

Serial Number 1950/87

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**THE HOSPITAL EMPLOYMENT REGULATIONS 1948,  
AMENDMENT NO. 11**

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B. C. FREYBERG, Governor-General \*

**ORDER IN COUNCIL**

At the Government House at Wellington, this 31st day of  
May, 1950

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, doth hereby make the following regulations.

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**REGULATIONS**

1. These regulations may be cited as the Hospital Employment Regulations 1948, Amendment No. 11, and shall be read together with and deemed part of the Hospital Employment Regulations 1948\* (hereinafter referred to as the principal regulations).

2. (1) The scales of salaries specified in the Schedule to Regulation 80 of the principal regulations (as substituted by Regulation 4 hereof) shall be deemed to have come into force on the dates respectively shown in the headings of the columns therein headed "Yearly Rate of Salary from 1st April, 1949", and "Yearly Rate of Salary from 1st June, 1949".

(2) Such other 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, 1949.

\* Statutory Regulations 1948, Serial number 1948/62, page 209.  
 Amendment No. 1: Statutory Regulations, 1948, Serial number 1948/108, page 320.  
 Amendment No. 2: Statutory Regulations, 1948, Serial number 1948/192, page 564.  
 Amendment No. 3: Statutory Regulations, 1948, Serial number 1948/216, page 902.  
 Amendment No. 4: Statutory Regulations, 1948, Serial number 1948/217, page 909.  
 Amendment No. 5: Statutory Regulations, 1948, Serial number 1948/218, page 915.  
 Amendment No. 6: Statutory Regulations, 1948, Serial number 1948/219, page 918.  
 Amendment No. 7: Statutory Regulations, 1949, Serial number 1949/19, page 68.  
 Amendment No. 8: Statutory Regulations, 1949, Serial number 1949/161, page 637.  
 Amendment No. 9: Statutory Regulations, 1950, Serial number 1950/57, page 189.  
 Amendment No. 10: Statutory Regulations, 1950, Serial number 1950/82, page 248.

(3) Except as provided in the last two preceding clauses, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

#### Medical Officers

3. Regulation 78 of the principal regulations (as set out in Regulation 3 of the Hospital Employment Regulations 1948, Amendment No. 6) is hereby amended as follows:—

(a) By inserting, after the definition of the term “ medical officer ”, the following definition:—

“ ‘ Qualified ’ means possessing a qualification which entitles the holder to registration in New Zealand under the Medical Practitioners Act, 1914: ”:

(b) By omitting from the definition of the term “ senior registrar ” the word “ registered ”, and substituting the word “ qualified ”:

(c) By omitting from the definition of the term “ senior registrar ” the words “ for two years or more as a junior house surgeon or a senior house surgeon ”, and substituting the words “ in the aggregate for at least two years as a junior house surgeon or a senior house surgeon or a junior registrar ”.

4. Regulation 80 of the principal regulations (as set out in Regulation 3 of the Hospital Employment Regulations 1948, Amendment No. 6) is hereby revoked, and the following regulations substituted:—

“ 80. Subject to the provisions of Regulation 81 hereof, the scales of salaries applicable to medical officers shall be those respectively shown in the Schedule to this regulation.

#### “ SCHEDULE : SCALES OF SALARIES OF MEDICAL OFFICERS

Position.	Yearly Rate of Salary from 1st April, 1949.			Yearly Rate of Salary from 1st June, 1949.		
	Mini- mum.	Maxi- mum.	Increments.	Mini- mum.	Maxi- mum.	Increments.
<b>“ 1. House Surgeon—</b>						
“ (a) Junior House Surgeon .. .. .	£ 325	£ 325	£ ..	£ 350	£ 350	£ ..
“ (b) Senior House Surgeon .. .. .	425	475	50	450	500	50
“ (c) A House Surgeon employed in an institution of less than 150 occupied beds may be paid at the discretion of the Board controlling the institution an additional rate not exceeding £50 per annum.						
<b>“ 2. Junior Registrar—</b>						
“ (a) .. .. .	550	600	50	575	625	50
“ (b) While wholly or mainly engaged in work relating to tuberculosis or anæsthetics	£50 additional.			£50 additional.		
<b>“ 3. Senior Registrar—</b>						
“ (a) .. .. .	650	750	50	675	775	50
“ (b) While wholly or mainly engaged in work relating to tuberculosis or anæsthetics	£50 additional.			£50 additional.		

“ 80A. Any medical officer who undertakes duties in connection with the teaching of medical students outside his normal hours of work may retain such remuneration for those duties as is agreed upon by the Board and the Council of the University of Otago:

“ Provided that the total additional payment in any year shall not exceed 10 per cent. of his annual salary as determined in accordance with the Schedule to Regulation 80 hereof.”

5. Regulation 82 of the principal regulations (as set out in Regulation 3 of the Hospital Employment Regulations 1948, Amendment No. 6) is hereby amended by omitting from clause (2) the expression "£88", and substituting the expression "£100".

6. Regulation 83 of the principal regulations (as set out in Regulation 3 of the Hospital Employment Regulations 1948, Amendment No. 6) is hereby revoked, and the following regulation substituted :—

*"Annual Leave and Holiday Leave"*

"83. (1) Medical officers shall be granted twenty-eight days' leave of absence for recreational purposes on full pay in respect of each year of employment.

"(2) The number of days stated in the last preceding clause is to be reckoned in consecutive days (including Saturdays and Sundays, but, except in the case of an x-ray registrar, excluding any of the public holidays, or substituted succeeding days, where applicable, prescribed in clause (4) of this regulation, that may fall during a period of leave).

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

"(4) In addition to annual leave granted in accordance with this regulation, each x-ray registrar 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 as Anniversary Day :

"Provided that when any of the above-named public holidays (other than Anzac Day) that can fall on a Saturday or Sunday so falls, the next succeeding day 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 x-ray registrar may be required to work on any of the above-named public holidays or substituted succeeding days if an extra day on full pay is added to his next ensuing annual leave in respect of each public holiday or substituted succeeding day on which he so works.

"(5) When the employment of a medical officer ceases he shall be paid salary in lieu of leave in respect of any annual leave or portion of annual leave accrued due to him."

7. Regulation 84 of the principal regulations (as set out in Regulation 3 of the Hospital Employment Regulations 1948, Amendment No. 6) is hereby amended as follows :—

(a) By inserting, after the word "pay" in clause (1), the words "or half-pay, as the case may be" :

(b) By omitting from clause (3) the word "full" wherever it appears :

(c) By revoking clause (4), and substituting the following clause :—

"(4) For every medical officer whose length of service exceeds four years the period of sick-leave with pay to which he is entitled shall, for the purposes of the schedule, be computed in respect of his whole length of service. For

the purposes of the schedule every two days previously allowed on half-pay shall be computed as one day previously allowed.” :

(d) By omitting from clause (5) the word “ full ” where it first appears.

8. Regulation 85 of the principal regulations (as set out in Regulation 3 of the Hospital Employment Regulations 1948, Amendment No. 6) is hereby amended as follows :—

(a) By omitting from clause (2) the expression “ £88 ”, and substituting the expression “ £100 ” :

(b) By adding the following new clause :—

“(3) The provisions of the last two preceding regulations and of Regulation 86 hereof (as set out in Regulation 3 of the Hospital Employment Regulations 1948, Amendment No. 7) shall apply with respect to a final year student as if he were a medical officer.”

*Medical Officers (Group No. 2)*

9. Regulation 88 of the principal regulations (as set out in Regulation 4 of the Hospital Employment Regulations 1948, Amendment No. 7) is hereby amended as follows :—

(a) By inserting, before the definition of the term “ higher qualification ”, the following definition :—

“ ‘ Grading committee ’ means the Medical Officers’ Salaries Grading Committee constituted in accordance with Regulation 91 of these regulations : ” :

(b) By revoking the definition of the term “ junior specialist ”, and substituting the following definition :—

“ ‘ Junior specialist ’ means a whole-time medical officer who is, for the purposes of these regulations, designated by the grading committee with the approval of the Minister as a junior specialist, and who either—

“(a) Holds a higher qualification appropriate to the specialty in which he is employed and has had two years’ or more practical experience in that specialty ; or

“(b) Has been qualified for a period of six years or more and has had three years’ or more practical experience in the specialty in which he is employed : ” :

(c) By revoking the definition of the term “ medical officer of special scale ”, and substituting the following definition :—

“ ‘ Medical officer of special scale ’ means a whole-time medical officer whose position is for the purposes of these regulations designated by the grading committee with the approval of the Minister as that of a medical officer of special scale and whose salary is determined in accordance with the provisions of paragraph 4 of the Schedule to Regulation 89 hereof : ” :

(d) By omitting from the definition of the term “ medical superintendent ” the word “ whole-time ”, and by adding to that definition the words “ and includes a Superintendent-

in-Chief being the principal medical officer of a Board responsible for the general supervision and administration of the medical and allied services of the Board, including one or more institutions in which a medical superintendent is usually employed”:

- (e) By inserting, after the definition of the term “medical superintendent”, the following definitions:—

“ ‘Part-time medical superintendent’ means a medical superintendent who is not a whole-time medical officer:

“ ‘Qualified’ means possessing a qualification which entitles the holder to registration in New Zealand under the Medical Practitioners Act, 1914 ”:

- (f) By revoking the definition of the term “principal specialist”:

- (g) By revoking the definition of the term “senior specialist”, and substituting the following definition:—

“ ‘Senior specialist’ means a whole-time medical officer who is, for the purposes of these regulations, designated by the grading committee with the approval of the Minister as a senior specialist, and who either—

“ (a) Holds a higher qualification appropriate to the specialty in which he is employed, has been qualified for not less than ten years, and has had not less than five years’ practical experience in the specialty; or

“ (b) Has been qualified for not less than fifteen years and has had not less than eight years’ practical experience in the specialty in which he is employed:

“ Provided that, in the case of a whole-time medical officer possessing, in the opinion of the grading committee, exceptional merit or experience, the grading committee may with the approval of the Minister approve of qualification for a period of not less than eight years in lieu of the period of ten years mentioned in paragraph (a) of this definition and not less than thirteen years in lieu of the period of fifteen years mentioned in paragraph (b) of this definition: ”:

- (h) By revoking the definition of the term “Superintendent-in-Chief”:

- (i) By adding the following new definition:—

“ ‘Whole-time medical superintendent’ means a medical superintendent who is a whole-time medical officer.”

10. (1) Regulation 89 of the principal regulations (as set out in Regulation 4 of the Hospital Employment Regulations 1948, Amendment No. 7) is hereby revoked, and the following regulation substituted:—

*“ Scales of Salaries for Whole-time Medical Officers*

“ 89. Subject to the provisions of Regulations 91, 92, and 93 hereof, the scales of salaries applicable to whole-time medical officers shall be those respectively shown in the schedule to this regulation:—

## " SCHEDULE : SCALES OF SALARIES FOR WHOLE-TIME MEDICAL OFFICERS

Position.	Yearly Rate of Salary.		
	Mini- mum. £	Maxi- mum. £	Increments. £
" 1. Medical Superintendent—			
" A yearly rate of salary according to the scale of salary as may from time to time be determined in each case by the grading committee, with the approval of the Minister, such scale being one of the four following—			
" (a) .. .. .	2,000	2,250	50
" (b) .. .. .	1,750	2,000	50
" (c) .. .. .	1,500	1,750	50
" (d) .. .. .	1,250	1,500	50
" 2. Senior Specialist—			
" A yearly rate of salary according to the scale of salary as may from time to time be determined in each case by the grading committee, with the approval of the Minister, such scale being one of the three following—			
" (a) .. .. .	2,000	2,250	50
" (b) .. .. .	1,750	2,000	50
" (c) .. .. .	1,500	1,750	50
" 3. Junior Specialist .. .. .	1,100	1,400	50
" 4. Medical Officer of Special Scale—			
" A yearly rate of salary according to the scale of salary as may from time to time be determined in each case by the grading committee, with the approval of the Minister, such scale being one of the seven following—			
" (a) .. .. .	1,400	1,550	50
" (b) .. .. .	1,300	1,450	50
" (c) .. .. .	1,200	1,350	50
" (d) .. .. .	1,000	1,150	50
" (e) .. .. .	900	1,050	50
" (f) .. .. .	800	950	50
" (g) .. .. .	700	850	50"

(2) The scales of salary and any other remuneration which were applicable or allowable in respect of any position by virtue of any of the regulations revoked by these regulations and which were subsisting or in force immediately prior to the commencement of these regulations shall, notwithstanding the provisions of Regulation 89 of the principal regulations (as substituted by this regulation), remain in force until such time as a determination in respect of the scale of salary for that position is approved by the Minister in accordance with Regulation 89 (substituted as aforesaid), and for such further period as may be necessary in any case where the proviso to Regulation 9 of the principal regulations is applicable :

Provided that upon that determination being approved the holder of the position shall also be entitled to receive payment of any arrears of remuneration which may be payable by virtue of the determination being retrospective in effect.

11. Regulations 90, 91, 92, 93, and 94 of the principal regulations (as set out in Regulation 4 of the Hospital Employment Regulations 1948, Amendment No. 7) are hereby revoked, and the following regulations substituted :—

## " Salaries of Part-time Medical Superintendents

" 90. (1) Subject to the provisions of clause (2) hereof, the yearly rate of salary of a part-time medical superintendent shall be as determined in each case from time to time by the grading committee

having regard to the hours of work in the position in relation to the hours of work of a whole-time medical officer of similar qualifications and experience and having duties and responsibilities of a similar nature.

“(2) The provisions of the next three succeeding regulations shall apply with respect to a part-time medical superintendent as if he were a full-time medical officer.

“*Medical Officers’ Salaries Grading Committee*

“91. (1) In addition to any advisory committee appointed under the Hospital Board Employees (Conditions of Employment) Regulations 1947,\* the Minister may establish a Medical Officers’ Salaries Grading Committee whose function it shall be, on the application of the Director-General or the Board concerned, to advise the Minister as to determinations in accordance with these regulations with respect to the designation, where necessary, and to the salary and other emoluments of any medical officer to whom this Part of these regulations applies.

“(2) The grading committee shall consist of—

“(a) The Director-General, who shall be Chairman of the Committee :

“(b) The Director of the Division of Hospitals appointed under the Health Act, 1920 :

“(c) Two registered medical practitioners, to be appointed by the Minister :

“(d) Two other persons being members of Hospital Boards, to be appointed by the Minister.

“(3) The appointed members of the grading committee shall hold office at the pleasure of the Minister.

“(4) Meetings of the grading committee shall be held at such times and places as the Chairman from time to time appoints.

“(5) At every meeting of the grading committee the Chairman, if present, shall preside. If the Chairman is absent from any meeting, the Director of the Division of Hospitals shall act as his deputy and shall have and may exercise the powers and duties of the Chairman for the purposes of the meeting.

“(6) No business shall be transacted at any meeting unless the Chairman or his deputy and at least three other members are present during the whole time the business is transacted.

“(7) Every question before the grading committee shall be decided by the votes of the majority of members present. The Chairman of the meeting shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.

“(8) At the request of any member who objects to any decision of the grading committee, the Chairman shall cause the objection to be recorded with the decision.

“(9) It shall be the duty of the Chairman to notify the Minister of all determinations made by the grading committee and of every objection recorded on behalf of any member or members.

\* Statutory Regulations 1947, Serial number 1947/69, page 252.

Amendment No. 1 : Statutory Regulations 1950, Serial number 1950/83, page 253.

“(10) There shall be paid out of moneys appropriated by Parliament for the purpose to the members of the grading committee who are not officers of the Public Service such remuneration by way of fees or allowances and such travelling expenses and allowances as the Minister of Finance from time to time approves.

“(11) Every determination of the grading committee under these regulations shall be subject to the approval of the Minister.

“92. (1) The grading committee in making determinations as to the designation, where necessary, and as to salary and other emoluments of a medical officer shall have regard to the nature and relative importance of the professional and administrative duties and responsibilities of the position as well as to the qualifications, experience, status, and ability of the officer, and any such determination 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.

“(2) The grading committee may in any case where it considers special circumstances exist fix a commencing salary for a medical officer at any rate above the minimum rate of the scale of salary applicable to his position, and it may, in addition to or instead of fixing such a rate, fix a maximum salary at any rate below the maximum rate of the scale of salary applicable to the position.

“(3) In making a determination for the purpose of these regulations, the grading committee shall specify the date from which the determination is to take effect. The first determination affecting a medical officer employed by a Board on or after the 1st April, 1949, may be made retrospective to a date not earlier than the said 1st April, 1949, but, subject to this provision, no determination shall take effect earlier than one year before the date on which the determination is made.

*“Payment by Whole-time Medical Officer Where Accommodation, &c.,  
Provided*

“93. (1) Where a whole-time medical officer is provided at the cost of the Board with residential accommodation, fuel, lighting, and other domestic requisites and services, or any of them, the value thereof, ascertained as hereinafter provided, shall, subject to the provisions of clause (2) hereof, be paid by the medical officer by quarterly or more frequent payments as the Board may require, or shall be deducted from the payment of salary made in respect of the period during which that accommodation, fuel, or lighting, or those requisites or services are enjoyed or received by the officer.

“(2) In any case in which a whole-time medical officer is provided with residential accommodation with or without fuel, lighting, and other domestic requisites and services, or any of them, the grading committee may determine that in lieu of payment therefor as provided in clause (1) hereof, the medical officer's yearly rate of salary shall be the amount computed as hereinbefore provided, reduced by the value of that residential accommodation and of fuel, lighting, and other domestic requisites and services (if any).

“(3) For the purposes of this regulation the value of a house, fuel, lighting, and other requisites and services shall, unless the grading committee fixes a different value, be computed as follows :—



- “(a) The value of an unfurnished house or flat shall be computed at the rate of £110 per annum ;
- “(b) The value of fuel and lighting shall be computed at the rate of £40 per annum ;
- “(c) The value of articles of furniture and other non-consumable articles shall be computed at a rate per annum representing  $7\frac{1}{2}$  per cent. of their cost to the Board ;
- “(d) The value of consumable articles and of services shall be their cost to the Board ; and
- “(e) The value of board and lodging shall be computed at the inclusive rate of £110 per annum.

*“ Annual Leave and Holiday Leave*

“ 94. (1) Whole-time medical officers and part-time medical superintendents shall be granted twenty-eight days' leave for recreational purposes on full pay in respect of each year of employment.

“(2) The number of days stated in the last preceding clause is to be reckoned in consecutive days (including Saturdays and Sundays, but, except in the case of a whole-time radiologist, excluding the public holidays or substituted succeeding days, where applicable, prescribed in clause (4) of this regulation that may fall during a period of leave).

“(3) A Board may permit annual leave to be taken in two periods, and may permit a whole-time medical officer (other than a radiologist) or a part-time medical superintendent to accumulate and take together the leave accruing in respect of a period of up to three years.

“(4) In addition to annual leave granted in accordance with this regulation, each whole-time radiologist 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 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 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 radiologist may be required to work on any of the above-named public holidays or substituted succeeding days if an extra day on full pay is added to his next ensuing annual leave in respect of each public holiday or substituted succeeding day on which he so works.

“(5) When the employment of a whole-time medical officer or a part-time medical superintendent ceases he shall be paid salary in lieu of leave in respect of any annual leave or portion of annual leave accrued due to him.”

12. Regulation 95 of the principal regulations (as set out in Regulation 4 of the Hospital Employment Regulations 1948, Amendment No. 7) is hereby amended by omitting from clause (4) the words “ For the purpose of this clause, two days on half-pay shall be regarded as equivalent to one day on full pay ”, and substituting the words “ For the purposes of the schedule, every two days previously allowed on half-pay shall be computed as one day previously allowed ”.

13. The principal regulations are hereby amended by inserting, after Regulation 95, the following new regulations :—

“ 95A. Where a part-time medical superintendent is granted leave of absence on account of sickness or injury, he may be granted all or part of his usual salary during all or part of the period of absence as the Board determines, having regard to the circumstances of his sickness or injury and to his length of service in the employ of a Board, a separate institution, or the Crown :

“ Provided that he shall not be granted sick-leave on pay on more favourable terms than may be granted in similar circumstances under Regulation 95 hereof to a whole-time medical officer of equal length of service.

*“ Medical Officers Employed on Teaching Duties*

“ 95B. (1) Notwithstanding anything to the contrary in these regulations, the following provisions of this regulation shall apply with respect to medical officers whose whole working-time is devoted partly to duties as medical officers of any institution or institutions of the Otago Hospital Board and partly to duties as members of the teaching staff of the Medical School of the University of Otago.

“ (2) Any such officer may, on the determination of the grading committee and with the approval of the Minister, be designated as a senior specialist or a junior specialist (as the case may require) where he possesses all the requisites for any such position under these regulations, or as a medical officer of special scale ; and the appropriate salary in accordance with the Schedule to Regulation 89 hereof shall be payable subject to the condition that, except so far as the Board with the approval of the Minister otherwise determines, all fees or other remuneration payable for teaching duties are received by the Board.

“ 95C. Any whole-time medical officer to whom this Part of these regulations applies who undertakes duties in connection with the teaching of medical students outside his normal hours of work may retain such remuneration for those duties as is agreed upon by the Board and the Council of the University of Otago :

“ Provided that the total additional payment in any year shall not exceed 10 per cent. of his annual salary as determined in accordance with the Schedule to Regulation 89 hereof.”

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

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Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 1st day of June, 1950.

These regulations are administered in the Department of Health.

(H.-Hosp. 44.)