



**THE HEALTH MEDICAL OFFICERS' GRADING COMMITTEE
REGULATIONS 1985**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 4th day
of March 1985

Present:

THE HON. R. O. DOUGLAS PRESIDING IN COUNCIL

PURSUANT to paragraphs (b) and (c) of section 12 (8) of the Health Service Personnel Act 1983, 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 Health Medical Officers' Grading Committee Regulations 1985.

(2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

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

“Committee” means the Health Medical Officers' Grading Committee appointed pursuant to regulation 3 of these regulations:

“Medical Officer” means a medical practitioner employed in the Health Service:

“Member” means a member of the Committee.

3. Health Medical Officers' Grading Committee—(1) The Minister shall appoint a committee, to be known as the Health Medical Officers' Grading Committee, which shall consist of—

(a) The Director-General of Health, or his nominee:

(b) One person to be appointed after consultation with the Executive of the Hospital Boards' Association of New Zealand Incorporated:

(c) Two persons to be appointed after consultation with the Council of the New Zealand Medical Association:

(d) One other person, being a person who is not eligible for appointment under any of the preceding paragraphs of this subclause, who shall be appointed to be the Chairman of the Committee.

(2) The members specified in paragraphs (b), (c), and (d) of subclause (1) of this regulation shall be appointed for a term of 3 years commencing on the date of their appointment, or on such other date as may be specified in their instruments of appointment.

(3) Notwithstanding subclause (2) of this regulation, every member shall, unless sooner vacating office under subclause (4) of this regulation, continue in office until that member's successor comes into office.

(4) Any member may at any time be removed from office by the Minister for disability, bankruptcy, neglect of duty, or misconduct proved to the satisfaction of the Minister, or may resign by writing addressed to the Minister.

(5) Every member who ceases to be qualified for appointment in terms of that provision of subclause (1) of this regulation under which that member was appointed shall cease to be a member of the Committee.

(6) If a member dies, or resigns, or is removed from office, or ceases to be a member in accordance with subclause (5) of this regulation,—

(a) The vacancy so created shall be filled in the manner in which the appointment to the vacant office was originally made; and

(b) If the vacancy is of a member specified in paragraphs (b), (c), and (d) of subclause (1) of this regulation, the person appointed to fill the vacancy shall be appointed for a term of 3 years commencing on the date of that member's appointment or on such other date as may be specified in the instrument of appointment.

4. Deputies for members—(1) For every member, other than the Director-General of Health or his nominee, the Minister may appoint a deputy to act for that member at any meeting of the Committee from which that member is absent.

(2) Every person appointed as a deputy shall be similarly qualified for appointment as the member for whom the deputy is to act.

(3) Where any person appointed under subclause (1) of this regulation attends a meeting of the Committee, that person shall be deemed for the purposes of these regulations to be a member of the Committee.

5. Meetings of Committee—(1) Meetings of the Committee shall be held at such times and places as the Chairman from time to time appoints.

(2) The Chairman (or deputy) shall preside at all meetings at which he or she is present.

(3) At every meeting of the Committee the quorum necessary for the transaction of business shall be 4 members, one of whom shall be the Chairman (or deputy).

(4) Except as provided in the foregoing provisions of this regulation, the Committee may regulate its procedure in such manner as it thinks fit.

6. Functions of Health Medical Officers' Grading Committee—The functions of the Committee shall be as follows:

- (a) To determine, either on its own initiative or on application made under regulation 7 of these regulations, whether a medical officer shall be promoted to a higher salary level:
- (b) To determine the date from which any such promotion shall take effect.

7. Applications for determination of grading—(1) An area health board or a hospital board may, in respect of any medical officer employed by the board, apply to the Committee, on not more than 1 occasion in any year, for a determination under regulation 6 of these regulations where—

- (a) The salary of a medical officer has reached the maximum of the basic specialists' scale; or
 - (b) Exceptional circumstances exist within the basic specialists' scale or between or within the scales for medical officers of special scale.
- (2) A medical officer may apply, through the employing board, on not more than 1 occasion in every 3 years, for a determination under regulation 6 of these regulations where—
- (a) The medical officer's salary has reached the maximum of the basic specialists' scale; or
 - (b) The medical officer considers that exceptional circumstances exist within the basic specialists' scale or between or within the scales for medical officers of special scale.

8. Revocations—The following regulations are hereby revoked:

- (a) The Hospital Employment (Grading Committees) Regulations 1973*:
- (b) The Hospital Employment (Grading Committees) Regulations 1973, Amendment No. 1.†

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

*S.R. 1973/15
†S.R. 1977/235

EXPLANATORY NOTE

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

These regulations constitute and prescribe the membership of the Health Medical Officers' Grading Committee, the function of which is to determine applications for promotion made by or on behalf of medical practitioners employed in the Health Service.

The regulations are made pursuant to paragraphs (b) and (c) of section 12 (8) of the Health Service Personnel Act 1983, and replace the Hospital Employment (Grading Committees) Regulations 1973 which are revoked.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 7 March 1985.

These regulations are administered in the Department of Health.