

1970/48

**THE HOSPITAL BOARDS (STAFF AMENITIES) REGULATIONS
1970**

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 23rd day of March 1970

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Hospitals Act 1957, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Hospital Boards (Staff Amenities) Regulations 1970.

(2) These regulations shall come into force on the 1st day of April 1970.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“Capital value”, in relation to property, means—

(a) The capital value of the property as shown in the current district valuation roll kept under the Valuation of Land Act 1951 in respect of the locality in which the property is situated, less—

(i) In any case to which regulation 4 of these regulations applies, the aggregate of the amount (if any) by which the unimproved value of the property exceeds \$2,000, and the amount (if any) by which the value of the improvements to the property exceeds \$9,000; or

(ii) In any case to which regulation 5 of these regulations applies, the amount (if any) by which the unimproved value of the property exceeds \$2,000, or the amount (if any) by which the capital value of the property exceeds \$9,000, whichever (if either) is the greater; or

(b) In the case of any house to which paragraph (a) of this definition cannot be applied, the capital value of the property as determined by the Director-General, after consultation with the Valuer-General and after taking into account the deductions required by that paragraph to the extent that the deductions are applicable and can be approximately assessed:

“Employee” includes officer:

“House” includes self-contained flat:

“Unimproved value”, in relation to property, means the unimproved value of the property as shown in the current district Valuation Roll kept under the Valuation of Land Act 1951 in respect of the locality where the property is situated:

“Urban area” means an area which is classified by the Department of Statistics as an urban area for census purposes, and any borough or county town the population of which, according to the records kept by that Department, for the time being exceeds 500 persons, and any area within 1 mile of any such borough.

3. Restrictions on application of regulations—(1) These regulations shall be read subject to any award or industrial agreement made under the Industrial Conciliation and Arbitration Act 1954, and to any apprenticeship order made under the Apprentices Act 1948.

(2) Nothing in regulations 4 or 5 of these regulations shall apply in respect of an employee who—

(a) Lives alone; and

(b) Belongs to an occupational group of which the members are ordinarily provided with board and lodging by a hospital board; and

(c) Is accommodated in a house only because other accommodation appropriate to his status is not available for him.

(3) Nothing in regulation 5 of these regulations shall apply in respect of any person employed solely or mainly on a farm; and nothing in regulation 9 of these regulations shall apply in respect of any house in which any such person is accommodated.

(4) Nothing in regulation 5 of these regulations shall apply in respect of any flat in which an employee referred to in subclause (3) of regulation 9 of these regulations is accommodated.

4. Medical staff accommodated in houses—(1) Where any medical officer is employed by a hospital board at a rate of salary exceeding the maximum rate of salary payable to a senior registrar and is accommodated in a house belonging to the board, he shall pay to the board, by way of rent in respect of that accommodation, a sum calculated at the rate of $4\frac{1}{2}$ percent per year of the capital value of the property.

(2) Notwithstanding anything in subclause (1) of this regulation, in any case where the medical officer is required as a condition of his employment to live in the house and the Director-General is satisfied that, by reason of exceptional circumstances relating to the location of the house, the sum payable by the medical officer in respect of his occupation thereof should be less than the sum calculated in accordance with subclause (1) of this regulation, the Director-General may, instead of the sum calculated in accordance with that subclause, permit the board to charge the medical officer such lesser sum, or a sum calculated at such lesser rate, as the Director-General determines.

(3) Where any medical officer is employed by a hospital board at a rate of salary not exceeding the maximum rate of salary payable to a senior registrar and is accommodated in a house belonging to the board, he shall pay to the board, by way of rent in respect of that accommodation, a sum calculated at the rate of \$220 per year.

5. Other staff accommodated in houses—Where any employee of a hospital board, not being a medical officer, is accommodated in a house belonging to the board, he shall pay to the board, by way of rent in respect of that accommodation,—

- (a) If the house is situated in an urban area, a sum calculated at the rate of $4\frac{1}{2}$ percent per year of the capital value of the property; or
- (b) If the house is not situated in an urban area, at the rate of 3 percent per year of that value.

6. Transitional provision—Notwithstanding anything in regulation 5 or in subclause (1) of regulation 4 of these regulations, in any case where the sum calculated in accordance with those provisions exceeds the sum which would have been payable by the employee if these regulations had not been made, the employee shall, in respect of the year ending on the 31st day of March 1971, be required to pay only a sum calculated at the rate applicable immediately before the commencement of these regulations, together with half of the difference between that sum and the sum calculated in accordance with those provisions.

7. Furniture, fuel, lighting, etc.—Where an employee is liable to pay for accommodation pursuant to regulations 4 to 6 of these regulations, he shall also pay to the hospital board which employs him—

- (a) A sum calculated at the rate of $7\frac{1}{2}$ percent per year of the cost to the board of any furniture or other non-consumable articles provided by it in or in relation to that accommodation; and
- (b) A sum equivalent to the cost to the board of any fuel, lighting, consumable articles, or services provided by it in or in relation to that accommodation.

8. District nurses—(1) A district nurse or district male nurse who is employed by a hospital board on terms that include a requirement that she or he shall be on call for duty on all 7 days of a week shall be provided with furnished residential accommodation at the expense of the board:

Provided that, instead of providing accommodation, the board may pay to the district nurse or district male nurse a residential allowance at the rate of \$5.00 per week.

(2) A district nurse or district male nurse who is not required to be on call for duty as aforesaid may be provided by the board which employs her or him with residential accommodation on such terms as the Director-General determines.

9. Board and lodging—(1) Subject to subclauses (2) to (4) of this regulation, where a hospital board provides board and lodging for an employee in any case not provided for in regulation 4 or regulation 5 or regulation 8 of these regulations, the employee shall pay to the hospital board the sum of \$8.00 in respect of each week for which the board and lodging is provided.

(2) Where in any such case a hospital board provides board and lodging, including residential accommodation in addition to a bedroom, for the personal use of any employee, other than an employee referred to in subclause (3) of this regulation, the employee shall pay to the hospital board such sum, being not more than \$10.00 and not less than \$8.00 in respect of each week for which the accommodation is provided, as the Director-General determines.

(3) Where a hospital board provides board and lodging including residential accommodation consisting of a flat for an employee who is a matron-in-chief, a deputy matron-in-chief, a supervising matron, a matron, or a sister in charge of an institution, that employee shall pay to the board—

- (a) If the flat is self-contained, the sum of \$11.50 in respect of each week for which the accommodation is provided; and
- (b) If the flat is not self-contained, such sum, being not more than \$11.50 and not less than \$8.00 in respect of each such week, as the Director-General determines.

(4) No employee shall be liable to make any payment pursuant to this regulation in respect of any period during which he is absent from the accommodation on leave.

10. Cleaning services, etc.—(1) A flat provided for an employee referred to in subclause (3) of regulation 9 of these regulations shall be cleaned once a week and three meals a day shall be provided in the flat by and at the expense of the hospital board which employs the employee.

(2) A hospital board may provide for any employee employed by it (being an employee to whom subclause (3) of regulation 9 of these regulations relates) services and supplies in addition to the services and supplies referred to in subclause (1) of this regulation in or in relation to the residential accommodation provided, and may provide for a first or only assistant matron or a second assistant matron the cleaning and other services and supplies provided for a matron, but in every such case, subject to regulation 11 of these regulations, the employee shall pay to the board the cost to it of the additional services and supplies.

(3) Residential accommodation provided for the personal use of any registrar, senior house officer, house surgeon, or medical student (being an employee to whom regulation 9 of these regulations relates) shall be cleaned at the expense of the hospital board employing him.

(4) Except as provided in subclauses (1) to (3) of this regulation, no hospital board shall provide in or in relation to residential accommodation provided by it for the personal use of any employee to whom regulation 9 of these regulations applies any cleaning or other services or supplies.

11. Provision of meals—(1) Every employee shall be entitled to receive three meals a day provided by and at the expense of the hospital board employing him during any period in respect of which the employee pays for board and lodging pursuant to regulation 9 of these regulations.

(2) Every registrar, senior house officer, or house surgeon required to be on duty in an institution over a period which includes a period during which the board employing him provides a meal for its employees shall be entitled to receive, at its expense, the meal so provided.

(3) Every laboratory worker who is required to work for at least 2 hours (exclusive of any break for a meal) outside his ordinary hours of duty over a period which includes a period during which the board employing him provides a meal for its employees shall be entitled to receive, at its expense, the meal so provided.

(4) Every nurse employed by a hospital board on a whole-time basis who is required to work for at least 2 hours (exclusive of any break for a meal) outside her ordinary hours of duty over a period which immediately follows her ordinary hours of duty and includes a period during which the board provides a meal for its employees, and who is not, by reason of the amount of her total earnings, entitled to be paid at overtime rates in respect of all or part of those additional hours, shall be entitled to receive the meal so provided at the expense of the board.

(5) Subclauses (2) to (4) of this regulation shall apply only in respect of employees to whom subclause (1) of this regulation does not apply.

(6) In any case not provided for in subclauses (1) to (4) of this regulation, where an employee is provided with a meal by a hospital board, he shall pay to the board the cost of that meal.

12. Method of payment—Any sum payable to a hospital board by an employee pursuant to these regulations shall be paid by such periodical payments as the board requires, or, at the discretion of the board, may be deducted from any remuneration payable by the board to the employee in respect of any period in which the accommodation or other amenities are provided.

13. Revocation—The regulations specified in the Schedule to these regulations are hereby revoked.

SCHEDULE

Regulation 13

REGULATIONS REVOKED

Title and Extent of Revocation	Serial Number
The Hospital Employment (Dental Officers) Regulations 1963: regulation 10	1963/103
The Hospital Employment (Dental Officers) Regulations 1963, Amendment No. 2: regulation 4	1965/97
The Hospital Employment (Dietitians) Regulations 1963: regulation 9	1963/102
The Hospital Employment (Engineers) Regulations 1963: regulation 10	1963/104
The Hospital Employment (Engineers) Regulations 1963, Amendment No. 2: regulation 7	1965/99
The Hospital Employment (Laboratory Workers) Regulations 1964: regulation 9	1964/103
The Hospital Employment (Laboratory Workers) Regulations 1964, Amendment No. 1: regulation 6	1965/100
The Hospital Employment (Male Nurses) Regulations 1963: regulation 6	1963/107
The Hospital Employment (Medical Officers) Regulations 1964: regulations 8A and 12	1964/105
The Hospital Employment (Medical Officers) Regulations 1964, Amendment No. 1: regulations 5 and 8	1965/102
The Hospital Employment (Nurses) Regulations 1964: regulation 9	1964/106
The Hospital Employment (Occupational Therapists) Regulations 1963: regulation 5	1963/109
The Hospital Employment (Orthopaedic Technicians) Regulations 1963: regulation 7	1963/110
The Hospital Employment (Orthopaedic Technicians) Regulations 1963, Amendment No. 2: regulation 6	1965/105
The Hospital Employment (Physiotherapists) Regulations 1963: regulation 5	1963/111
The Hospital Employment (Secretarial and Clerical Officers) Regulations 1963: regulation 8	1963/112
The Hospital Employment (Secretarial and Clerical Officers) Regulations 1963, Amendment No. 2: regulation 5	1965/107
The Hospital Employment (X-ray Workers) Regulations 1963: regulation 12	1963/113
The Hospital Employment (X-ray Workers) Regulations 1963, Amendment No. 2: regulation 6	1965/108

P. J. BROOKS,
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 provide for—

- (a) The consolidation and re-enactment of the existing provisions relating to board and lodging contained in the various Hospital Employment Regulations:
- (b) Increased rentals for houses and flats occupied by engineers, medical officers, and secretarial and clerical officers:
- (c) The extension of the basis of rental charges to other staff in respect of whom no provision was previously made in regulations:
- (d) The removal of the present charge of \$80 per year for fuel and light where engineers, medical officers, and secretarial and clerical officers are provided with residential accommodation. In future the cost of these services will be borne by the employee concerned.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 25 March 1970.

These regulations are administered in the Department of Health.