



**THE GOVERNMENT RAILWAYS (STAFF) REGULATIONS
1953, AMENDMENT NO. 35**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 16th day of March 1981

Present:

THE RIGHT HON. R. D. MULDOON 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. Title and commencement—(1) These regulations may be cited as the Government Railways (Staff) Regulations 1953, Amendment No. 35, and shall be read together with and deemed part of the Government Railways (Staff) Regulations 1953* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of April 1981.

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by omitting from the definition of the expression “member” the words “an apprentice or”.

3. Appointment to permanent staff—(1) The principal regulations are hereby further amended by revoking regulation 19 (as amended by regulation 2 of the Government Railways (Staff) Regulations 1953, Amendment No. 23 and regulation 5 of the Government Railways (Staff) Regulations 1953, Amendment No. 28), and substituting the following regulation:

“19. (1) Subject to the provisions of this regulation, a probationer, on the expiration of his probationary period, or on being indentured as an apprentice, as the case may be, shall be appointed as a member.

“(2) No probationer shall be appointed as a member, or as the case may be, indentured as an apprentice and appointed as a member until he has served the period of probation prescribed in regulation 18 hereof, and unless the General Manager is satisfied—

“(a) That the work and conduct of the probationer during his probationary period have been satisfactory; and

“(b) That he has fulfilled satisfactorily the conditions of his probation as prescribed in these regulations; and

“(c) That he is suitable in every respect for appointment as a member or, as the case may be, for indenture as an apprentice, and that his services are required as such.

“(3) No engineering cadet shall be appointed as a member unless he has passed the Second Professional Examination for the degree of Bachelor of Engineering.

“(4) An indenture of apprenticeship may be in the form set out in the Third Schedule of these regulations and every indenture when duly executed shall be binding on and after the date thereof, and, after the execution of the indenture by the signatories thereto, it shall remain in the custody of the master until the apprentice shall have served his period of apprenticeship, when it shall become his property.

“(5) The period of apprenticeship shall commence at the date of engagement as an apprentice in the service of the Department.

“(6) The period of apprenticeship to be served by an apprentice shall be 9,000 hours on duty; but the General Manager may from time to time, on such conditions as he may determine, reduce the period in respect of any apprentice or class of apprentice to not less than 6,000 hours.

“(7) For the purposes of subclause (6) of this regulation, hours on duty shall be deemed to include—

“(a) Absences on account of leave granted, up to a maximum of 8 hours per week, for the purposes of attending day classes or lectures at educational institutions:

“(b) Absences on account of leave granted for the purpose of attending a course of study and training at a University college in accordance with the provisions of regulation 175 hereof:

“(c) Absences through being off duty when workshops are closed for holidays and the apprentice is not required to work:

“(d) Absences on account of accident arising out of and in the course of the employment:

“(e) Absences on account of volunteer service in the Territorial Volunteer Force.

“(8) When an apprentice has served his period of apprenticeship there shall be endorsed on the apprentice's indenture by or on behalf of the General Manager a certificate setting out the period of apprenticeship actually served under the indenture and the date of the completion of that period.”

(2) The principal regulations are hereby further amended—

(a) By revoking regulations 30 and 31 (as amended by regulation 10 (1) of the Government Railways (Staff) Regulations 1953, Amendment No. 28, and regulation 4 (1) of the Government Railways (Staff) Regulations 1953, Amendment No. 30:

- (b) By omitting from regulation 32 the words "section 96 of the Act, be dismissed by the General Manager at any time before being appointed as a member", and substituting the words "sections 95 and 96 of the Act, be dismissed by the General Manager at any time".
- (3) The following regulations are hereby consequentially revoked:
 - (a) Regulation 2 of the Government Railways (Staff) Regulations 1953, Amendment No. 23:
 - (b) Regulations 5 and 10 of the Government Railways (Staff) Regulations 1953, Amendment No. 28:
 - (c) Regulation 4 of the Government Railways (Staff) Regulations 1953, Amendment No. 30.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations, which come into force on 1 April 1981, amend the Government Railways (Staff) Regulations 1953 to change the present method of appointment of apprentices to the permanent staff of the Government Railways Department.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 March 1981.

These regulations are administered in the New Zealand Government Railways Department.