

STATE SERVICES AMENDMENT BILL (NO. 2)

EXPLANATORY NOTE

THIS Bill amends the State Services Act 1962.

Clauses 2 to 4 make the changes required to facilitate the introduction of part-time work on the permanent staff of the Public Service.

Clause 5 adds the name of the Department of Conservation and the name of the Ministry for the Environment to the list of Departments of the Public Service set out in the Second Schedule to the State Services Act 1962.

Clause 6 amends the Third Schedule to the State Services Act 1962. That Schedule contains a list of the offices and positions exempt from appeal.

That list is extended by the addition of the following offices and positions:

<i>Department</i>	<i>Office or Position</i>
Conservation	Director-General Deputy Director-General
Environment	Secretary Assistant Secretary
Not attached to a Department ..	General Manager, Government Computing Service.

That list is reduced by the omission of the item relating to the Commissioner for the Environment.

Clause 7 effects consequential amendments to the Ombudsmen Act 1975.

Hon. Stan Rodger

STATE SERVICES AMENDMENT (NO. 2)

ANALYSIS

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A BILL INTITULED

An Act to amend the State Services Act 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 State Services Amendment Act (No. 2) 1985, and shall be read together with and deemed part of the State Services Act 1962* (hereinafter referred to as the principal Act).
- 10 2. **Interpretation**—Section 2 of the principal Act is hereby amended by inserting, after the definition of the term “permanent head”, the following definition:
- 15 “ ‘Permanent staff’, in relation to the Public Service, means persons employed as officers or probationers in the Public Service, whether on a full-time basis or on a part-time basis:”.

*R.S. Vol. 14, p. 601
Amendment: 1985, No. 64

3. The Public Service—(1) The principal Act is hereby amended by repealing subsection (2) of section 22 (as amended by section 32 (1) of the Government Life Insurance Corporation Act 1983), and substituting the following subsection:

“(2) Notwithstanding anything to the contrary in subsection (1) of this section, the provisions of Parts III to V of this Act shall not apply to—

“(a) The Controller and Auditor-General:

“(b) The Solicitor-General:

“(c) Agents of the Government Life Insurance Corporation employed under section 16 of the Government Life Insurance Corporation Act 1983: 10

“(d) Canvassing agents of the National Provident Fund or of the State Insurance Office:

“(e) Crews (except officers) of Government ships: 15

“(f) Members of the Armed Forces:

“(g) The Police within the meaning of the Police Act 1958:

“(h) Any person paid only by fees or commission or engaged for a specified period under a contract for services:

“(i) Any person (other than a person on the permanent staff of the Public Service, or a wage-worker, or a temporary salaried employee) who, by that person’s retainer or commission or agreement or the nature of that person’s employment, is not required to work a full working week in the Public Service and is allowed to perform work for other persons outside the Public Service in that person’s private capacity for remuneration.” 20 25

(2) Section 32 (1) of the Government Life Insurance Corporation Act 1983 is hereby consequentially repealed. 30

4. Occupational classes and salary scales—Section 41 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) The permanent staff of the Public Service shall consist of persons employed as officers or probationers in the Public Service, whether on a full-time basis or on a part-time basis.” 35

5. Departments of the Public Service—(1) The Second Schedule to the principal Act is hereby amended by inserting, after the item relating to the Audit Office, the following item:

“Department of Conservation”. 40

(2) The said Second Schedule is hereby further amended by inserting, after the item relating to the Department of Education, the following item:

“Ministry for the Environment”.

6. Offices and positions exempt from appeal—(1) The Third Schedule to the principal Act (as substituted by section 10 (1) of the State Services Amendment Act 1978) is hereby amended by inserting, after the item relating to the Building Performance Guarantee Corporation, the following item:

“Conservation . . . Director-General.
Deputy Director-General.”

(2) The said Third Schedule is hereby further amended by inserting, after the item relating to the Ministry of Energy, the following item:

“Environment . . . Secretary.
Assistant Secretary.”

(3) The said Third Schedule is hereby further amended by inserting, after the item relating to the Ministry of Women’s Affairs (as inserted by section 3 (3) of the State Services Amendment Act 1985), the following item:

“Not attached to a General Manager, Government Department Computing Service.”

(4) The said Third Schedule is hereby further amended by omitting the item relating to the Commissioner for the Environment.

7. Consequential amendments to Ombudsmen Act 1975—(1) The Ombudsmen Act 1975 is hereby amended by inserting in Part I of the First Schedule, after the item relating to the Audit Department, the following item:

“The Department of Conservation.”

(2) The Ombudsmen Act 1975 is hereby amended by inserting in Part I of the First Schedule, after the item relating to the Department of Education, the following item:

“The Ministry for the Environment.”

(3) The Ombudsmen Act 1975 is hereby amended by inserting in Part II of the First Schedule, after the item relating to the Fire Service Commission, the following item:

“The Government Computing Service.”