

1957/72



**THE HOSPITAL EMPLOYMENT (DENTAL OFFICERS)
REGULATIONS 1957**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 3rd day of April 1957

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Hospitals Act 1926, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Hospital Employment (Dental Officers) Regulations 1957, and shall be read together with and deemed part of the Hospital Employment Regulations 1957* (hereinafter referred to as the principal regulations).

(2) For the purposes of regulation 4 of the principal regulations, these regulations shall be deemed to form a Part of the principal regulations.

Commencement

2. (1) Such of the provisions of these regulations as have the effect of increasing the rates of salaries, wages, and other emoluments and increments payable in respect of the classes of persons whose positions are specified in these regulations shall be deemed to have come into force on the 1st day of April 1956.

(2) Except as aforesaid, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

Interpretation

3. In these regulations, unless the context otherwise requires,—

“Dental surgeon of special scale” means a whole time dental officer who has been qualified for not less than three years and whose position is for the purposes of these regulations designated by the Board with the approval of the Minister as that of a dental surgeon of special scale; and includes a whole time dental officer who is carrying out the duties of a senior dental surgeon or a first assistant dental surgeon and would have been designated as a senior dental surgeon or a first assistant dental surgeon, as the case may be, if he had had ten years’ experience in the practice of dentistry; and also includes any dental surgeon whose rate of salary is determined under clause 3 of the Schedule to regulation 4 of these regulations:

“First assistant dental surgeon” means a whole time dental officer who has had not less than ten years’ experience in the practice of dentistry and who has been appointed by the Board to assist the senior dental surgeon and in his absence to discharge his duties:

“Junior dental surgeon” means a whole time dental officer who either—

(a) Has been qualified for less than three years; or

(b) Has been qualified for three years or more and has not been appointed to any other position specified in the Schedule to regulation 4 hereof:

“Part time”, when used in reference to any dental officer, means that he is a dental officer who is not a whole time dental officer:

“Practice of dentistry” has the same meaning as in the Dentists Act 1936:

“Qualified” means possessing a qualification which entitles the holder to registration in New Zealand under the Dentists Act 1936:

“Senior dental surgeon” means a whole time dental officer who has had not less than ten years’ experience in the practice of dentistry and who has been appointed by the Board as the officer in charge of the Board’s dental services or of the dental department of an institution:

“Whole time dental officer” means a person who is registered under the Dentists Act 1936, and is employed in any position designated in the Schedule to regulation 4 hereof and who devotes his whole working time to the duties of his position, save that a person shall not be excluded from the definition of a whole time dental officer by reason only of the fact that he engages in dental work outside those duties if that work is of an occasional nature and undertaken on the footing that, except so far as the Board with the approval of the Minister otherwise determines, all fees or other remuneration payable therefor are received by the Board.

Scales of Salaries for Whole Time Dental Officers

4. The scales of salaries applicable to whole time dental officers shall be those set out in the Schedule appended to this regulation, namely:

Position	Yearly Rate of Salary		
	Minimum	Maximum	Increments
1. Senior Dental Surgeon—			
(a) (i) The senior dental surgeon in charge of the dental services of the Auckland, North Canterbury, or Wellington Hospital Board	£ 1,900	£ 2,100	£ 100
(ii) In respect of any such senior dental surgeon who has completed at least one year at the salary of £2,100 per annum, the employing Board may, subject to the prior approval of the Minister, increase the yearly rate of salary to a maximum of £2,300 by annual increments of not more than £100.			
(b) The senior dental surgeon in charge of the dental department of the Hutt or Timaru Hospital	1,600	1,800	100
(c) Any other senior dental surgeon	A remuneration determined under clause 3 of this Schedule.		
2. First Assistant Dental Surgeon—			
(a) The first assistant to the senior dental surgeon in charge of the dental services of the Auckland, North Canterbury, or Wellington Hospital Board	£ 1,600	£ 1,800	£ 100
(b) Any other first assistant dental surgeon	A remuneration determined under clause 3 of this Schedule.		
3. Dental Surgeon of Special Scale—			
A yearly rate of salary according to the scale of salary from time to time determined in each case by the Board, subject to the provisions of regulation 5 hereof, and approved by the Minister, that scale being one of the three following—			
(a)	£ 1,400	£ 1,600	£ 100
(b)	1,200	1,300	50
(c)	1,100	1,150	50
4. Junior Dental Surgeon	965	1,150	75, 60, 50

5. The Board in making a determination as to the salary of a dental surgeon of special scale shall have regard to the nature and importance of the duties and responsibilities of the position as well as to the qualifications, experience, and ability of the officer, and any such determination when approved by the Minister shall be effective only so long as the duties and responsibilities of the position remain substantially the same and the officer in respect of whom the determination was made continues to hold the position.

Part Time Dental Officers

6. (1) The yearly rate of salary of a part time dental officer shall be as determined in each case from time to time by the Board with the approval of the Director-General, having regard to the hours of work in the position in relation to the hours of work of a whole time dental officer of similar qualifications and experience and having duties and responsibilities of a similar nature:

Provided that in the case of a part time dental officer not employed for regular weekly hours a Board may, instead of determining a yearly rate of salary under this subclause, determine with the approval of the Director-General an hourly rate of payment.

(2) The provisions of regulations 7, 8, and 9 hereof shall apply to a part time dental officer in respect of whom a yearly rate of salary has been determined as if he were a whole time dental officer.

Annual Leave and Holiday Leave

7. (1) Leave of absence on full pay for recreational purposes shall be granted to the respective classes of whole time dental officers according to the following scale, namely:

Class of Employee	Number of Days Leave in Respect of Each Year of Employment
1. Senior dental surgeons	28
2. Other whole time dental officers	21

(2) The number of days shown in subclause (1) of this regulation is to be reckoned in consecutive days' leave (including Saturdays and Sundays, but excluding any of the public holidays, or substituted succeeding days, where applicable, prescribed in subclause (5) of this regulation, that may fall during a period of leave).

(3) A Board may permit leave to be taken in two periods.

(4) When the employment of a whole time dental officer ceases, he shall be paid salary instead of being granted leave in respect of any annual leave or portion of annual leave accrued due to him.

(5) In addition to annual leave granted in accordance with this regulation, each whole time dental officer shall be allowed leave on full pay on the following public holidays—namely, Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Sovereign's Birthday, Labour Day, and the holiday observed in the locality concerned as Anniversary Day:

Provided that, when any of the above-named public holidays (other than Anzac Day) that can fall on a Saturday or a Sunday so falls, the next succeeding day (not being a Sunday) which is not one of the said public holidays or observed as a substituted holiday under this proviso shall be allowed:

Provided further that any whole time dental officer may be required to work on any of the above-named public holidays or substituted succeeding days, where applicable, if he is allowed an equivalent holiday on a later day convenient to the Board.

Sick Leave

8. (1) Where a whole time dental officer is granted leave of absence on account of sickness or injury not arising out of and in the course of his employment (hereinafter referred to as sick leave), he shall be entitled to full pay according to the scale prescribed in the Schedule set out in subclause (6) of this regulation.

(2) The length of service for the purposes of the Schedule means the aggregate period of service, whether continuous or intermittent, in the employ of a Board, a separate institution, or the Crown, or of two or more of such employers.

(3) The total period of sick leave with full pay set out in the Schedule may consist of one or more periods. Sick leave with full pay for each period allowed is to be reckoned in consecutive days (including Saturdays, Sundays, and the public holidays, or substituted succeeding days, where applicable, that may fall during a period of sick leave).

(4) The total period of sick leave with full pay to which a whole time dental officer is entitled as set out in the Schedule shall be computed in respect of his whole length of service.

(5) Where in the opinion of a Board a whole time dental officer in its employ is incapacitated by sickness or injury arising out of and in the course of his employment, it shall be permissible for the Board to continue to pay his full salary during incapacity:

Provided that the prior written approval of the Director-General shall be obtained for any such payment beyond a period of three months:

Provided further that the period in respect of which salary is paid in accordance with the provisions of this subclause shall not be regarded as sick leave with pay for the purposes of the foregoing provisions of this regulation.

(6) The Schedule referred to in subclause (1) of this regulation is as follows:

SCHEDULE

Length of Service	Total Period of Sick Leave With Full Pay During Whole Length of Service
Up to three months' service	7 days.
Over three months' and up to six months' service	14 days, inclusive of days previously allowed.
Over six months' and up to nine months' service	31 days, inclusive of days previously allowed.
Over nine months' and up to five years' service	46 days, inclusive of days previously allowed.
Over five years' and up to ten years' service	92 days, inclusive of days previously allowed.
Over ten years' and up to twenty years' service	183 days, inclusive of days previously allowed.
Over twenty years' and up to thirty years' service	275 days, inclusive of days previously allowed.
Over thirty years' service	365 days, inclusive of days previously allowed.

Transport

9. (1) Where a whole time dental officer has been called for any period of duty outside his normal hours of work, actual and reasonable expenses incurred in transport to and from that duty shall be paid by the Board.

(2) Where a whole time dental officer is required to use his own motor car for the purposes of his work, the Board may pay him a mileage allowance or, in its stead, a commuted allowance, in either case at a rate and subject to conditions approved by the Director-General.

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.

These regulations prescribe the scales of salaries and allowances and conditions of employment for dental officers employed by Hospital Boards. They form part of the Hospital Employment Regulations 1957, which prescribe other matters relating generally to the salaries, allowances, and conditions of employment of certain classes of Hospital Board employees.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 April 1957.

These regulations are administered in the Department of Health.