

Serial Number 1951/223

**THE EMERGENCY FORCE REGULATIONS 1950,
AMENDMENT NO. 1**

B. C. FREYBERG, Governor-General

PURSUANT to the Defence Act 1909, the Governor-General hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Emergency Force Regulations 1950, Amendment No. 1, and shall be read together with and deemed part of the Emergency Force Regulations 1950* (hereinafter referred to as the principal regulations).

(2) These regulations shall be deemed to have come into force on the 1st day of April 1951.

2. Regulation 1 of the principal regulations is hereby amended by omitting from the proviso to subclause (2) the words "28th day of August 1950", and substituting the words "23rd day of August 1950".

3. The principal regulations are hereby amended by revoking regulation 7, and substituting the following regulation:—

"7. (1) The following shall be the daily rates of pay for officers and soldiers of the Emergency Force:—

"Officers

	s.	d.
" 2nd Lieutenant	33	6
" Lieutenant	37	0
" Captain	40	0
" Major	50	0
" Lieutenant-Colonel	60	0
" Colonel	74	0
" Brigadier	86	0

"Soldiers

	s.	d.
" Private	17	3
" Lance Corporal	21	6
" Corporal	25	6
" Sergeant	30	0
" Staff Sergeant	33	0
" Warrant Officer, Class II	34	6
" Warrant Officer, Class I	36	6

"Chaplains

"(2) A Chaplain shall be entitled to pay and allowances in accordance with his equivalent Army rank."

* Statutory Regulations 1950, Serial number 1950/215, page 945.

4. Regulation 11 of the principal regulations is hereby amended by omitting from subclause (3) the words "and his death is attributable to his service".

5. Regulation 15 of the principal regulations is hereby amended by omitting the expression "12s." from the proviso to paragraph (b) of subclause (1), from subclause (2), and from subclause (4), and in each case substituting the expression "14s.".

6. Regulation 16 of the principal regulations is hereby amended by omitting the expression "6s.", and substituting the expression "7s.".

7. Regulation 17 of the principal regulations is hereby amended by omitting from the scale of allotments and allowances in subclause (1)—

s.	d.		..	..	s.	d.
"9	0	and over	..	..	3	0"

and substituting—

s.	d.		s.	d.	..	..	s.	d.
"10	6	and over	..	..	..	..	3	6
"9	9	and under 10	6	..	..	..	3	3
"9	0	„	9	9	..	..	3	0"

8. Regulation 19 of the principal regulations is hereby amended by omitting the expression "3s." from subclause (1) and from subclause (2), and substituting in each case the expression "3s. 6d.".

9. Regulation 21 of the principal regulations is hereby amended by omitting the expression "4s. 6d.", and substituting the expression "5s.".

10. The principal regulations are hereby amended by revoking regulation 35, and substituting the following regulation :—

"35. (1) An officer or soldier who while serving in New Zealand becomes temporarily unfit for duty on account of sickness or injury shall be granted sick leave until he returns to duty :

" Provided that if the sickness or injury (not being venereal disease) is caused through his misconduct the sick leave shall be for such period and on such conditions as the Adjutant-General directs.

" (2) Every officer or soldier on sick leave under this regulation shall be liable to be medically surveyed or medically boarded at least once a month ; and, subject to subclause (3) of this regulation, if he is found unlikely to become fit for duty within six months, and is not a Regular officer or soldier, he shall be discharged.

" (3) An officer or soldier, not being a Regular officer or soldier, who, before discharge, is found to be in need of medical treatment to render him fit for civil occupation may be retained on emergency force rates of pay and allowances until he is fit for civil occupation, but not in any case for a longer period than—

" (a) Twelve months from the date of his return to New Zealand, if the disability occurred during, or is the result of, service outside New Zealand ; or

" (b) Six months from the date of the commencement of the treatment or from the date of the commencement of the sick leave, whichever is the earlier, in any other case :

“ Provided that annual leave shall not accrue during any period during which the officer or soldier is retained on pay and allowances under this subclause.

“(4) At the expiration of the appropriate period mentioned in subclause (3) hereof during which an officer or soldier has been retained on pay and allowances as aforesaid, he shall be discharged from the Army :

“ Provided that on his discharge the officer or soldier shall be entitled to payment for any leave which may be due to him.

“(5) An officer or soldier who becomes entitled to be retained on pay and allowances under this regulation, and is eligible for a war pension, may elect to receive either the pay and allowances or the war pension.

“(6) Subject to the provisions of this regulation,—

“(a) A Regular officer or soldier who while serving outside New Zealand with the Emergency Force becomes unfit for further duty shall be returned to New Zealand and be reposted to the Regular Force, and shall thereafter be subject to the regulations and Army Orders relating to that force :

“(b) A Regular officer or soldier who while serving in New Zealand with the Emergency Force becomes temporarily unfit for duty for a period exceeding six months shall be reposted to the Regular Force on the expiration of six months, and shall thereafter be subject to the regulations and Army Orders relating to that force.

“(7) An officer or soldier who while serving outside New Zealand becomes unfit for duty shall, subject to regulations 12 to 14 of the principal regulations, continue on pay and allowances until he returns to duty, or, subject to this regulation, until he is discharged in New Zealand or is reposted to the Regular Force, as the case may be.”

11. Regulation 36 of the principal regulations is hereby amended by omitting the words “ who is serving in New Zealand ”, and substituting the words “ who has not at any time served outside New Zealand with the Emergency Force ”.

12. All payments of pay, allowances, expenses, and other grants made from time to time before the commencement of these regulations to officers and soldiers of the Emergency Force in accordance with the approval of the Minister are hereby validated and declared to have been lawfully made :

Provided that nothing in this regulation shall affect any claim for the recovery of excess payments.

As witness the hand of His Excellency the Governor-General, this 18th day of September 1951.

T. L. MACDONALD,
Minister of Defence.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette* : 27th day of September 1951.
These regulations are administered in the Army Department.