

Serial Number 1952/9



**THE GOVERNMENT RAILWAYS CLASSIFICATION AND PAY
REGULATIONS 1942, AMENDMENT NO. 11**

FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 4th day of
February 1952

Present :

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Government Railways Act 1949, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Government Railways Classification and Pay Regulations 1942, Amendment No. 11, and shall be read together with and deemed part of the Government Railways Classification and Pay Regulations 1942* (hereinafter referred to as the principal regulations).

2. (1) Regulation 11 of the principal regulations is hereby amended by omitting the words "setting out in order of classification", and substituting the words "or lists setting out".

(2) The principal regulations are hereby amended by revoking regulation 12, and substituting the following regulation:—

"12. The Salaried Division shall be classified into the classes, positions, grades, and subgrades specified in the First Schedule hereto."

3. (1) The principal regulations are hereby amended by revoking regulation 13, and regulation 13A (as set out in regulation 2 of the Government Railways Classification and Pay Regulations 1942, Amendment No. 2), and substituting the following regulation:—

"13. Members of the Salaried Division who are advanced in grade and whose advancement in grade is, pursuant to subsection (3) of section 84 of the Government Railways Act 1949, declared to be special promotion, shall be deemed to be classified in the grade to which they are specially promoted, except that for the purposes of

*Statutory Regulations 1942, Serial number 1942/345, page 850.

Amendment No. 1: (*Revoked by Serial number 1949/31.*)

Amendment No. 2: Statutory Regulations 1945, Serial number 1945/190, page 486.

Amendment No. 3: Statutory Regulations 1946, Serial number 1946/40, page 83.

Amendment No. 4: Statutory Regulations 1946, Serial number 1946/152, page 418.

Amendment No. 5: Statutory Regulations 1947, Serial number 1947/50, page 157.

Amendment No. 6: (*Revoked by Serial number 1949/31.*)

Amendment No. 7: Statutory Regulations 1949, Serial number 1949/31, page 137.

Amendment No. 8: Statutory Regulations 1949, Serial number 1949/182, page 725.

Amendment No. 9: Statutory Regulations 1950, Serial number 1950/209, page 931.

Amendment No. 10: Statutory Regulations 1950, Serial number 1950/218, page 1001

subsection (5) of the said section 84 the seniority of members who have been specially promoted as aforesaid shall be determined in accordance with the following rules :—

“(a) The seniority of a member who has been specially promoted shall be determined in all cases as if he had not been specially promoted except—

“(i) For the purposes of further special promotion (by reason of the holding of an examination qualification) from a position to which he has been specially promoted by reason of the holding of the same examination qualification ; and

“(ii) To the extent mentioned in paragraphs (e) and (f) of this regulation, for the purposes of special promotion by reason of being certified proficient in train running duties :

“Provided that every member who is specially promoted shall be entitled to advancement in seniority (up to and within the grade to which he is specially promoted) from his classified position (immediately before his special promotion) to the same extent as he would have advanced if he had not been specially promoted, the grade or subgrade in which a member is classified immediately prior to his special promotion or to which he is advanced pursuant to this proviso being hereinafter in this regulation referred to as his ordinary grade :

“(b) Subject to paragraph (a) hereof, in the case of a member who is specially promoted to any grade by reason of the possession by him of an examination qualification, that member, for the purposes of further special promotion in or to any position the nature of which, in the opinion of the General Manager, requires that the occupant thereof should possess the same examination qualification, shall be deemed to be senior to a member (whether or not specially promoted) who was in a lower grade at the time of the special promotion of the first-mentioned member :

“(c) As between members who have been specially promoted to the same higher grade by reason of their possessing the same examination qualification, the member who was first specially promoted to the higher grade shall be deemed to be senior to the other member for the purposes of further special promotion in or to any position the nature of which, in the opinion of the General Manager, requires that the occupant thereof should possess the same examination qualification :

“(d) As between a member who has been specially promoted by reason of possessing a particular examination qualification, on the one hand, and a member possessing the same examination qualification (whether acquired subsequently to the special promotion of the other member or not) who has not been promoted by reason of possessing that qualification and whose ordinary grade at the time of the special promotion of the first-mentioned member was the same as the grade to which that member was specially promoted, on the other hand, the second-mentioned member shall be deemed to be senior to the first-mentioned

member for the purposes of special promotion in or to any position the nature of which, in the opinion of the General Manager, requires that the occupant thereof should possess the same examination qualification :

“(e) Subject to paragraph (f) hereof, as between a member who has been specially promoted to any grade by reason of being certified proficient in train running duties (but not a member who has been specially promoted by reason of being certified proficient in train running duties and of the possession by him of other special qualifications or knowledge), on the one hand, and a member certified proficient in those duties who has not been specially promoted to the same higher grade by reason of being so certified and whose ordinary grade is lower than the grade to which the first-mentioned member has been specially promoted, on the other hand, the first-mentioned member shall be deemed to be senior to the second-mentioned member for the purposes of special promotion in or to any position the nature of which, in the opinion of the General Manager, requires that the occupant thereof should be certified proficient in train running duties :

“(f) As between a member who has been specially promoted by reason of being certified proficient in train running duties (but not a member who has been specially promoted by reason of being certified proficient in train running duties and of the possession by him of other special qualifications or knowledge), on the one hand, and a member who was certified proficient in the same duties prior to the special promotion of the first-mentioned member and who was senior at the time of the special promotion of that member and who failed to apply for or would not accept promotion to the position to which that member was specially promoted or applied for that position and subsequently withdrew his application or failed to commence or prosecute any right of appeal against the appointment to the position to which the first-mentioned member was specially promoted, on the other hand, the first-mentioned member shall, for the purposes of further promotion in or to any position the nature of which, in the opinion of the General Manager, requires that the occupant thereof should be certified proficient in train running duties, retain the seniority conferred upon him by the special promotion over the second-mentioned member.

“(g) For the purposes of this regulation the term ‘examination qualification’ means—

“(i) The Law Professional Examination ;

“(ii) The Accountants’ Professional Examination ;

“(iii) The examination for any University degree ;

“(iv) The examination for associate membership of the Institution of Civil Engineers or of the Institution of Mechanical Engineers or of the Institution of Electrical Engineers ; or

“(v) Any examination which, in the opinion of the General Manager, is of a standard equivalent to or higher than any of the foregoing.”

(2) The Government Railways Classification and Pay Regulations 1942, Amendment No. 2, is hereby revoked.

(3) This regulation shall be deemed to have come into force on the 1st day of April 1951.

4. (1) The principal regulations are hereby amended by revoking regulation 14 (as substituted by regulation 2 of the Government Railways Classification and Pay Regulations 1942, Amendment No. 8), regulation 15 (as substituted by regulation 3 of the Government Railways Classification and Pay Regulations 1942, Amendment No. 4), and regulation 16 (as substituted by regulation 4 of the Government Railways Classification and Pay Regulations 1942, Amendment No. 8), and substituting the following regulations :—

“ 14. (1) The order of seniority of members occupying positions in Classes 1 and 2 of the Salaried Division shall be determined according to the practice of the Department in force when the necessity to determine their order arises, and not according to the order in which the positions included in the said Classes 1 and 2 are enumerated in the said First Schedule.

“ (2) The order of seniority of members and probationers occupying positions in Classes 3, 4, and 5 of the Salaried Division shall be the order in which the names of the members and probationers appear on the lists mentioned in regulation 11 hereof.

“ (3) As between any two such persons whose names appear on different lists the order of seniority shall be determined by reference to their grading, and, if those persons are in the same grade or subgrade, the person first promoted to that grade or subgrade shall be deemed to be senior to the other person.

“ 15. Each member occupying a position in Class 1 or Class 2 of the Salaried Division shall be paid a salary at such rate as may be provided for in the annual estimates of the Department and appropriated by Parliament.

“ 16. Subject to the provisions of regulations 7, 8, and 10 hereof, there shall be paid to each member or probationer for the time being occupying a position in Class 3, Class 4, or Class 5 of the Salaried Division salary at the rate attached to the grade (and subgrade, if any) in which he is classified as that grade (and subgrade, if any) are specified in the said First Schedule.”

(2) The Government Railways Classification and Pay Regulations 1942, Amendment No. 4, and the Government Railways Classification and Pay Regulations 1942, Amendment No. 8, are hereby revoked.

(3) Regulation 2 of the Government Railways Classification and Pay Regulations 1942, Amendment No. 9, is hereby revoked.

5. (1) Regulations 18 and 19 of the principal regulations, as substituted by regulation 2 of the Government Railways Classification and Pay Regulations 1942, Amendment No. 7, are hereby revoked.

(2) Regulation 2 of the Government Railways Classification and Pay Regulations 1942, Amendment No. 7, is hereby revoked.

6. (1) The principal regulations are hereby amended by revoking the First Schedule, as substituted by regulation 2 of the Government Railways Classification and Pay Regulations 1942, Amendment No. 10, and substituting the First Schedule set out in the Schedule to these regulations.

(2) The Government Railways Classification and Pay Regulations 1942, Amendment No. 10, is hereby revoked.

(3) This regulation shall be deemed to have come into force on the 15th day of February 1951.

SCHEDULE

SCHEDULE TO BE SUBSTITUTED FOR THE FIRST SCHEDULE TO THE GOVERNMENT
RAILWAYS CLASSIFICATION AND PAY REGULATIONS 1942

" FIRST SCHEDULE

" CLASSIFICATION OF SALARIED DIVISION

| Designation. | Grade. | Subgrades. | Salary Per Annum. | | | | | |
|--|------------|------------------------|--|----|------------------------------------|-------|----|----|
| | | | Payable on and After 15 February 1951 Until 31 March 1951. | | Payable on and After 1 April 1951. | | | |
| | | | £ | s. | d. | £ | s. | d. |
| " Class 1 | | | | | | | | |
| General Manager | .. | .. | .. | | | .. | | |
| Assistant General Manager | .. | .. | .. | | | .. | | |
| " Class 2 | | | | | | | | |
| Chief Civil Engineer | .. | .. | .. | | | .. | | |
| Chief Mechanical Engineer | .. | .. | .. | | | .. | | |
| Transportation Superintendent | .. | .. | .. | | | .. | | |
| Chief Accountant | .. | .. | .. | | | .. | | |
| Staff Superintendent | .. | .. | .. | | | .. | | |
| Assistant Chief Civil Engineer | .. | .. | .. | | | .. | | |
| Assistant Chief Mechanical Engineer | .. | .. | .. | | | .. | | |
| Chief Signal and Electrical Engineer | .. | .. | .. | | | .. | | |
| *Comptroller of Stores | .. | .. | .. | | | .. | | |
| *Inspecting Engineers (Civil) | .. | .. | .. | | | .. | | |
| " Class 3 | | | | | | | | |
| .. | Special 10 | .. | 1,360 | 0 | 0 | .. | | |
| .. | Special 9 | .. | 1,335 | 0 | 0 | .. | | |
| .. | Special 8 | .. | 1,310 | 0 | 0 | 1,360 | 0 | 0 |
| .. | Special 7 | .. | 1,285 | 0 | 0 | 1,310 | 0 | 0 |
| .. | Special 6 | .. | 1,260 | 0 | 0 | 1,260 | 0 | 0 |
| .. | Special 5 | .. | 1,207 | 10 | 0 | 1,210 | 0 | 0 |
| " Class 4 | | | | | | | | |
| .. | Special 4 | .. | 1,150 | 0 | 0 | 1,150 | 0 | 0 |
| .. | Special 3 | .. | 1,092 | 10 | 0 | 1,100 | 0 | 0 |
| " Class 5 | | | | | | | | |
| .. | Special 2 | .. | .. | | | .. | | |
| .. | Special 1 | .. | .. | | | .. | | |
| .. | 1 | 1, 2 | .. | | | .. | | |
| .. | 2 | 1, 2 | .. | | | .. | | |
| .. | 3 | 1, 2 | .. | | | .. | | |
| .. | 4 | 1, 2 | .. | | | .. | | |
| .. | 5 | 1, 2 | .. | | | .. | | |
| .. | 6 | 1, 2, 3, 4, 5, 6, 7 | .. | | | .. | | |
| .. | 7 | 1, 2, 3, 4, 5 | .. | | | .. | | |

* Members filling positions designated Comptroller of Stores or Inspecting Engineer (Civil) advanced from Class 3 on 1 April 1951."

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

1. Regulation 2 amends the principal regulations so as to provide that a list or lists of persons in the Government Railways Department shall be issued annually. Hitherto it has been necessary to include the names of all persons in one list. The issue of separate lists for different branches of the Department will enable the lists to be issued more quickly.

2. Regulation 3 amends the rules relating to promotions out of the usual course in the Railways Department and defines the term "examination qualification" for the purposes of such promotions.

3. Regulation 4 amends the provisions of the principal regulations to make it clear that the order in which the persons' names appear in the lists to be issued annually pursuant to regulation 11 of the principal regulations will be their order of seniority in the Department.

4. Regulation 5 revokes regulations 18 and 19 of the principal regulations relating to the Salaried Division of the Government Railways Department so that in future the advancement of probationers and members in Grade VII will not be conditional on their passing the junior and intermediate departmental examinations. The examinations are being discontinued.

5. Regulation 6 provides for a new Schedule of salaries for administrative officers in the Department.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette* : 7th day of February 1952.

These regulations are administered in the Government Railways Department.