

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 17 March 1987

STATE SERVICES CONDITIONS OF EMPLOYMENT AMENDMENT BILL

Proposed Amendments

Hon. STAN RODGER, in Committee, to move the following amendments:

Clause 1: To insert in line 9 on page 2, after the words "this Act", the words ", and the Second and Third Schedules to this Act,".

To insert on that page, after subclause (2), the following subclause:

(2A) The provisions of this Act, so far as they relate to the New Zealand Railways Corporation, shall come into force on a date to be appointed by the Governor-General by Order in Council.

Clause 7: To add to subclause (2) on page 3, after the words "the Government Life Insurance Corporation Act 1983" (as added in Supplementary Order Paper No. 89), the words ", or, 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".

Proposed new clauses 16AB and 16AC: To insert on page 10, after clause 16A, the following clauses:

16AB. Amendments relating to New Zealand Railways Corporation—(1) The provisions of the principal Act specified in the first column of the Fifth Schedule to this Act are hereby amended in the manner indicated in the second column of that Schedule.

(2) Section 31 of the State Services Act 1962 (as substituted by section 2 of the State Services Amendment Act 1982) is hereby amended by repealing subsections (2) (a) and (3) (b).

(3) The New Zealand Railways Corporation Act 1981 is hereby amended—

(a) By omitting from section 2 the definition of the term "officer":

(b) By omitting from section 45 (2) (d) the words "as defined in section 94 of this Act":

(c) By repealing Part VII, except sections 66, 70, and 72:

(d) By repealing the First Schedule.

(4) The following enactments are hereby consequentially repealed:

(a) Section 4 of the New Zealand Railways Corporation Amendment Act (No. 2) 1983:

(b) So much of the Second Schedule to the Higher Salaries Commission Amendment Act (No. 2) 1985 as relates to the New Zealand Railways Corporation Act 1981.

16AC. Appeal rights of employees of New Zealand Railways Corporation—(1) Notwithstanding anything in this Act or in the New Zealand Railways Corporation Act 1981, if, immediately before the date on which this section comes into force, an appeal under section 98 of that Act is pending or there is a right to such an appeal in respect of—

- (a) Any penalty imposed under that Act; or
- (b) Any appointment or promotion to a position that, immediately before that date, existed in the Corporation,—

the provisions of that Act shall continue to apply (and the Appeal Board shall continue to exist) for the purposes of the appeal.

(2) The decision of the Railways Corporation Appeal Board on any appeal preserved by subsection (1) of this section shall be implemented, as far as practicable, in the same manner as it would have been implemented if this Act had not been passed.

Proposed new clause 16C: To insert on page 11, after clause 16B, the following clause:

16C. Income Tax Act 1976 amended—(1) The Income Tax Act 1976 is hereby amended by repealing the Fourteenth Schedule (as added by section 33 (4) of the Income Tax Amendment Act (No. 4) 1986), and substituting the new Fourteenth Schedule set out in the Sixth Schedule to this Act.

(2) Subsection (1) of this section shall apply with respect to the tax on income derived in the income year commencing on the 1st day of April 1987 and in every subsequent year.

Proposed new Fifth and Sixth Schedules: To add on page 13 the following new Schedules:

SCHEDULES

FIFTH SCHEDULE Section 16AB (1) AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE NEW ZEALAND RAILWAYS CORPORATION

Provision	Amendment
Section 2 (1)	By omitting from the definition of the term "branch" the words "the New Zealand Railways Corporation,". By repealing paragraph (b) of the definition of the term "employing authority". By repealing paragraph (b) of the definition of the term "occupational class". By omitting from the definition of the term "Single Service Tribunal" the words "the Government Railways Industrial Tribunal,".
Section 7 (1)	By repealing paragraph (j).
Section 13 (2)	By repealing paragraph (d).
Section 50	By repealing the section.

SIXTH SCHEDULE

Section 16c

NEW FOURTEENTH SCHEDULE TO INCOME TAX ACT 1976

"FOURTEENTH SCHEDULE

SECTION 197B (2)

STATE-OWNED ENTERPRISES

Air New Zealand Ltd.
 Airways Corporation of New Zealand Ltd.
 Bank of New Zealand.
 Broadcasting Corporation of New Zealand.
 Coal Corporation of New Zealand Ltd.
 Development Finance Corporation of New Zealand Ltd.
 Electricity Corporation of New Zealand Ltd.
 Geothermal Development and Investment Ltd.
 Government Life Insurance Corporation Ltd.
 Government Property Services Ltd.
 Housing Corporation of New Zealand.
 Land Corporation Ltd.
 New Zealand Export-Import Corporation.
 New Zealand Forestry Corporation Ltd.
 New Zealand Liquid Fuels Investment Ltd.
 New Zealand Post Ltd.
 New Zealand Steel Ltd.
 Petroleum Corporation of New Zealand Ltd.
 Post Office Bank Ltd.
 Rural Banking and Finance Corporation of New Zealand.
 The Shipping Corporation of New Zealand Ltd.
 The State Insurance General Manager.
 Telecom Corporation of New Zealand Ltd.
 Tourist Hotel Corporation of New Zealand."

EXPLANATORY NOTE

The first amendment corrects an error in the commencement provisions of the Bill.

The other amendments include the New Zealand Railways Corporation within the First Schedule to the Bill. They exclude the Corporation from the ambit of the principal Act (except so far as it is applied by the Bill), and repeal certain provisions of the New Zealand Railways Act 1983 relating to conditions of employment.

In addition, a number of amendments to other Acts are made consequential upon the establishment of the State enterprises.