



**THE WAGE FREEZE REGULATIONS 1982, AMENDMENT NO. 36**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 30th day of November 1984

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Economic Stabilisation Act 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| 1. Title and commencement |  | 2. Effective date of new rate of remuneration |
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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Wage Freeze Regulations 1982, Amendment No. 36, and shall be read together with and deemed part of the Wage Freeze Regulations 1982\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of December 1984.

\*S.R. 1982/141 (Reprinted with Amendments Nos. 1 to 28: S.R. 1984/156)  
Amendment No. 29: S.R. 1984/172  
Amendment No. 30: S.R. 1984/211  
Amendment No. 31: S.R. 1984/238  
Amendment No. 32: S.R. 1984/252  
Amendment No. 33: S.R. 1984/261  
Amendment No. 34: S.R. 1984/273  
Amendment No. 35: S.R. 1984/287

**2. Effective date of new rate of remuneration**—(1) The principal regulations are hereby amended by revoking regulation 5 (as substituted by regulation 2 of the Wage Freeze Regulations 1982, Amendment No. 34), and substituting the following regulation:

“5. (1) This regulation applies to every instrument which is made after the 30th day of November 1984 and which—

“(a) Fixes, or provides for a rate of remuneration that supersedes in whole or in part, or is in addition to, any rate of remuneration fixed by an instrument that was in force on the 30th day of November 1984; or

“(b) Makes, in relation to any type of reimbursing payment that was payable to a worker or State employee under an instrument in force on the 30th day of November 1984, provision that is different from the provision made in respect of that type of reimbursing payment by the instrument in force on the 30th day of November 1984; or

“(c) Makes provision for the payment to a worker or State employee of a type of reimbursing payment that is additional to the reimbursing payments payable to that worker or State employee under an instrument in force on the 30th day of November 1984.

“(2) No superseding or additional rate of remuneration and no different or additional type of reimbursing payment fixed or provided for by an instrument to which this regulation applies shall come into force before the 1st day of December 1984.

“(3) No superseding rate of remuneration fixed or provided for by an instrument to which this regulation applies shall, except as provided in subclause (5) of this regulation, come into force at any time in the period of 38 months beginning on—

“(a) The date of the coming into force of the rate of remuneration so superseded in whole or in part; or

“(b) If more than one rate of remuneration is so superseded in whole or in part, the date of the coming into force of the earlier or the earliest, as the case may require, of those rates.

“(4) No additional rate of remuneration and no different or additional type of reimbursing payment fixed or provided for by an instrument to which this regulation applies shall, except as provided in subclause (5) of this regulation, come into force at any time in the period of 38 months beginning on the date of the coming into force of the instrument in force on the 30th day of November 1984.

“(5) In the case of an instrument to which this regulation applies, the superseding or additional rate of remuneration or the different or additional type of reimbursing payment shall, in each case, not come into force before the earlier of—

“(a) The first date possible having regard to the restrictions imposed by subclauses (2) to (4) of this regulation; or

“(b) The 1st day of March 1985.

“(6) Nothing in subclauses (3) to (5) of this regulation limits the provisions of subclause (2) of this regulation.”

(2) Regulation 2 of the Wage Freeze Regulations 1982, Amendment No. 34 is hereby consequentially revoked.

## EXPLANATORY NOTE

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

These regulations, which come into force on 1 December 1984, vary the wage freeze.

They revoke the regulation 5 of the principal regulations that was to come into force on that date, and substitute a new regulation.

A provision that provided for the compulsory backdating of every superseding or additional rate of remuneration and every different or additional type of reimbursing payment that is fixed by an award or collective agreement or other formal instrument of a kind described in subclause (1) of the new regulation 5 has been omitted.

The question whether backdating, within the limits imposed by the new regulation 5, is to take place will need to be decided in each case.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 November 1984.

These regulations are administered in the Department of Labour.