Classification Board.

(a.) Two members of the Civil Service appointed by the Governor generally for all Departments of the Civil Service; and

10 (b.) Two persons to be elected from among their number by the members of each Department that is classified under this Act: Provided that only the persons elected by the members of the Department to which the appellant belongs shall act on the Board at the hearing of his appeal.

15 11. (1.) With respect to the elective members of the Board the following provisions shall apply:—

Elective members.

20 (a.) A separate ballot of the members of each Department that is classified under this Act shall be taken on the first Monday in March in the year in which the scheme of classification for that Department comes into operation, and on the same Monday in every third year thereafter.

25 (b.) The ballot shall be taken in manner prescribed by regulations, and if any question arises as to the regularity or validity of any ballot, or the voting thereat, such question shall be determined by the Colonial Secretary, whose decision shall be final.

30 (c.) If any such member of the Board dies, or by notice in writing addressed to the Chairman of the Board resigns his office, or ceases to be a member of the Department he represents, then and in any such case his seat shall become vacant.

35 (d.) Such vacancy shall be filled by election by the members of the Department represented by the vacating member, but the person so elected shall hold office only for the residue of the period during which his predecessor would have held the same if he had remained a member of the Board:

40 Provided that where such vacancy arises within three months of the ordinary election a ballot shall not be taken, but in lieu thereof the Governor may appoint to such vacancy.

(2.) Notice of the election or appointment of every elective member of the Board shall be gazetted.

45 12. With respect to the procedure of the Board the following provisions shall apply:—

Procedure of the Board.

(a.) The Governor shall appoint one of the members of the Board to be Chairman of the Board.

50 (b.) The Chairman shall preside at all meetings at which he is present, and in his absence some other *ex officio* member shall act as chairman.

(c.) Three members of the Board shall form a quorum.

- (d.) Subject to the provisions of this Act and the regulations made thereunder, the Board may regulate its own proceedings.

*Miscellaneous.*

Governor may recommend rateable reduction or increase of pay.

13. (1.) Before transmission of the message accompanying the estimates in any financial year in respect of each Department, the Governor may recommend, by message to the House of Representatives, a rateable reduction or increase according to a specified rate in the pay of each member of the Civil Service. 5

(2.) If such rateable reduction or increase is adopted by the House, then the respective rates of pay and increment thereof, as set forth in the scheme of classification, shall be deemed to be modified accordingly, and shall so continue until again modified in manner aforesaid. 10

Money to be appropriated.

14. All sums payable under this Act shall be payable out of moneys appropriated by Parliament. 15

Regulations.

15. The Governor may from time to time, by Order in Council gazetted, make regulations—

(a.) Prescribing the manner in which elections of elective members of the Board shall be conducted, and for facilities to be given to members of each classified Department for voting and to the elected persons for attending meetings of the Board: 20

(b.) Regulating the conduct of appeals, including the method of taking evidence at a distance: 25

(c.) Determining the grounds on which and the mode in which members may be promoted in the same class or to a higher class in the same division or subdivision, or may be transferred from one division or subdivision to another or from one Department to another: 30

Provided that in no case shall any member be promoted except with the previous approval of the Minister:  
(d.) Providing for the temporary employment of any person in any branch of the Civil Service, and that any person so employed who possesses expert or technical knowledge or skill may be appointed permanently: 35

Provided that all persons who, on the coming into operation of the scheme of classification for any Department, are employed in that Department, and have been continuously employed in any one or more Departments, or in the Government Railways, Post and Telegraph, or Defence Department, for a period of five years or upwards, or who at any time after the coming into operation of the scheme have completed five years continuous service, shall be deemed *ipso facto* to be and to have been from the date of their last engagement members of the Civil Service permanently appointed, and subject in all respects to the laws relating to the Service. 40 45

Repeal.

16. Part I. and Schedule A of "The Civil Service Act, 1866," are hereby repealed. 50