

## Serial Number 1938/174.

**THE PUBLIC SERVICE AMENDING REGULATIONS 1938.**

In pursuance and exercise of the authority conferred on them by the Public Service Act, 1912, and section 41 of the Finance Act, 1936, the Public Service Commissioners do, subject to the approval of the Governor-General in Council, hereby make the following regulations.

## REGULATIONS.

1. These regulations may be cited as the Public Service Amending Regulations 1938.

2. These regulations shall be read together with and form part of the regulations made under the Public Service Act, 1912, on the 31st day of March, 1913\* (hereinafter called the principal regulations).

3. These regulations shall come into force on the day following notification in the *Gazette* of the making and approval hereof.

4. The principal regulations are amended by inserting, next following Regulation 194 thereof, the following additional headings and regulations :—

## “ FORM AND EFFECT OF APPOINTMENTS.

“ 194A. Every appointment to a position in the Public Service shall be in writing under the hands of the Public Service Commissioners or under the hand of one of them.

“ 194B. Unless a minute or other instrument of appointment otherwise provides, the appointment shall be deemed to be made so as to take effect upon the day on which the person appointed takes up the duties of the position to which he is appointed.

“ 194c. When by an instrument of appointment a person is appointed to any position as from a day named therein such appointment shall be deemed to take effect upon the day so named.

“ 194d. When an appointment is made to an office of which there cannot be an additional holder and which is already filled for the time being but in respect of which a vacancy will occur within six months, then, unless the minute or other instrument of appointment otherwise provides, the appointment shall be deemed to be made so as to take effect upon the occurring of such vacancy.

\* *Gazette*, 1st April, 1913, Vol. I, page 977.

“ EVIDENCE OF APPOINTMENTS.

“ 194E. A certificate under the hands of the Public Service Commissioners or the hand of one of them that the Public Service Commissioners have appointed any person to any office or position in the Public Service as from a day stated therein shall be *prima facie* evidence that the person so named was duly appointed to such office or position as upon and from the day so stated and continues to hold such office or position.

“ 194F. A certificate under the hands of the Public Service Commissioners or under the hand of one of them that the Public Service Commissioners have directed, pursuant to section 5 of the said Act, any officer therein named to perform or exercise on and after a day named in the certificate any duty, obligation, right, or power imposed or conferred upon any other officer in the Public Service shall be *prima facie* evidence of such direction.”

As witness our hands, this 5th day of December, 1938.

J. H. BOYES,

T. MARK,

Public Service Commissioners.

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In pursuance of the provisions of the Public Service Act, 1912, His Excellency the Governor-General of the Dominion of New Zealand, with the advice and consent of the Executive Council of the said Dominion, approves the foregoing amendments.

GALWAY, Governor-General.

Approved in Council, this 13th day of December, 1938.

C. A. JEFFERY,

Clerk of the Executive Council.

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Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 21st day of December, 1938.

These regulations are administered by the Office of the Public Service Commissioners.