

STATE SECTOR BILL

EXPLANATORY NOTE

THIS Bill effects important changes to the way in which the State sector is administered. These relate to—

- (a) The way in which the chief executive of a Department of State is appointed and remunerated. The appointment process mirrors that recommended by the 1962 Royal Commission. The responsibility rests with the State Services Commission, but the Prime Minister retains the power to reject any recommendation and promulgate an alternative appointment by way of a *Gazette* notice. The appointment is for a maximum term of 5 years. The conditions are fixed by negotiation between the prospective appointee and the State Services Commission and approved by the Prime Minister:
- (b) The powers of the chief executive. The chief executive will exercise the ordinary personnel functions of an employer in terms of the appointment (on merit), promotion, disciplining, and dismissal of staff. However, in the exercise of these powers, the chief executive must operate a personnel policy that complies with the principles of a good employer as set out in the Bill:
- (c) The way in which senior executive positions are filled and remunerated. The Commission will designate certain positions as being part of a Senior Executive Service. The chief executive will appoint persons to these positions and will negotiate the conditions of employment, in each case in consultation with the Commission. The appointment will be for a maximum term of 5 years:
- (d) The personnel arrangement that will apply. In essence, there will be no preference for inside applicants. Appointments will be reviewed in terms of an administrative procedure approved by the Commission in respect of each Department. Disciplinary actions and dismissals can be challenged by way of the standard personal grievance procedure:
- (e) The way in which conditions of employment are negotiated. Essentially, the provisions of the Labour Relations Act 1987 will apply to the State sector.

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Hon. Stan Rodger

STATE SECTOR

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A BILL INTITULED

An Act—

- 5 (a) To promote efficiency in the State sector; and
 (b) To ensure the responsible management of the State sector; and
 (c) To maintain appropriate standards of integrity and conduct among employees in the State sector; and
 10 (d) To provide for the negotiation of conditions of employment in the State sector

1. **Short Title and commencement**—(1) This Act may be cited as the State Sector Act 1987.

(2) This Act shall come into force on the 1st day of April 1988.

- 15 2. **Interpretation**—In this Act, unless the context otherwise requires,—

“Appropriate Minister”, in relation to any Department, means the Minister for the time being responsible for that Department:

20 “Chief executive officer” in relation to any Department, means the person appointed under section 22 of this Act as the chief executive officer of the Department:

“Commission” means the State Services Commission as constituted under section 3 of this Act:

25 “Commissioner” means a member of the Commission as constituted under section 3 of this Act:

“Conditions of employment” includes remuneration:

“Department” means any Department specified in the First Schedule to this Act:

30 “Education service”—

(a) Means employment in any capacity under the control of—

35 (i) The Director-General of Education other than employment in the Department of Education; or

(ii) Any Board, Council, or other controlling authority established under the Education Act 1964; and

(b) Includes employment—

40 (i) As a teacher in a free kindergarten; or

(ii) In any capacity in an integrated school within the meaning of the Private Schools Conditional Integration Act 1975:

- “Health Service” means service in the employment of an area health board or of a hospital board:
- “Minister” means the Minister of State Services:
- “Public Service” means the Public Service constituted under **section 26** of this Act: 5
- “Remuneration” includes salary, wages, and other payments, whether in the form of bonuses or otherwise, and benefits and other emoluments (whether in money or not) in return for services:
- “State services” means all instruments of the Crown in 10 respect of the Government of New Zealand, whether Departments, corporations, agencies, or other instruments; but does not include the Governor-General, members of the Executive Council, Ministers of the Crown, or members of Parliament. 15

PART I

THE STATE SERVICES COMMISSION

3. State Services Commission—(1) There shall continue to be a commission to be known as the State Services Commission, and a Department of State to be known as the 20 Office of the State Services Commission.

(2) The Commission shall consist of not more than 4 persons, who shall be appointed by the Governor-General in Council on the recommendation of the Prime Minister.

(3) One Commissioner shall be appointed by the Governor-General in Council as the Chief Commissioner of the 25 Commission, and shall be the chief executive of the Office of the State Services Commission. Another Commissioner shall be appointed by the Commission as the Deputy Chief Commissioner of the Commission and shall have power to act 30 in place of the Chief Commissioner in the event of the incapacity of the Chief Commissioner by reason of illness or absence or any other cause.

(4) Every Commissioner shall be appointed for a term of not more than 5 years, but, except as provided in **subsection (5)** of 35 this section, shall be eligible for reappointment.

(5) No person shall be appointed or reappointed to the Commission after that person has attained the age of 60 years.

(6) In the case of the appointment to the Commission of an employee of the State services, his or her term of office as a 40 Commissioner shall be deemed to be continuous service in that branch of the State services in which the employee was

employed at the date of that appointment for the purposes of—

- (a) The Government Superannuation Fund Act 1956; and
- (b) Appointment to any position in the State services on the termination of his or her service as a Commissioner;

5

and

- (c) Entitlement to leave of absence.

(7) In the event of the incapacity of any Commissioner by reason of illness or absence or any other cause, the Governor-General in Council, on the recommendation of the Prime Minister, may appoint a deputy to act for the Commissioner during that incapacity, and any such deputy shall, while acting as such, be deemed for all purposes to be a member of the Commission. No appointment of a deputy, and no act done by a deputy as such, shall in any proceedings be questioned on the ground that the occasion for his or her appointment had not arisen or had ceased.

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(8) The powers of the Commission shall not be affected by any vacancy in its membership.

(9) The remuneration of members of the Commission shall be determined from time to time by the Higher Salaries Commission.

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(10) Any determination made under subsection (9) of this section may be made so as to come into force on a date to be specified for that purpose in the determination, being the date of the making of the determination or any other date, whether before or after the date of the making of the determination.

25

(11) Every determination made under subsection (9) of this section in respect of which no date of commencement is specified shall come into force on the date of the making of the determination.

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(12) Every reference in any enactment or document to the Public Service Commissioner or to the Public Service Commission or to the office of either of them shall, after the commencement of this Act, unless the context otherwise requires, be read as references to the State Services Commission as constituted under this section or the Office of the State Services Commission, as the case may be.

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(13) Every reference to the State Services Commission in any enactment passed or document made before or after the passing of this Act shall, unless the context otherwise requires, be read as a reference to the State Services Commission as constituted under this section.

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(14) Every person who, immediately before the commencement of this Act, held office as a member of the

Commission shall be deemed to have been appointed under this section.

Cf. 1962, No. 132, s. 3; 1974, No. 122, s. 2; 1977, No. 110, s. 33 (1)

4. Removal from office—(1) Any Commissioner may be suspended or removed from office in accordance with the following provisions of this section and not otherwise. 5

(2) The Governor-General may suspend any Commissioner from office for misbehaviour or incompetence, but a Commissioner shall not be removed from office except as provided in this section. 10

(3) The Governor-General shall cause to be laid before the House of Representatives a full statement of the grounds of any suspension within 7 days after the date of that suspension if it is then in session, or if it is not in session then within 7 days after the date of the commencement of the next ensuing session. 15

(4) Unless the House of Representatives, within 21 days from the date on which the statement in respect of any Commissioner suspended under this section has been laid before it, declares by resolution that he or she ought to be removed from office, the Commissioner shall be deemed to be restored to office as from the date of his or her suspension; and if the House of Representatives within the said time does so declare, the Commissioner shall be removed by the Governor-General from the date of the suspension. 20 25

(5) Unless the Governor-General in Council otherwise directs, a Commissioner who has been removed from office under this section shall not be entitled to be reappointed to the State services and shall not be entitled to a retiring allowance under the Government Superannuation Fund Act 1956. 30

Cf. 1962, No. 132, s. 4

5. Vacation of office—(1) A Commissioner shall be deemed to have vacated office if the Commissioner—

(a) Without the approval of the Governor-General—

(i) Engages during his or her term of office in any paid employment or business other than the duties of his or her office; or 35

(ii) Is appointed to and accepts any other office or position in the State services:

(b) Becomes bankrupt, compounds with his or her creditors, or makes an assignment of his or her salary for their benefit: 40

(c) Absents himself or herself from duty except with the authority of the Governor-General or of the Commission:

5 (d) Resigns in writing under his or her hand addressed to the Governor-General.

(2) Notwithstanding anything in this section, a Commissioner may act by direction of the Commission temporarily in any position in any Department or organisation that is for the time being vacant.

10 Cf. 1962, No. 132, s. 5

6. Superannuation rights of Commissioners—On the termination of the appointment of any Commissioner who was a contributor to the Government Superannuation Fund when he or she was appointed as a Commissioner, that Commissioner
15 shall, unless—

(a) He or she is reappointed as a Commissioner or appointed to another office in the Government service (within the meaning of the Government Superannuation Fund Act 1956); or

20 (b) He or she has ceased to be a contributor to the Government Superannuation Fund; or

(c) He or she is not entitled under **section 4 (5)** of this Act to a retiring allowance,—

25 be entitled to receive from the Fund an annual retiring allowance for the rest of his or her life computed in the manner prescribed by Part II of that Act, notwithstanding that the Commissioner may not have attained the age or have had the length of service that would entitle him or her in accordance with the terms of that Act to a retiring allowance.

30 Cf. 1962, No. 132, s. 6; 1986, No. 132, s. 35

7. Meetings of Commission—(1) Meetings of the Commission shall be held at such times and places as the Chief Commissioner of the Commission from time to time appoints.

35 (2) At any meeting of the Commission, the Chief Commissioner or, if the Chief Commissioner is not present, the Deputy Chief Commissioner shall have a deliberative vote, and, in the case of any equality of votes, shall also have a casting vote.

40 (3) All questions before the Commission shall be determined by a majority of the valid votes recorded thereon.

(4) This section shall have no application while the Commission for the time being consists of only 1 member.

Cf. 1962, No. 143, s. 7

8. Quorum—At all meetings of the Commission while it comprises 2 or more members, 2 members shall form a quorum. 5

Cf. 1962, No. 132, s. 8

9. Procedure of Commission—Subject to the provisions of this Act, the Commission may regulate its procedure and exercise its functions in such manner as it thinks fit. 10

Cf. 1962, No. 132, s. 9

10. Functions and powers of Commission—(1) The Commission shall be responsible to the Minister for the administration of this Act.

(2) Notwithstanding anything in subsection (1) of this section, in matters relating to decisions on individual employees (whether matters relating to the appointment, promotion, demotion, transfer, disciplining, or the cessation of the employment, of any employee, or other matters) the Commission shall not be responsible to the Minister but shall act independently. 15 20

(3) The Commission shall have the powers necessary to perform the functions and carry out the duties described in this Part of this Act as well as the functions and duties appertaining to it under any other provision of this Act or any other enactment. 25

(4) In addition to the powers, duties, and functions expressly conferred upon the Commission by this Act or any other Act or by any administrative or industrial agreement, the Commission shall have the following responsibilities:

- (a) To review the machinery of government, including the allocation of functions to and between Departments, the desirability of or need for the creation of new Departments, and the amalgamation or abolition of existing Departments, and the co-ordination of the activities of Departments: 30 35
- (b) To review the efficiency, effectiveness, and economy of each Department, including the discharge by the chief executive of his or her functions:
- (c) To promote and develop and monitor personnel policies and standards of personnel administration: 40
- (d) To furnish advice on, and assistance with, the training and career development of staff:

(e) To provide advice on management systems, structures, and organisations:

5 (f) To exercise such other functions with respect to the administration and management of the Public Service as the Prime Minister from time to time directs, not being functions conferred by any Act on a chief executive.

(5) The Commission shall at all times in respect of the Public Service conduct such inspections and investigations, and be 10 entitled to receive such reports, as it considers necessary to report to the Minister, or to advise a chief executive, regarding the matters dealt with in this section, or such other matters as the Minister may direct or the circumstances require.

(6) Without limiting the operation of any other provision of 15 this Act, but subject to **subsection (7)** of this section, the Commission may from time to time, by its members, employees, or delegates,—

(a) Enter the premises of any Department:

20 (b) Require the production of any information or documents or files, and examine any such information, documents, or files in the custody of any Department:

(c) Require any member of the staff of any Department to answer questions for the purpose of enabling the Commission to exercise its functions.

25 (7) The Commission shall not exercise any functions as conferred by **subsection (6)** of this section in relation to a Department or any member of the staff except after consultation with the chief executive of that Department.

Cf. 1962, No. 132, ss. 10, 12; 1986, No. 124, s. 32 (1)

30 **11. Exercise of functions and powers in respect of other State services**—The Prime Minister may from time to time direct the Commission, in writing, to perform any of the functions, duties, and powers specified in **section 10** of this Act in respect of any part of the State services (other than the Public 35 Service), and the Commission shall comply with that direction and shall have all necessary powers to enable it to do so.

12. Annual report—(1) The Commission shall, as soon as practicable after the end of each financial year, furnish to the Minister a report on the operations of the Commission for that 40 year, and on such other matters affecting the State services as the Commission thinks fit.

(2) A copy of the report shall be laid before the House of Representatives within 28 days after the date on which it is

furnished to the Minister if it is then in session, and, if not, shall be laid before the House of Representatives within 28 days after the date of the commencement of the next ensuing session.

Cf. 1962, No. 132, s. 13

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13. Delegation of powers—(1) The Commission may from time to time, either generally or particularly, delegate any of its powers to any of its members or to any other person or persons.

(2) In any case where the Commission has, pursuant to subsection (1) of this section, delegated any of its powers to any person, that person may, with the prior approval in writing of the Commission, delegate such of those powers as the Commission approves to any other person or to the holder for the time being of any specified office in the State services.

(3) Subject to any general or special directions given by the Commission, the person to whom any powers are so delegated may exercise those powers in the same manner and with the same effect as if they had been conferred on that person directly by this Act and not by delegation

(4) Every Commissioner and every other person purporting to act pursuant to any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

(5) Any delegation under this section may be made to a specified person or to persons of a specified class, or to the holder or holders for the time being of a specified office or of specified classes of offices.

(6) Every such delegation shall be revocable in writing at will, and no delegation shall prevent the exercise of any power or function by the Commission nor shall any delegation affect the responsibility of the Commission for the actions of any person acting under a delegation under this section.

(7) Any such delegation shall, until it is revoked, continue in force according to its tenor, notwithstanding any changes in the membership of the Commission.

Cf. 1962, No. 132, s. 14

14. Power to summon witnesses—(1) For the purposes of carrying out the duties and functions imposed on the Commission by this Act or any other Act, the Commission or any Commissioner shall have the same powers and authority to summon witnesses and receive evidence as are conferred upon Commissions of Inquiry by the Commissions of Inquiry Act

1908, and the provisions of that Act except sections 11 and 12 (which relate to costs) shall apply accordingly.

(2) Any investigation or inquiry that the Commission is empowered to conduct under this Act or any other Act may be conducted by the Commission acting in its own right or by a Commissioner or other person specifically appointed by the Commission to conduct the investigation or inquiry and to report thereon to the Commission; and for the purposes of any such investigation or inquiry, the powers and authority conferred on the Commission by subsection (1) of this section shall attach to and may be exercised by the Commissioner, or such other persons so appointed.

Cf. 1962, No. 132, s. 15

15. Fees and expenses in connection with investigation or inquiry—Notwithstanding anything in the Commissions of Inquiry Act 1908, the Commission may authorise the payment, out of money appropriated by Parliament for the purpose, of fees and expenses incurred in connection with any such investigation or inquiry.

Cf. 1962, No. 132, s. 16

PART II

THE PUBLIC SERVICE

16. Public Service defined—(1) The Public Service shall comprise the Departments specified in the First Schedule to this Act.

(2) The Governor-General may from time to time, by Order in Council, add to, amend, or omit from the First Schedule to this Act the name of any Department.

17. Role of Departments—Each Department shall, under the control of the appropriate Minister, be charged with—

- (a) The administration of such Acts as may from time to time be specified by any Act to be under the control of that Department; and
- (b) Ensuring that the directions of the appropriate Minister are complied with; and
- (c) Such other functions as may be lawfully conferred on it.

18. Employees of Departments—(1) The administrative head of each Department shall be the chief executive of that Department (however that chief executive is for the time being designated).

(2) There may from time to time be appointed under Part V of this Act such other employees of the Department as may be necessary.

19. Delegation of powers of appropriate Minister—

(1) The appropriate Minister may from time to time, by writing under the hand of that Minister, either generally or particularly, delegate to the chief executive of the respective Department all or any of the powers that are conferred on that Minister by any enactment, including powers delegated under any enactment, but not including the power to delegate under this section.

(2) Subject to any general or special directions given or conditions attached by the appropriate Minister, the chief executive may exercise any powers so delegated to the chief executive in the same manner and with the same effect as if they had been conferred on the chief executive directly by this section and not by delegation.

(3) Where the chief executive purports to act pursuant to any delegation under this section, the chief executive shall be presumed to be acting in accordance with the terms of the delegation in the absence of proof to the contrary.

(4) Every such delegation shall be revocable at will, and no such delegation shall prevent the exercise of any power by the appropriate Minister.

(5) Unless and until any such delegation is revoked, it shall continue in force according to its tenor. In the event of the appropriate Minister by whom any such delegation has been made ceasing to hold office, it shall continue to have effect as if made by the person for the time being holding office as the appropriate Minister (the chief executive shall forthwith advise the then appropriate Minister of the terms of any such delegation) and, in the event of the chief executive to whom any such delegation has been made ceasing to hold office, it shall continue to have effect as if made to the person for the time being holding office as chief executive or, if there is no chief executive in office or if the chief executive is absent from duty, to the person for the time being directed to act in the place of the chief executive.

(6) No delegation under this section shall affect or prevent the exercise of any power by the appropriate Minister, nor shall any delegation affect the responsibility of the appropriate Minister for the actions of any person acting under delegation under this section.

20. Annual reports of Departments—(1) As soon as practicable after the end of each financial year, the chief executive shall give to the Minister a report on the operations of the Department for that year.

5 (2) The Minister shall lay a copy of the report before the House of Representatives within 28 days after it has been given to the Minister if it is then in session or, if it is not then in session, within 28 days after the commencement of the next ensuing session.

10 (3) This section shall not derogate from any provision in any other Act requiring the chief executive to present an annual report, but it shall not be necessary for a chief executive to provide a separate report under each enactment.

PART III

CHIEF EXECUTIVES

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21. Chief executives—(1) There shall be a chief executive appointed to be the administrative head of each Department. The designation to be given to the chief executive of each Department shall be determined from time to time by
20 enactment, or in the absence of any statutory provision, by the Commission in consultation with the appropriate Minister.

(2) In addition to any other functions and duties imposed by this Act or any other Act, the chief executive of every
25 Department shall be responsible to the appropriate Minister for the general conduct and the efficient, effective, and economical management of the functions and activities of the Department and for ensuring that the directions of the appropriate Minister are complied with.

(3) Notwithstanding anything in subsection (2) of this section, in
30 matters relating to decisions on individual employees (whether matters relating to the appointment, promotion, demotion, transfer, disciplining, or the cessation of the employment of any employee, or other matters), the chief executive shall not be responsible to the appropriate Minister but shall act
35 independently.

(4) The chief executive shall have the powers necessary to perform the functions and to carry out the duties described in this Act, as well as the functions and duties of the chief executive or of the Department under any other enactment.

40 (5) Without limiting any of the other provisions of this Act, the chief executive of every Department shall be responsible for—

- (a) Ensuring that all employees of the Department are treated fairly in all areas of their employment; and
- (b) Developing and promoting within the Department equal employment opportunity policies and programmes and ensuring that such policies and programmes are complied with throughout the Department. 5

22. Appointment of chief executives—(1) In the event of a vacancy or impending vacancy in the position of any chief executive, the appointment to that position shall be made in accordance with the following provisions of this section. 10

(2) The Commission shall advise the Prime Minister whenever there is a vacancy or an impending vacancy in any chief executive position in the Public Service, and shall ascertain any points that the Prime Minister wishes the Commission to consider in respect of that position. 15

(3) The Commission shall whenever practicable notify the vacancy or impending vacancy in such manner as it thinks sufficient to enable suitably qualified persons to apply for the position.

(4) The Commission may examine applicants and seek advice from such sources as it considers relevant. 20

(5) The Commission may invite such other persons as it thinks fit to assist it in the appointment process, including the examination of applicants and the deliberations on the matter.

(6) The Commission shall forward to the Prime Minister a recommendation for appointment to the position under consideration. 25

(7) Upon receipt of the recommendation from the Commission, the Prime Minister shall either—

- (a) Advise the Commission to proceed to make the appointment of the person recommended and to promulgate the appointment accordingly; or 30

- (b) Advise the Commission that the appointment recommended is not to be made.

(8) In any case to which subsection (7) (b) of this section applies, the following provisions shall apply: 35

- (a) The Prime Minister may direct the Commission as to the person who is to be appointed by the Commission to the position:

- (b) The Prime Minister shall not be required, in directing the Commission under paragraph (a) of this subsection, to comply with the preceding provisions of this section: 40

- (c) Any appointment made under this subsection shall be promulgated by notice in the *Gazette*.

(9) Nothing in the above provisions shall restrict the Commission from consulting from time to time with the Prime Minister, or with any other Minister at any stage of the appointment process of a chief executive.

5 **23. Conditions of employment for chief executives—**

(1) Every chief executive shall be appointed for a term of not more than 5 years, but, except as provided in subsection (2) of this section, shall be eligible for reappointment.

10 (2) No person shall be appointed or reappointed to a position as a chief executive after that person has attained the age of 60 years.

15 (3) Except where specific conditions of employment for a chief executive are provided in this Act, the conditions of employment of every chief executive shall be determined on an individual basis between the Commission and the chief executive, but the Commission shall obtain the agreement of the Prime Minister to the conditions of employment before finalising those conditions of employment with the Chief Executive.

20 (4) Subject to any contract of service the Commission may, with the agreement of the Prime Minister, for reasonable cause, remove the chief executive from office.

25 **24. Delegation of powers—**(1) The chief executive of a Department may from time to time, either generally or particularly, delegate any of the powers given to the chief executive under this Act or any other Act to any other person or persons.

30 (2) In any case where the chief executive has, pursuant to subsection (1) of this section, delegated any powers to any person, that person may, with the prior approval in writing of the chief executive, delegate such of those powers as the chief executive approves to any other person or to the holder for the time being of any specified office in that Department.

35 (3) Subject to any general or special directions given by the chief executive, the person to whom any powers are so delegated may exercise those powers in the same manner and with the same effect as if they had been conferred on that person directly by this Act and not by delegation.

40 (4) Every person purporting to act pursuant to any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

(5) Any delegation under this section may be made to a specified person or to persons of a specified class, or to the holder or holders for the time being of a specified office or of specified classes of offices.

(6) Every such delegation shall be revocable in writing at will. 5
No delegation shall prevent the exercise of any power or function by the chief executive, nor shall any delegation affect the responsibility of the chief executive for the actions of any person acting under a delegation under this section.

(7) Any such delegation shall, until it is revoked, continue in 10
force according to its tenor, notwithstanding any changes in the position of chief executive.

25. Review of performance of chief executive—(1) The Commission shall be responsible to the Prime Minister for reviewing, either generally or in respect of any particular 15
matter, the performance of each chief executive in consultation with the appropriate Minister.

(2) The Commission shall report on the performance of each chief executive to the Prime Minister and to the appropriate 20
Minister.

(3) In carrying out its functions under **subsection (1)** of this section, the Commission shall ensure that each chief executive is fulfilling all of the requirements imposed upon the chief executive—

- (a) By this Act or by any other enactment; or 25
- (b) By direction from the appropriate Minister; or
- (c) By the terms of the contract of appointment of the chief executive.

26. Transitional provisions for permanent heads—

(1) Except as provided in **subsection (2)** of this section, any person 30
holding the position of a permanent head of a Department of the Public Service under the State Services Act 1962 (not being an acting appointment) at the commencement of this Act shall be offered employment as the chief executive of that Department for a period of not less than 2 years from the date 35
of the commencement of this Act on terms and conditions of employment (other than tenure of office) no less favourable than the terms and conditions of employment applying immediately before the commencement of this Act in the position as a permanent head of a Department. 40

(2) No person shall be entitled to be, but may be, appointed as a chief executive under **subsection (1)** of this section for any period that would take that person's employment beyond their

compulsory date of retirement as determined under the State Services Act 1962 immediately before the commencement of this Act.

(3) Nothing in section 22 of this Act shall apply to an appointment made under subsection (1) of this section.

PART IV

SENIOR EXECUTIVE SERVICE

27. Object of Part—(1) The object of this Part of this Act is to provide and maintain for the Public Service a group of senior employees who have the ability to manage, at the most senior level, Departments of the Public Service.

(2) The Commission shall be responsible, in consultation with chief executives, for the development of a senior executive service.

(3) The senior executive service shall be appropriately trained to ensure that the highest standards both of management and of integrity are maintained in the Public Service.

28. Senior executive service—(1) The Commission may from time to time designate senior positions in Departments as forming a part of the senior executive service.

(2) Any person appointed to a position designated under subsection (1) of this section as forming a part of the senior executive service shall be a member of the senior executive service, and the provisions of this Part of this Act shall apply to that person.

29. Appointments to positions in the senior executive service—(1) Subject to the provisions of subsection (2) of this section, all appointments to positions in the senior executive service shall be made by the chief executive of the Department in which the vacancy exists.

(2) The chief executive shall consult with the Commission before making an appointment to any vacancy in any position in the senior executive service, and shall fully consider any persons nominated by the Commission as being suitably qualified and available for appointment to the vacancy.

(3) The appointment procedures contained in sections 22 and 36 of this Act shall not apply to appointments to positions in the senior executive service.

30. Conditions of employment for the senior executive service—(1) Every person appointed to a position in the senior executive service shall be appointed to that position for a term

of not more than 5 years, but, except as provided in **subsection (2)** of this section, shall be eligible for reappointment.

(2) No person shall be appointed or reappointed to a position in the senior executive service after that person has attained the age of 60 years. 5

(3) Except where specific conditions of employment for a person in the senior executive service are provided in this Act, and subject to **subsection (4)** of this section, the conditions of employment of every person in the senior executive service shall be determined on an individual basis between the chief executive in consultation with the Commission and the person to be appointed. 10

(4) The Commission shall determine either generally or particularly the conditions to be included in any contract that are to apply upon termination of employment under **section 31 (2) (b)** of this Act. 15

(5) Subject to any contract of service, the chief executive may, after consultation with the Commission, for reasonable cause, remove from office any person employed in the senior executive service of the Department. 20

31. Conditions where person not reappointed—

(1) Where a person who has been appointed to a position in the senior executive service is not reappointed to that position at the expiration of his or her term of appointment, or for any reason whatever that appointment is terminated before the expiration of that term, other than as a result of an appointment to another position in the Public Service, or as a consequence of that person resigning from the Public Service, the chief executive of the Department shall forthwith notify the Commission of the decision and the reasons for that decision. 25 30

(2) Upon receipt of a notice from the chief executive under **subsection (1)** of this section, the Commission shall, at its option, either—

(a) Place the person, under the employment of the commission, on such duties as the Commission determines from time to time to be appropriate, in which case the Commission shall determine with the person concerned the conditions of employment that are to apply to that person during the period of employment under this paragraph; or 35 40

(b) Terminate the person's employment in accordance with the provisions of that person's contract.

(3) No person who is assigned duties under **subsection (2) (a)** of this section shall be entitled to receive any payment in respect

of the completion of any preceding term of office notwithstanding any conditions of employment negotiated under **section 30 (3)** of this Act to the contrary.

(4) Where a person has been assigned duties under **subsection 5 (2) (a)** of this section, that person shall continue to be employed by the Commission—

- (a) For such period as the Commission may from time to time determine, but not being less than 2 years from the date of expiration of the person's immediately preceding term of appointment in a senior executive service position at which time the person's employment in the Public Service shall terminate; or
- (b) Until the appointment of that person to another position in the Public Service; or
- (c) If that person resigns or retires or for any other reason leaves the Public Service, the date of their last day of duty—

whichever event occurs first.

(5) Subject to the provisions of any particular contract, nothing in this Act shall prevent a person employed under this Act from being appointed to any other position, whether in the senior executive service or otherwise.

32. Training for senior executive service—(1) The Commission shall be responsible for arranging for the provision of appropriate training for persons in the senior executive service, and for persons who, in the opinion of the Commission, have the potential to be appointed to positions in the senior executive service.

(2) Each chief executive shall comply with all reasonable requests made by the Commission for persons employed in the Department to be made available for training purposes under this section, but, the chief executive shall not be required to make any person in the Department available for more than 15 days of training under this section in any period of 12 months.

33. Transitional provisions—(1) Any person who, at the commencement of this Act, holds any position in the Public Service designated by the Commission as a position in the senior executive service at any time before the 30th day of June 1988, shall be offered employment in that position in the senior executive service for a period of not less than 2 years from the date of the commencement of this Act on terms and conditions of employment (other than tenure of office) no less favourable than the terms and conditions of employment applying to them

immediately before the commencement of this Act in their position under the State Services Act 1962.

(2) No person shall be entitled to be, but may be, appointed to any position under this section for any period that would take that person's employment beyond his or her compulsory retirement date as determined under the State Services Act 1962 immediately before the commencement of this Act. 5

(3) Nothing in **section 29** of this Act shall apply to an appointment made under this section.

PART V

10

PERSONNEL PROVISIONS

34. General principles—(1) The chief executive shall operate a personnel policy that complies with the principle of being a good employer.

(2) For the purposes of this section a "good employer" is an employer who operates a personnel policy containing provisions generally accepted as necessary for the fair and proper treatment of employees in all aspects of their employment, including provisions requiring— 15

- (a) Good and safe working conditions; and 20
- (b) An equal employment opportunities programme; and
- (c) The impartial selection of suitably qualified persons for appointment; and
- (d) Opportunities for the enhancement of the abilities of individual employees. 25

(3) In addition to the requirements specified in **subsections (1) and (2)** of this section, each chief executive shall ensure that all employees maintain proper standards of integrity, conduct, and concern for the public interest.

35. Employees of Departments—(1) The chief executive of each Department may from time to time appoint such employees (including acting or temporary or casual or contract employees) as the chief executive thinks necessary for the efficient exercise of the functions, duties, and powers of that Department, and may, subject to any conditions of employment included in any agreement under **Part VI** of this Act or included in any specific contract of service, at any time remove any such employee from office or employment. 30 35

(2) Unless expressly provided to the contrary in this Act, the chief executive shall have all the rights, duties, and powers of an employer in respect of the persons employed in the Department for which the chief executive is responsible. 40

36. Appointments on merit—In making an appointment under this Act, preference shall be given to the person who, in the opinion of the chief executive, is best suited to discharge the duties of the position to be filled.

5 **37. Acting appointments**—(1) In the case of absence from duty of any employee (from whatever cause arising) or on the occurrence from any cause of a vacancy in any position in a Department (whether by reason of death, resignation, or otherwise) and from time to time while the absence or vacancy
10 continues, all or any of the powers and duties of the employee or pertaining to the position may be exercised and performed by any other employee for the time being directed by the chief executive to exercise and perform them, whether the direction has been given before the absence or vacancy occurs or while it
15 continues.

(2) No such direction and no acts done by any employee acting pursuant to any such direction shall in any proceedings be questioned on the ground that the occasion for the direction had not arisen or had ceased, or on the ground that the
20 employee has not been appointed to any position to which the direction relates.

Cf. 1962, No. 132, s. 33

38. Evidence of appointments—(1) Any appointment to any office or position in a Department shall be made,
25 confirmed, or approved in writing by an instrument or minute by the chief executive or by any person to whom the chief executive has delegated power in that behalf in accordance with **section 24** of this Act; and, notwithstanding anything to the contrary in any Act, it shall not be necessary for the chief
30 executive or any such person to execute any formal warrant or other instrument in special form.

(2) A certificate signed by the chief executive that any person named in the certificate was appointed to any office or position
35 in the Department from and including a day stated therein shall be sufficient evidence that the person so named was duly so appointed to and continues to hold the office or position unless the contrary is proved.

Cf. 1962, No. 132, s. 34

39. Review of appointments—The chief executive of each
40 Department shall put into place for the Department a procedure for reviewing those appointments made within that Department that are the subject of any complaint by an

employee. The procedure shall be approved by the Commission and shall comply with the guidelines prescribed by the Commission for such review procedures.

40. Employees may be transferred—The chief executive of a Department may transfer any employee from one position in the Department to another position in the same Department whether or not the transfer involves a change of location. The decision of the chief executive shall be binding on the employee. 5

Cf. 1962, No. 132, s. 37 10

41. Redundancy—(1) If the chief executive at any time finds that a greater number of persons is employed in the Department for which that chief executive is responsible than is considered to be necessary for the efficient working thereof, such persons as are redundant may be transferred by the Commission to any other Department that requires additional assistance; and if any person so found to be redundant cannot be usefully employed in any other Department, the chief executive may terminate that person's employment. 15

(2) Before directing a transfer under subsection (1) of this section, the Commission shall consult with the chief executive of the Department to which the employee is to be transferred. The decision of the Commission shall be binding on both the employee and the Departments affected. 20

Cf. 1962, No. 132, s. 36 25

42. Retirement—(1) Except as otherwise provided in this section or in any other enactment, every employee shall retire no later than the date upon which the employee attains the age of 60 years.

(2) Any employee who, immediately before the commencement of this Act, was entitled under any enactment or instructions to retire at any age other than at age 60 years, whether earlier or later than that age, shall for as long as the employee remains in the Public Service without any break in service, be deemed to be subject to the provisions of that earlier enactment or instruction, notwithstanding that such enactment or instruction may have since been repealed. 30 35

43. Transitional provisions—Every person who, at the commencement of this Act, holds any position in the Public Service shall be deemed to have been appointed under this Act; but, in respect of any such person, the conditions of 40

employment determined or deemed to be determined under this Act shall apply in place of those applying immediately before the commencement of this Act.

PART VI

CONDITIONS OF EMPLOYMENT

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44. Method of prescribing conditions of employment—(1) The conditions of employment of employees (other than persons engaged on contract) in the Public Service shall be negotiated by the Commission in consultation with the chief executive of the Department or Departments affected and shall be fixed by an agreement registered under Part VII of the Labour Relations Act 1987. The conditions of employment so fixed by agreement under this section shall be the minimum conditions of employment of employees in the Public Service.

10

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(2) The Commission shall seek to negotiate in respect of the employees in the Public Service conditions of employment that will enable each Department to compete effectively for the employees that are needed in order to achieve the principal objectives of that Department.

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(3) Without limiting the generality of subsection (2) of this section, the Commission in negotiating conditions of employment shall have regard to the following matters:

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(a) The cost of providing the conditions of employment:

(b) The need to be fair to the employees:

(c) The need to reflect differences in market conditions, in individual performance, skill, and experience, and in organisational requirements:

(d) The location of the position:

(e) The need to be fair to the taxpayer.

45. Restrictions on coverage of agreements—(1) No agreement shall be registered under Part VII of the Labour Relations Act 1987 that applies to or purports to apply to any position covered by Part III or Part IV of this Act.

35

(2) Where, after the registration of any agreement, the Commission designates any position to which that agreement applies to be a position in the senior executive service under section 28 (1) of this Act, that position shall forthwith cease to be covered by the agreement as registered and that agreement shall be deemed to be amended accordingly.

40

46. Registration of unions—The provisions of sections 3, 6 to 16, and 21 to 35 of the Labour Relations Act 1987 shall apply, with any necessary modifications, to employees in the State services.

47. Affairs of unions—The provisions of sections 36 to 57 of the Labour Relations Act 1987 shall apply, with any necessary modifications, to employees in the State services. 5

48. Union membership provisions—The provisions of sections 58 to 97 of the Labour Relations Act 1987 shall apply, with any necessary modifications, to membership of any union covering employees in the State services. 10

49. Change of union coverage and ballots—The provisions of sections 98 to 120 of the Labour Relations Act 1987 shall, with any necessary modifications, apply to membership of any union covering employees in the State services. 15

50. Disputes and personal grievances—Parts VIII, IX, and X of the Labour Relations Act 1987 shall, to the extent that those Parts apply to agreements (as defined in section 2 of that Act) apply, with any necessary modifications, in respect of employees in the State services. 20

PART VII

HEALTH SERVICE

51. Appointment of principal officers in the Health Service—(1) This section applies to the appointment by an area health board or a hospital board to any position designated in respect of that board by the Commission under subsection (2) of this section. 25

(2) The Commission shall from time to time specify in respect of each area health board or hospital board a chief executive and such other principal officers of the board as the Commission thinks fit. 30

(3) Except with the prior approval of the Commission, no area health board or hospital board shall make any appointment to which this section applies without first inviting applications for the position in the prescribed manner. 35

(4) On receiving any such applications, the board shall send to the Commission a list of the applicants together with such particulars concerning them as the Commission may require.

- (5) As soon as practicable after receiving the list, the Commission shall submit to the board for its guidance such reports and recommendations as it thinks fit, and shall indicate the names of the applicants it considers would be suitable for
5 appointment.
- (6) After giving due and fair consideration to the report and recommendations submitted by the Commission, the board—
- (a) May appoint any applicant whom the Commission has indicated would be suitable for appointment; or
- 10 (b) If it proposes to appoint any other applicant, shall notify the Commission of the name of that other applicant, and shall defer the making of the appointment until the expiration of 21 days after the Commission has been so notified.
- 15 (7) In any case to which **subsection (6) (b)** of this section applies, the Commission shall reconsider its decision made under **subsection (5)** of this section; and, if it confirms its original decision, it shall refer the case to the Minister of Health and notify the board accordingly.
- 20 (8) Where the case is referred to the Minister of Health under **subsection (7)** of this section, the board shall not make the appointment without the Minister's approval.
- (9) Nothing in **sections 22, 29, or 36** of this Act shall apply to the appointment of any principal officer in the Health Service.

25 **52. Conditions of employment for principal officers—**

- (1) Every principal officer shall be appointed for a term of not more than 5 years, but except as provided in **subsection (2)** of this section, shall be eligible for reappointment.
- (2) No person shall be appointed or reappointed to a position
30 as a principal officer after that person has attained the age of 60 years.
- (3) Except as otherwise provided in this Act, the conditions of employment of every principal officer shall be determined on an individual basis between the Commission and each principal
35 officer in consultation with the board.
- (4) Subject to any contract of service the Commission may, in consultation with the board, for reasonable cause, remove any principal officer from office.

- 53. Application of Act to the Health Service—**(1) Except
40 as otherwise provided in this Act, every reference to the functions, duties, powers, or responsibilities of a chief executive in respect of a Department shall, in respect of the Health Service, be read as the chief executive of each area health

board or hospital board, as the case may require, and each reference to a Department shall, in respect of the Health Service, be read as a reference to an area health board or a hospital board.

(2) The Commission shall have the same functions, duties, and powers in respect of an area health board, or a hospital board, or a chief executive of a board, and in respect of determining conditions of employment in the Health Service as it has in respect of the Public Service. 5

PART VIII

10

EDUCATION SERVICE

54. Application of Act to the Education service—

(1) Subject to the provisions of this Part of this Act, the conditions of employment of persons employed in the Education service shall be fixed by the Commission in consultation with the chief executive of the Department of Education under Part VI of this Act. 15

(2) Notwithstanding the provisions of section 44 (1) of this Act, the Commission may declare that all or any part of the conditions of employment fixed by agreement registered under Part VII of the Labour Relations Act 1987 for employees in the Education service are to be the actual conditions of employment and not the minimum conditions of employment. 20

(3) The Commission may from time to time determine, in consultation with the chief executive of the Department of Education, the procedures to be followed in the Education service to ensure that the conditions of employment in the Education service are implemented in an efficient and effective manner. 25

(4) Nothing in any other Part of this Act, other than this Part and Part VI, shall apply to the Education service or any employees of the Education service. 30

55. Transitional provisions—(1) Where, immediately before the commencement of this Act, any conditions of employment were expressly prescribed under any enactment, and were not required to be prescribed by determination under the State Services Conditions of Employment Act 1977, those conditions of employment so prescribed, insofar as they were subsisting immediately before the commencement of this Act, shall continue in force and may from time to time be amended, except insofar as any of those conditions of employment are from time to time brought under Part VI of this Act by agreement. 35 40

(2) Every determination, and every Tribunal order, made under the State Services Conditions of Employment Act 1977, so far as that determination or order was subsisting or in force immediately before the commencement of this Part of this Act and related to the conditions of employment of employees of the Education service, shall continue in force, except so far as other provision is duly made under this Act fixing the conditions of employment to which that determination or order relates, and shall have effect as if it were an agreement registered under Part VII of the Labour Relations Act 1987.

56. Amendments to Education Act 1964—(1) Section 2 (1) of the Education Act 1964 is hereby amended by repealing the definition of the term “salary order”, and substituting the following definition:

15 “‘Salary order’ means any decision fixing any salary or salaries in the Education service:”.

(2) Section 2 (1) of the Education Act 1964 is hereby further amended by repealing the definition of the term “teacher appointed by the Director-General”, and substituting the following definition:

20 “‘Teacher appointed by the Director-General’ means a teacher placed under the control of the Director-General by an Order in Council made under section 164 of this Act:”.

25 (3) Section 106B of the Education Act 1964 (as inserted by section 7 of the Education Amendment Act 1975) is hereby amended by repealing subsection (2), and substituting the following subsection:

30 “(2) In making any regulations under subsection (1) (g) of this section, regard shall be had to the provisions of **Part VI** of the State Sector Act 1987.”

(4) Section 163 (3) and section 164E (as inserted by section 18 of the Education Amendment Act 1968) of the Education Act 1964 are hereby repealed.

35 (5) Section 201 of the Education Act 1964 is hereby amended by repealing subsection (2A) (as inserted by section 8 of the Education Amendment Act (No. 2) 1975), and substituting the following subsection:

40 “(2A) The conditions of employment of persons appointed to teaching positions in community centres established or recognised by the Minister pursuant to this section shall be fixed under **Part VIII** of the State Sector Act 1987.”

PART IX

STATE ENTERPRISES

57. Method of prescribing conditions of employment—(1) The minimum conditions of employment of employees employed by a State enterprise shall be fixed by an agreement registered under Part VII of the Labour Relations Act 1987. 5

(2) Before entering into an agreement under Part VII of the Labour Relations Act 1987, a State enterprise shall consult with the Commission over the conditions of employment to be included in the agreement. 10

(3) A Board of a State enterprise shall, in its capacity as employing authority, seek to negotiate, in respect of its employees, conditions of employment that will enable State enterprise— 15

(a) To compete effectively for the employees that it requires in order to achieve its principal objective in terms of section 4 of the State-Owned Enterprises Act 1986; or

(b) In the case of the Government Life Insurance Corporation, to perform its functions as set out in section 20 of the Government Life Insurance Corporation Act 1987; or 20

(c) In the case of the New Zealand Railways Corporation, to perform its functions as set out in section 12 of the New Zealand Railways Corporation Act 1981. 25

(4) Without limiting the generality of subsection (3) of this section, the Board of a State enterprise in negotiating conditions of employment, shall have regard to the following matters:

(a) The cost of providing the conditions of employment: 30

(b) The need to be fair to its employees:

(c) The need to reflect differences in market conditions, in individual performance, skill, and experience, and in organisational requirements.

(5) The provisions of Part VI of this Act, except section 44, shall apply, with any necessary modifications, to State enterprises. 35

58. Transitional provisions—(1) Every determination made under the State Services Conditions of Employment Act 1987, so far as that determination was subsisting or in force immediately before the commencement of this Part of this Act and related to the conditions of employment of employees of a State enterprise, shall continue in force, except so far as other provision is duly made under this Act fixing the conditions of 40

employment to which that determination relates, and shall have effect as if it were an agreement registered under Part VII of the Labour Relations Act 1987.

- (2) Nothing in this Act shall affect any agreement between a State enterprise and its employees registered under Part VII of the Labour Relations Act 1987 before the commencement of this Part of this Act.

PART X

MISCELLANEOUS PROVISIONS

- 10 **59. Medical examinations**—A chief executive may require any applicant for appointment to that Department, or any employee of the Department, to undergo a medical examination, at his or her own expense or otherwise, by a registered medical practitioner nominated by the chief
15 executive.

Cf. 1962, No. 132, s. 67

- 60. Instructions**—Subject to this Act and without restricting the powers of a chief executive, a chief executive may from time to time issue instructions that shall be observed
20 by all employees of the Department.

Cf. 1962, No. 132, s. 73

61. Notices of employees—Where any notice has to be given under this Act to any employee, it may be given—

- 25 (a) By delivering it to the employee to whom it has to be given; or
(b) By sending it to the employee in a letter addressed and posted to the employee at the usual place of employment or at the last-known place of abode of the employee; or
30 (c) By publishing the notice of any official circular or publication available within the Department.

Cf. 1962, No. 132, s. 74

- 62. No compensation for loss of salary**—Except as provided in this Act or any other Act, no employee shall be
35 entitled to any compensation by reason of any reduction of the salary of that employee, or in consequence of his or her services being dispensed with.

Cf. 1962, No. 132, s. 75

63. Offence to attempt to influence Commission or chief executive—(1) Every person commits an offence against this section who directly or indirectly solicits or endeavours to influence the Commission or any Commissioner or any chief executive or any other person or persons to whom the Commission or the chief executive has delegated its powers under section 13 or section 24 of this Act with respect to decisions on the matters described in section 10 (2) or section 21 (3) of this Act. 5

(2) Every person who commits an offence against this section is liable on summary conviction to a fine not exceeding \$2,000. 10

(3) Nothing in this section shall apply to any person giving information or advice or making representations to the Commission or to the chief executive or to any other person or persons acting under delegations from the Commission or the chief executive in respect of any appointment, promotion, or grading at the request or invitation of the Commission or the chief executive or to any other person or persons acting under delegation. 15

(4) Nothing in this section shall be construed so as to prevent any organisation, being an organisation representing employees or any class or classes thereof, from making representations to the Commission or to the chief executive or to any other person or persons acting under delegation from the Commission or the chief executive of any matter affecting the salaries, wages, or conditions of employment of any employee or class of employees. 20 25

(5) Nothing in this section shall be construed so as to prevent the Commission from making representations to the chief executive, or the chief executive making representations to the Commission, (or to any person or persons acting under delegation in either case) on any matter whatever, whether relating to a decision on an individual employee or otherwise. 30

64. Repeals and transitional provision—(1) The enactments specified in the Third Schedule to this Act are hereby repealed. 35

(2) Every determination and every Tribunal order made under the State Services Conditions of Employment Act 1977, so far as that determination was subsisting or in force immediately before the commencement of this Part of this Act and related to the conditions of employment of employees of the Public Service, shall continue in force, except so far as other provision is duly made under this Act fixing the conditions of employment to which that determination relates, and shall 40

have effect as if it were an agreement registered under Part VII of the Labour Relations Act 1987.

(3) Every organisation recognised immediately before the commencement of this Act as a service organisation under the
5 State Services Conditions of Employment Act 1977 shall be deemed to be registered under the Labour Relations Act 1987 as a union of workers with the coverage recognised under the State Services Conditions of Employment Act 1977 on the 10th
10 day of December 1987, notwithstanding that it may have fewer than 1,000 financial members, and section 30 of that Act shall apply to each such organisation accordingly.

(4) Every reference in any enactment to the State Services Act 1962 or the State Services Conditions of Employment Act
15 Act 1987 shall hereafter be read as a reference to the State Sector Act 1987.

PART XI

HIGHER SALARIES COMMISSION

65. Part to be read with Higher Salaries Commission Act 1977—This Part of this Act shall be read together with and
20 deemed part of the Higher Salaries Commission Act 1977 (in this Part referred to as the principal Act).

66. Interpretation—(1) Section 2 of the principal Act (as substituted by section 2 (1) of the Higher Salaries Commission Amendment Act (No. 2) 1985) is hereby amended by repealing
25 the definitions of the terms “Health Service”, “Junior dental officer”, and “Resident Medical Officer”.

(2) Section 2 of the principal Act (as so substituted) is hereby further amended by repealing the definition of the term
“remuneration”, and substituting the following definition:
30 “‘Remuneration’ includes salary, wages, and any other payments whether in the form of bonuses or otherwise, and benefits and other emoluments (whether in money or not) in return for services.”

67. Staff of Commission—The principal Act is hereby
35 amended by repealing section 11, and substituting the following section:

“11. There shall from time to time be assigned by the chief executive of the Department of Labour such employees of the Department as may be necessary to enable the Commission to
40 exercise its functions and powers.”

68. Functions of Commission—The principal Act is hereby amended by repealing section 12 (as substituted by section 3 (1) of the Higher Salaries Commission Amendment Act (No. 2) 1985), and substituting the following section:

“12. (1) The functions of the Commission shall be— 5

“(a) To consider and determine the following matters:

“(i) The salaries and allowances of members of the House of Representatives, being the salaries and allowances required to be fixed by the Commission pursuant to the Civil List Act 1979: 10

“(ii) The remuneration of the highest paid executive officer of each of the corporations and bodies specified (either by name or by class) in **Part I** or **Part II** of the **First** Schedule to this Act and the remuneration of such other officers of those corporations and bodies as the Commission from time to time specifies: 15

“(iii) The remuneration of the persons holding the offices specified in the **Second** Schedule to this Act and the remuneration of such other persons employed by any university within the meaning of the Universities Act 1961 or by the University Grants Committee as the Commission from time to time specifies: 20

“(iv) The remuneration of the highest paid executive officer of each of the local authorities of the classes specified in **Part I** of the **Third** Schedule to this Act and of each of the local authorities specified in **Part II** of that Schedule, and, where there are 2 or more such officers receiving the highest salary, the remuneration of each of them, and the remuneration of such other officers of the local authorities to which the **Third** Schedule to this Act applies as the Commission from time to time specifies: 30 35

“(v) The remuneration of the statutory officers specified in the **Fourth** Schedule to this Act:

“(vi) The remuneration of teachers in any university within the meaning of the Universities Act 1961, not being a university or a class of teachers excluded from this provision by Order in Council: 40

“(b) To consider and make determinations with respect to the superannuation rights of members of the House of Representatives, being rights fixed at the commencement of this Act by **Part VI** and other 45

provisions of the Government Superannuation Fund Act 1956:

“(c) To carry out such other functions as may be conferred or imposed on it by this Act or any other enactment.

5 “(2) In carrying out its functions under **subsection (1) (a)** of this section, the Commission may fix scales of salaries and scales of allowances or ranges of rates of remuneration or alternative forms of remuneration within a remuneration package for any position, and may prescribe rules governing the application of
10 any such scales of salaries or allowances, or ranges of rates of remuneration, or alternative forms of remuneration within a remuneration package fixed by it.

“(3) Except as provided in this Act, where the remuneration due to any person is fixed under this Act, no amount in excess
15 of the remuneration so fixed for the time being shall be granted to any person on account of that remuneration.”

69. Allowances—The principal Act is hereby amended by inserting, after section 12B (as inserted by section 4 of the Higher Salaries Commission Amendment Act (No. 2) 1985), the
20 following section:

“12c. (1) Notwithstanding anything in this Act, where the Commission has jurisdiction to determine the remuneration of any person or group of persons pursuant to **section 12 (1) (a)** of this Act (other than **subparagraph (i)**) or under any other
25 enactment, the Commission may in relation to any such persons or to any member of that group of persons determine the nature and extent of the principal allowances that may be paid in addition to that remuneration.

“(2) Every determination under **subsection (1)** of this section
30 shall have effect according to its tenor.

“(3) It shall be unlawful for any person to act contrary to a determination under **subsection (1)** of this section or to fail to observe the criteria or limits specified in any such determination.”

35 **70. Release of determinations**—Section 15 of the principal Act is hereby amended—

(a) By omitting from subsection (2) the words “salaries or the principal allowances or both”, and substituting the word “remuneration”;

40 (b) By repealing subsections (3) and (4).

71. Criteria of Commission—The principal Act is hereby amended by repealing section 18 (as substituted by section 5 of

the Higher Salaries Commission Amendment Act (No. 2) 1985), and substituting the following section:

“18. (1) In determining any remuneration under **section 12** or **section 12B** of this Act, or under any other enactment, the Commission shall have regard in particular to the following criteria: 5

“(a) The need to achieve and maintain fair relativity with the levels of remuneration received elsewhere; and

“(b) In the case of the remuneration of the persons to whom any provision of **subparagraphs (ii) to (vi)** of **section 12 (1) (a)** of this Act applies, or in the case of the remuneration of the persons to whom any provision of **section 12B** of this Act applies, or in the case of the remuneration of any persons under any other enactment, the criteria specified in **section 44** of the State Sector Act 1987 shall apply, as far as applicable and with the necessary modifications. 10 15

“(2) In determining the remuneration of any persons or group of persons pursuant to any subparagraph of **section 12 (1) (a)** of this Act or in determining the remuneration of any persons or group of persons pursuant to **section 12B** of this Act or under any other Act, the Commission shall take into account— 20

“(a) The requirements of the position concerned; and

“(b) The conditions of service (including tenure and superannuation rights, allowances, benefits, and other emoluments (whether in money or not) enjoyed by or received by the persons whose remuneration is under review and those enjoyed by or received by the persons or members of the group of persons whose remuneration and conditions of employment are, in the opinion of the Commission, comparable with those of the persons or members of the group of persons whose remuneration is under review.” 25 30

72. Frequency of adjustments—The principal Act is hereby amended by repealing section 19 (as substituted by section 6 (1) of the Higher Salaries Commission Amendment Act (No. 2) 1985), and substituting the following section: 35

“19. (1) Subject to **subsection (4)** of this section, every determination shall specify the date on which it expires and shall continue in force at least until the close of that date. The Commission may issue separate determinations, at different times, for the different positions under the jurisdiction of the Commission. The Commission may make a determination 40

before or after the date upon which that determination is to come into force.

“(2) No determination, or any part of it, shall come into force earlier than the date of the expiry of the currency of the
5 existing determination being wholly or partially superseded by the first-mentioned determination.

“(3) Notwithstanding the expiry of the currency of a determination, it shall continue in force to the extent that it is not superseded by another determination.

10 “(4) Notwithstanding subsection (1) of this section, the Commission may at any time while a determination is in force amend that determination—

“(a) For the purpose of remedying any defect or removing any ambiguity; or

15 “(b) To deal with any new matter that was not dealt with at the time of the making of the determination; or

“(c) If the Commission is satisfied that in all the circumstances there are particular and special reasons that justify a period of less than the term
20 specified in the determination.

“(5) Notwithstanding any term included in any determination, the Commission shall review and issue a determination for each position that is subject to its jurisdiction at intervals of not more than 3 years.”

25 **73. Interim adjustments**—Section 20 of the principal Act is hereby repealed.

74. Submissions to Commission—The principal Act is hereby amended by repealing section 21, and substituting the following section:

30 “21. (1) For the purposes of any review by the Commission under this Act, any person or any organisation shall be entitled to make written submissions to the Commission.

“(2) For the purpose of any review by the Commission under this Act, the following persons and organisations shall be
35 entitled to make written submissions and, at their option, oral submissions to the Commission, at a time and place and in a manner to be determined by the Commission:

“(a) Either—

40 “(i) Representatives of the members of each category of persons who are the subject of the review; or

“(ii) Any recognised organisation representing the members of each category of persons who are the subject of the review:

- “(b) Any recognised organisation representing employers of persons who are the subject of the review: 5
- “(c) Each employer or employing authority, or an authorised representative of each employer or employing authority, of the persons who are the subject of the review.”

75. Recommendations to Commission—The principal Act is hereby amended by repealing section 22, and substituting the following section: 10

“22. The Commission shall, in making any determination under section 12 (1) (a) (iii) of this Act, have due regard to any recommendations made to it by the University Grants Committee established by section 3 of the Universities Act 1961.” 15

76. Application of cost-of-living increases—Section 23 of the principal Act is hereby repealed.

77. Delegation—Section 26 of the principal Act (as substituted by section 7 (1) of the Higher Salaries Commission Amendment Act (No. 2) 1985) is hereby amended— 20

- (a) By omitting the words “salary or the principal allowances or both” wherever they occur, and substituting in each case the word “remuneration”: 25
- (b) By repealing paragraphs (d) and (e) of subsection (2):
- (c) By omitting from subsection (3) the words “a salary or principal allowances or both”, and substituting the words “the remuneration”.

78. New Fourth Schedule substituted—The principal Act is hereby amended by repealing the Fourth Schedule (as substituted by section 3 of the Higher Salaries Commission Amendment Act 1980), and substituting the **Fourth** Schedule set out in the **Second** Schedule to this Act. 30

PART XII

35

AMENDMENTS TO OTHER ACTS

Broadcasting

79. Sections to be read with Broadcasting Act 1976—This section and sections 80 and 81 of this Act shall be read

together with and deemed part of the Broadcasting Act 1976 (in those sections referred to as the principal Act).

80. Application of State Sector Act 1987—The principal Act is hereby amended by repealing section 40, and
5 substituting the following section:

“40. (1) Part VI of the State Sector Act 1987, with any necessary modifications, and subject to this section, shall apply to the conditions of employment of employees in the Corporation in the same manner as that Part applies to the
10 conditions of employment of employees in the Public Service.

“(2) For the purposes of the application of the State Sector Act 1987, every reference to the Commission shall be read as a reference to the Corporation.

“(3) Before entering into any negotiations under Part VI of
15 the State Sector Act 1987 in respect of the conditions of employment of the employees of the Corporation, the Corporation shall consult with the State Services Commission over the conditions of employment to be negotiated. The Commission may at any time, either before or during the
20 negotiations, indicate to the Corporation that it wishes to participate with the Corporation in the negotiation or continued negotiation of the conditions of employment of employees of the Corporation, and the Corporation shall allow the Commission to so participate in the negotiations.

“(4) Except as otherwise provided in this Act, this section shall not apply to employees appointed under **section 27 (3)** or **section 37** of this Act or engaged under **section 39 (3)** of this Act.”

81. Application of Labour Relations Act 1987—The principal Act is hereby amended by repealing section 41, and
30 substituting the following section:

“41. The Labour Relations Act 1987 shall apply to the Corporation and employees of the Corporation to the extent specified in Part VI of the State Sector Act 1987, but not otherwise.”

35

Fire Services

82. Sections to be read with Fire Services Act 1975—This section and **sections 83 and 84** of this Act shall be read together with and deemed part of the Fire Services Act 1975 (in those sections referred to as the principal Act).

83. Interpretation—Section 2 of the principal Act is hereby amended by repealing the definition of the term “service organisation”.

84. Application of State Sector Act 1987—The principal Act is hereby amended by repealing section 83, and substituting the following section: 5

“83. (1) Part VI of the State Sector Act 1987, with any necessary modifications and subject to this section, shall apply to the conditions of employment of employees of the Commission in the same manner that Part applies to the conditions of employment of employees in the Public Service. 10

“(2) For the purposes of the application of the State Sector Act 1987, every reference to the Commission shall be read as a reference to the Fire Services Commission.

“(3) Before entering into any negotiations under Part VI of the State Sector Act 1987 in respect of the conditions of employment of the employees of the Commission, the Commission shall consult with the State Services Commission over the conditions of employment to be negotiated. The State Services Commission may at any time, either before or during the negotiations, indicate to the Commission that it wishes to participate with the Commission in the negotiation, or continued negotiation, of the conditions of employment of employees in the Fire Service, and the Commission shall allow the State Services Commission to so participate in the negotiations. 15 20 25

“(4) The Labour Relations Act 1987 shall apply to the Commission and employees of the Commission to the extent specified in Part VI of the State Sector Act 1987, but not otherwise.” 30

Police

85. Sections to be read with Police Act 1958—This section and sections 86 to 90 of this Act shall be read together with and deemed part of the Police Act 1958 (in those sections referred to as the principal Act). 35

86. Determinations as to salary—Section 66A of the principal Act (as substituted by section 8(1) of the Police Amendment Act 1978) is hereby amended by repealing the proviso to subsection (4).

87. Amending determinations—Section 66D of the principal Act (as inserted by section 2(2) of the Police 40

Amendment Act 1978) is hereby amended by repealing paragraph (d) of subsection (1) (as substituted by section 11 (1) of the Police Amendment Act 1978).

88. Criteria—The principal Act is hereby amended by
5 repealing section 66F (as inserted by section 2 (2) of the Police Amendment Act 1978), and substituting the following section:

“66F. (1) In exercising their powers and functions under this Part of this Act, the Commissioner and the Tribunal shall observe the same criteria as specified in **subsections (2) and (3) of section 44** of the State Sector Act 1987.”

“(2) The Commissioner shall consult with the State Services Commission when fixing the conditions of employment of the Police under this section. The State Services Commission may at any time, either before or during the fixing of such
15 conditions of employment, indicate to the Commissioner that it wishes to participate with the Commissioner in fixing those conditions of employment, and the Commissioner shall allow the State Services Commission to participate accordingly.”

“(3) No determination under paragraph (b) or paragraph (c) of subsection (1) of section 66A of this Act in respect of a matter where the conditions and circumstances are the same in any other branch of the State services and the Police, and no Tribunal order in respect of any such matter, shall contain any provision in respect of the matter that is more favourable than
20 a corresponding provision of any agreement under the State Sector Act 1987.”

89. Jurisdiction to prescribe salaries—Section 66G of the principal Act (as substituted by section 13 (1) of the Police Amendment Act 1978) is hereby repealed.

90. Powers of Tribunal—Section 71 of the principal Act
30 (as substituted by section 5 of the Police Amendment Act 1969) is hereby amended by repealing subsections (2), and (2A), (as inserted by section 10 of the Police Amendment Act 1972) and (2B) (as inserted by section 16 (2) of the Police Amendment Act
35 1978), and substituting the following subsection:

“(2) The Tribunal shall have power to—

“(a) Alter any rate of remuneration or condition of employment prescribed by a determination in respect of employees in the Police:

40 “(b) Make recommendations to the Minister on any matter arising out of any application mentioned in **subsection**

(1) of this section but in respect of which the Tribunal has no power to make an order.”

Parliamentary Service

91. Sections to be read with Parliamentary Service Act 1985—This section and sections 92 to 99 of this Act shall be read together with and deemed part of the Parliamentary Service Act 1985 (in those sections referred to as the principal Act). 5

92. Interpretation—(1) Section 2 of the principal Act is hereby amended by repealing the definition of the term “employee”, and substituting the following definition: 10

“‘Employee’, in relation to the Parliamentary Service, means any person employed therein (including an acting or a temporary or a casual or a contract employee):”

(2) Section 2 of the principal Act is hereby further amended by repealing the definition of the term “officer”. 15

(3) Section 2 of the principal Act is hereby further amended by repealing the definition of the term “State Services Commission”, and substituting the following definition:

“‘State Services Commission’ means the State Services Commission as constituted under section 3 of the State Sector Act 1987.” 20

93. Salary of Clerk of the House—Section 23 (3) of the principal Act is hereby amended by omitting the words “, by virtue of any determination under the State Services Conditions of Employment Act 1977,”. 25

94. Appointment of Deputy Clerk and others—Section 26 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection:

“(4) The Clerk of the House of Representatives shall, in making any appointment under subsection (2) of this section, have regard both to the appointment provisions of Part V of the State Sector Act 1987, and to any views expressed in the course of any consultation conducted pursuant to subsection (3) of this section in relation to that appointment.” 30 35

95. Appointment of principal officers of Parliamentary Service—The principal Act is hereby amended by repealing section 35, and substituting the following section:

“35. (1) The principal officers of the Parliamentary Service are—

“(a) The General Manager of the Parliamentary Service:

5 “(b) The Deputy General Manager of the Parliamentary Service:

“(c) The Parliamentary Librarian:

“(d) The Editor of Debates.

10 “(2) The General Manager of the Parliamentary Service shall be appointed by the Governor-General on the recommendation of a Committee consisting of—

“(a) The Speaker of the House of Representatives, who shall chair the committee constituted under this subsection:

15 “(b) A member of the Parliamentary Service Commission appointed for the purpose by the Leader of the House of Representatives:

“(c) A member of the Parliamentary Service Commission appointed for the purposes by the Leader of the Opposition:

20 “(d) The Chairman of the State Services Commission:

“(e) Any person or persons (not exceeding 2 in number) who are selected by the Committee members listed in paragraphs (a) to (d) of this subsection to be on the Committee for the appointment; but it shall not be necessary for there to be any persons appointed under this paragraph in respect of any particular appointment.

25 “(3) The principal officers specified in paragraphs (b), (c), and (d) of subsection (1) of this section shall be appointed by the Governor-General on the recommendation of a Committee comprising—

30 “(a) The Speaker of the House of Representatives, who shall be the chairman of the committee constituted under this subsection:

35 “(b) A member of the Parliamentary Service Commission appointed for the purpose by the Leader of the House of Representatives:

40 “(c) A member of the Parliamentary Service Commission appointed for the purpose by the Leader of the Opposition:

“(d) The Chairman of the State Services Commission:

“(e) The General Manager of the Parliamentary Service:

45 “(f) A person selected by the Committee members listed in paragraphs (a) to (d) of this subsection to be on the Committee for the appointment; but it shall not be

necessary for there to be a person appointed under this paragraph in respect of any particular appointment.

“(4) The committee constituted under **subsection (2)** or **subsection (3)** of this section may examine applicants and seek advice from such sources as it considers relevant and necessary. 5

“(5) At any meeting of the committee constituted under **subsection (2)** or **subsection (3)** of this section,—

“(a) All matters shall be decided by a majority of the votes recorded thereon; and 10

“(b) The person presiding shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.

“(6) The committee constituted under **subsection (2)** or **subsection (3)** of this section shall— 15

“(a) Have power from time to time to invite such other persons as it thinks fit to assist in its deliberations; and

“(b) Except as otherwise specified in this section, regulate its own procedure.” 20

96. Obligation to advertise vacancies—Section 36 of the principal Act is hereby amended by omitting the words “in the *Public Service Official Circular*”, and substituting the words “in such manner as the Commission thinks sufficient to enable suitably qualified persons to apply for the position”. 25

97. Two new sections inserted—The principal Act is hereby amended by inserting, after section 36, the following sections:

“**36A. Conditions of employment of General Manager**—(1) The General Manager shall be appointed for a term of not more than 5 years, but except, as provided in **subsection (2)** of this section, shall be eligible for reappointment. 30

“(2) No person shall be appointed or reappointed to the position of General Manager after that person has attained the age of 60 years. 35

“(3) Except as provided for in this Act, the conditions of employment of the General Manager shall be determined on an individual basis between the State Services Commission and the General Manager; but the State Services Commission shall obtain the agreement of the Parliamentary Service Commission to the conditions of employment before finalising those conditions of employment with the General Manager. 40

“(4) Subject to any contract of service, the State Services Commission, with the agreement of the Parliamentary Service

Commission, may at any time, for reasonable cause, remove the General Manager from office.

“**36B. Conditions of employment of other principal officers**—(1) The principal officers specified in paragraphs (b), (c), and (d) of section 95 (1) of this Act shall be appointed for a term of not more than 5 years, but, except as provided in subsection (2) of this section, shall be eligible for reappointment.

“(2) No person shall be appointed or reappointed as a principal officer after that person has attained the age of 60 years.

“(3) Except as provided for in this Act, the conditions of employment of the principal officers specified in paragraphs (b), (c), and (d) of section 95 (1) of this Act shall be determined on an individual basis between the General Manager and each principal officer; but the General Manager shall obtain the agreement of the Parliamentary Service Commission to the conditions of employment before finalising the conditions of employment for any such principal officer.

“(4) Subject to any contract of service, the General Manager with the agreement of the Parliamentary Service Commission, may at any time, for reasonable cause, remove any principal officer specified in paragraphs (b), (c), and (d) of section 95 (1) of this Act.”

98. Application of State Sector Act 1987—The principal Act is hereby amended by repealing section 39, and substituting the following section:

“39. (1) Subject to this Act, the provisions of Parts V, VI, and X of the State Sector Act 1987 shall apply in respect of employment within the Parliamentary Service as if—

“(a) The Parliamentary Service were a Department of the Public Service; and

“(b) All references to the chief executive were references to the General Manager of the Parliamentary Service.

“(2) Nothing in any other Part of the State Sector Act 1987 shall apply in respect of the Parliamentary Service or persons employed in the Parliamentary Service.

“(3) Wherever the State Services Commission is required to consult with a Department, the State Services Commission shall consult with the Parliamentary Service Commission.”

99. Repeals—Sections 30, 34 (3), 37, 38, 40 to 42, 43 (4), 46 to 48, 56 (5), 61, and 62 of the principal Act are hereby repealed.

Defence

100. Sections to be read with Defence Act 1971—This section and section 101 of this Act shall be read together with and deemed part of the Defence Act 1971 (in that section referred to as the principal Act).

101. Conditions of employment of servicemen—The principal Act is hereby amended by repealing section 46, and substituting the following section:

“46. (1) Except as otherwise provided in this section, the conditions of employment of servicemen shall be fixed by the Secretary of Defence. 10

“(2) In fixing conditions of employment under subsection (1) of this section, the Secretary shall observe the same criteria as specified in subsections (2) and (3) of section 44 of the State Sector Act 1987.

“(3) The Secretary shall consult with the State Services Commission when fixing conditions of employment of servicemen under this section. The State Services Commission may at any time, either before or during the fixing of such conditions of employment, indicate to the Secretary that it wishes to participate with the Secretary in fixing those conditions of employment, and the Secretary shall allow the State Services Commission to participate accordingly. 20

“(4) The remuneration of persons holding the positions of—

“(a) Chief of Defence Staff; or

“(b) Deputy Chief of Defence Staff; or 25

“(c) Chief of Naval Staff; or

“(d) Deputy Chief of Naval Staff; or

“(e) Chief of General Staff; or

“(f) Deputy Chief of General Staff; or

“(g) Chief of Air Staff; or 30

“(h) Deputy Chief of Air Staff,—

shall be determined from time to time by the Higher Salaries Commission.”

Accident Compensation

102. Sections to be read with Accident Compensation Act 1982—This section and section 103 of this Act shall be read together with and deemed part of the Accident Compensation Act 1982 (in that section referred to as the principal Act). 35

103. Application of State Sector Act 1987—(1) Subsection (2), and subsections (3) and (4) (as substituted by section 325 of 40

the Labour Relations Act 1987), of section 15 of the principal Act are hereby repealed.

(2) The principal Act is hereby further amended by inserting, after section 15, the following section:

5 “15A. (1) **Part VI** of the State Sector Act 1987, with any necessary modifications, and subject to this section, shall apply to the conditions of employment of employees in the Corporation in the same manner as that Part applies to the conditions of employment of employees in the Public Service.

10 “(2) For the purposes of the application of the State Sector Act 1987, every reference to the Commission shall be read as a reference to the Corporation.

15 “(3) Before entering into any negotiations under Part VI of the State Sector Act 1987 in respect of the conditions of employment of the employees of the Corporation, the Corporation shall consult with the State Services Commission over the conditions of employment to be negotiated. The Commission may at any time, either before or during the negotiations, indicate to the Corporation that it wishes to
20 participate with the Corporation in the negotiation or continued negotiation of the conditions of employment of employees of the Corporation, and the Corporation shall allow the Commission to so participate in the negotiations.

25 “(4) The Labour Relations Act 1987 shall apply to the Corporation and employees of the Corporation to the extent specified in **Part VI** of the State Sector Act 1987, but not otherwise.”

SCHEDULES**Section 2****FIRST SCHEDULE****DEPARTMENTS OF THE PUBLIC SERVICE**

Ministry of Agriculture and Fisheries.
Audit Office.
Department of Conservation.
Crown Law Office.
Customs Department.
Ministry of Defence.
Department of Education.
Ministry for the Environment.
Ministry of Foreign Affairs.
Ministry of Forestry.
Government Printing Office.
Department of Health.
Housing Corporation of New Zealand.
Department of Trade and Industry.
Inland Revenue Department.
Department of Internal Affairs.
Department of Justice.
Department of Labour.
Department of Lands.
Department of Maori Affairs.
Ministry of Energy.
Police Department.
Office of the State Services Commission.
Public Trust Office.
Department of Scientific and Industrial Research.
Department of Survey and Land Information.
Rural Banking and Finance Corporation of New Zealand.
Department of Social Welfare.
State Insurance Office.
Department of Statistics.
Tourist and Publicity Department.
Ministry of Transport.
The Treasury.
Valuation Department.
Ministry of Womens Affairs.
Ministry of Works and Development.

SECOND SCHEDULE

Section 78

NEW FOURTH SCHEDULE SUBSTITUTED IN HIGHER SALARIES COMMISSION
ACT 1977

Accident Compensation Corporation—Managing Director and Deputy
Managing Director
Reserve Bank of New Zealand—Governor and Deputy Governor
Chairman and Members of Arbitration Commission
Controller and Auditor General and Deputy Controller and Auditor
General
Clerk of the House of Representatives
Chief Ombudsman and Ombudsmen
Parliamentary Commissioner for the Environment
Commissioner and Deputy Commissioner of Police
Chairman and Members, State Services Commission
Chief Mediator and Mediators
Chairman and Members, Commerce Commission
Chairman and Members, Human Rights Commission
Race Relations Conciliator
President and Members, Law Commission
Privacy Commissioner
Chairman and Members, Security Commission
New Zealand Security Intelligence Service—Director and Deputy
Director

THIRD SCHEDULE
ENACTMENTS REPEALED

Section 64 (1)

- 1962, No. 132—The State Services Act 1962.
 1964, No. 57—The State Services Amendment Act 1964.
 1965, No. 68—The State Services Amendment Act 1965.
 1966, No. 86—The State Services Amendment Act 1966.
 1973, No. 15—The State Services Amendment Act 1973.
 1973, No. 92—The State Services Amendment Act (No. 2) 1973.
 1974, No. 122—The State Services Amendment Act 1974.
 1977, No. 95—The State Services Conditions of Employment Act 1977.
 1978, No. 37—The State Services Amendment Act 1978.
 1978, No. 41—The State Services Conditions of Employment
 Amendment Act 1978.
 1980, No. 142—The State Services Conditions of Employment
 Amendment Act 1980.
 1981, No. 94—The State Services Amendment Act 1981.
 1981, No. 132—The State Services Conditions of Employment Act 1981.
 1982, No. 23—The State Services Amendment Act 1982.
 1982, No. 110—The State Services Amendment Act (No. 2) 1982.
 1982, No. 160—The State Services Amendment Act (No. 3) 1982.
 1983, No. 47—The State Services Conditions of Employment
 Amendment Act 1983.
 1983, No. 1983—The Health Service Personnel Act 1983.
 1985, No. 102—The State Services Amendment Act 1985.
 1985, No. 144—The Health Service Personnel Amendment Act 1985.
 1985, No. 164—The Health Service Personnel Amendment Act (No. 2)
 1985.
 1987, No. 17—The State Services Amendment Act 1987.
 1987, No. 81—The State Services Conditions of Employment
 Amendment Act 1987.
 1987, No. 121—The Health Service Personnel Amendment Act 1987.
 1987, No. 123—The State Services Conditions of Employment
 Amendment Act (No. 2) 1987.