

Serial Number 1949/19

**THE HOSPITAL EMPLOYMENT REGULATIONS 1948,
AMENDMENT NO. 7**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 3rd day of
March, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Hospitals Act, 1926, section 18 of the Finance Act (No. 2), 1946, and section 10 of the Hospitals Amendment Act, 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Hospital Employment Regulations 1948, Amendment No. 7.

2. These regulations shall be read together with and deemed part of the Hospital Employment Regulations 1948* (hereinafter referred to as the principal regulations).

3. Part VII of the principal regulations as set out in the Hospital Employment Regulations 1948, Amendment No. 6, is hereby amended—

- (1) By inserting in Regulation 79, after the words "footing that", the words "except so far as the Board, with the approval of the Minister, otherwise determines,".
- (2) By adding the following heading and regulation—

"Subsistence Allowances

"86. (1) Where a medical officer who, in accordance with the provisions of these regulations, ordinarily receives free board and lodging is granted annual leave or sick-leave with pay he shall, if living away from the institution during such leave, be paid a subsistence allowance at the rate of £1 per week.

"(2) Where a medical officer who, in accordance with the provisions of these regulations, ordinarily receives an allowance for board and lodging is granted annual leave or sick-leave with pay he shall continue to be paid the allowance during such leave."

* 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.

4. The principal regulations are amended by adding thereto a new Part comprising the following headings and regulations:—

“ PART VIII—MEDICAL OFFICERS. (Group No. 2)

“ *Commencing Date*

“ 87. (1) Such of the provisions of this Part of these regulations as have the effect of increasing the rates of salaries, wages, and other emoluments and increments payable in respect of a person whose position is specified in clauses 1 and 2 of the schedule to Regulation 89 hereof shall be deemed to have come into force on the 1st day of April, 1948, and in respect of a person whose position is specified in clauses 3, 4, 5, and 6, of the said schedule shall be deemed to have come into force on a date determined in the particular case by the Minister, being a date not earlier than the 1st day of April, 1948.

“ (2) Except as provided in the last preceding clause, the commencing date on which the provisions of this Part of these regulations shall come into force is the day following notification in the *Gazette* of the making of these regulations.

“ *Interpretation*

“ 88. In this Part of these regulations, unless inconsistent with the context,—

“ ‘ Higher qualification ’, when used in reference to a whole-time medical officer, means a medical or surgical qualification recognized by the Director-General as superior to the degrees of Bachelor of Medicine and Bachelor of Surgery of the University of New Zealand.

“ ‘ Junior specialist ’ means a whole-time medical officer (a) whose position is, for the purposes of these regulations, designated by the Board with the approval of the Minister as that of junior specialist and who either (b) 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 (c) has been registered 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.

“ ‘ Medical officer of special scale ’ means a whole-time medical officer whose position is for the purposes of these regulations designated by the Board with the approval of the Minister as that of medical officer of special scale and whose rate of salary is determined in accordance with the provisions of clause 6 of the schedule to Regulation 89 hereof; and includes medical superintendents in class (i) of clause 2 of that schedule:

“ ‘ Medical superintendent ’ means the principal whole-time medical officer of an institution within the meaning of Regulation 21 hereof responsible for the general supervision and administration of the medical and allied services of the institution and of such other services as the Board may determine:

“ ‘ Principal specialist ’ means a senior specialist whose position is, for the purposes of these regulations, designated by the Board with the approval of the Minister as that of principal specialist:

“ ‘Senior specialist’ means a whole-time medical officer (a) whose position is, for the purposes of these regulations, designated by the Board with the approval of the Minister as that of senior specialist and who either (b) holds a higher qualification appropriate to the specialty in which he is employed, has been registered for more than ten years, and has had more than five years’ practical experience in the specialty, or (c) has been registered for more than fifteen years and has had more than eight years’ practical experience in the specialty in which he is employed :

“ ‘Specialty’ means a special branch of medicine or surgery involving the application of special knowledge, skill, and experience that general medical practitioners as a class cannot reasonably be expected to possess :

“ ‘Superintendent-in-Chief’ means the principal whole-time 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 :

“ ‘Whole-time medical officer’ means a person who is a medical practitioner registered under the Medical Practitioners Act, 1914, and its amendments, and who is employed in any position designated in the schedule to Regulation 89 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 medical officer by reason only of the fact that he engages in medical work outside those duties if such work be 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.

“ 89. Subject to the provisions of the three next succeeding regulations, 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 OF WHOLE-TIME MEDICAL OFFICERS

Position.	Yearly Rate of Salary.		
	Minimum. £	Maximum. £	Increments. £
“ 1. Superintendent-in-Chief—			
“ (a) In the employ of the Auckland Hospital Board	2,000	2,250	50
“ (b) In the employ of the Wellington Hospital Board	1,900	2,150	50
“ 2. Medical Superintendent—			
“ (a) Of the Christchurch or Dunedin Hospital	1,650	1,900	50
“ (b) Of the Waikato Hospital	1,600	1,850	50
“ (c) Of the Auckland or Green Lane Hospital	1,550	1,800	50
“ (d) Of the Palmerston North Hospital	1,500	1,750	50
“ (e) Of the Cook, Napier, New Plymouth, Wanganui, Timaru, or Southland Hospital	1,400	1,650	50
“ (f) Of the Middlemore or Hutt Hospital	1,350	1,600	50
“ (g) Of the Whangarei, Thames, Rotorua, Waipukurau, Masterton, Wairau, Nelson, Grey, Ashburton, or Oamaru Hospital or of the Cashmere Sanatorium	1,300	1,550	50

"SCHEDULE: SCALES OF SALARIES OF WHOLE-TIME MEDICAL OFFICERS—*continued*

Position.	Yearly Rate of Salary.		
	Minimum. £	Maximum. £	Increments. £
"2. Medical Superintendent— <i>continued</i>			
"(h) Of the Northern Wairoa, Cornwall, Tauranga, Whakatane, Taumarunui, Dannevirke, Stratford, Hawera, Silverstream, Buller, Westland, or Balclutha Hospital or of the Pukeora, Otaki, or Waipiata Sanatorium ..	1,250	1,500	50
"(i) Of any other institution within the meaning of Regulation 21 hereof not hereinbefore named in this clause ..	A remuneration determined under clause 6 of this schedule.		
"3. A principal specialist in the employ of the Auckland, Wellington, North Canterbury, or Otago Hospital Board			
.. .. .	1,750	2,000	50
"4. A senior specialist	1,400	1,700	50
"5. A junior specialist	1,050	1,350	50
"6. A medical officer of special scale	A yearly rate of salary according to the scale of salary determined by the Board with the approval of the Minister, such scale of salary being one of the six following—		
(1)	1,400	1,550	50
(2)	1,300	1,450	50
(3)	1,200	1,350	50
(4)	1,000	1,150	50
(5)	900	1,050	50
(6)	800	950	50

Additional Remuneration Allowable for Certain Medical Superintendents

"90. (1) This regulation shall be applicable only to medical superintendents of the following hospitals—namely, the Whangarei, Middlemore, Thames, Rotorua, Cook, Napier, Waipukurau, New Plymouth, Wanganui, Masterton, Hutt, Wairau, Nelson, Grey, Ashburton, Timaru, Oamaru, and Southland Hospitals.

"(2) (a) Where a medical superintendent who, being qualified in a specialty, undertakes all or the greater part of all the work that is done in that specialty in the hospital, he shall be paid such additional remuneration as the Minister from time to time approves, not exceeding £100 per annum.

"(b) For the purposes of this clause a medical superintendent shall be deemed to be qualified in a specialty if and only if he—

"(i) Is the holder of a higher qualification appropriate to that specialty and has had more than five years' practical experience in that specialty; or

"(ii) Has had more than eight years' practical experience in that specialty.

"91. (1) Notwithstanding anything to the contrary in Part I of these regulations, the application of the scales of salaries prescribed in this Part of the regulations shall not be deemed to authorize (a)

an increase by more than one hundred pounds (£100) during the year ending 31st March, 1949, in the salary payable in respect of any position except so far as an increase in excess of that amount is necessary to make the rate of salary equal to the minimum rate specified in the scale for the position or (b) an increase of more than fifty pounds (£50) in any subsequent year.

“(2) For the purposes of the last preceding clause, the amount payable for any year by way of house allowance or living-allowance or the value in any year of any house or other residential accommodation, fuel, lighting, or other domestic requisites provided by the Board free of charge to a whole-time medical officer shall be deemed part of the annual salary payable.

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

“ 92. 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 of such requisites and services ascertained as hereinafter provided shall 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 such accommodation, requisites, or services are enjoyed or received by the officer.

“ 93. (1) For the purposes of Regulations 91 and 92 hereof, the value of a house and other requisites and services shall be computed in accordance with the next succeeding clause.

“(2) Unless the Board with the approval of the Minister fixes a different value—

“(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

“ 94. (1) Whole-time medical officers 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 the number of consecutive days (including Saturdays and Sundays) :

“ Provided, first, that a Board may permit annual leave to be taken in two periods :

“ Provided, secondly, that a Board may permit a whole-time medical officer other than a radiologist to accumulate and take together the leave accruing in respect of a period up to three years.

“(3) When the employment of a whole-time 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.

“ Sick-leave

“ 95. (1) Where a whole-time medical 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 or half-pay, as the case may be, according to the scale set out in the schedule to 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.

“ (3) The total period of sick-leave with pay set out in the schedule may consist of one or more periods. Sick-leave with pay for each period allowed is to be reckoned in consecutive days (including Saturdays, Sundays, and public holidays).

“ (4) For every whole-time 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 this clause, two days on half-pay shall be regarded as equivalent to one day on full pay.

“ (5) In addition to sick-leave with pay as provided for in the foregoing provisions of this regulation, a whole-time medical officer may, at the discretion of a Board, be granted sick-leave with full pay for not more than eight days in any year where on account of minor illness it is deemed inadvisable for him, in his own interests or those of the institution, to be on duty.

“ (6) Where in the opinion of a Board a whole-time medical 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, first, that the prior written approval of the Minister shall be obtained for such payment beyond a period of three months :

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

“ SCHEDULE

Length of Service.	Total Period of Sick-leave with Pay During Whole Length of Service.
Up to four years' service	4 weeks on full pay and 4 weeks on half pay in any one year.
Over four years' and up to five years' service	46 days on full pay, inclusive of days previously allowed.
Over five years' and up to ten years' service	92 days on full pay, inclusive of days previously allowed.
Over ten years' and up to twenty years' service	183 days on full pay, inclusive of days previously allowed.
Over twenty years' and up to thirty years' service	275 days on full pay, inclusive of days previously allowed.
Over thirty years' service	365 days on full pay, inclusive of days previously allowed.

“ Transport

“ 96. (1) A whole-time medical officer shall be reimbursed the actual and reasonable costs incurred in transport to and from duty outside his normal hours of work.

“ (2) Where a whole-time medical 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 lieu thereof, a commuted allowance, in either case at a rate and subject to conditions approved by the Minister.”

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

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 4th day of March, 1949.
These regulations are administered in the Department of Health.