

Reprint  
as at 7 August 2020



# State Sector (Application of Certain Provisions to Transfer of Functions from Ministry of Social Development to Ministry of Business, Innovation, and Employment) Order 2016

(LI 2016/4)

State Sector (Application of Certain Provisions to Transfer of Functions from Ministry of Social Development to Ministry of Business, Innovation, and Employment) Order 2016: revoked, on 7 August 2020, by section 134 of the Public Service Act 2020 (2020 No 40).

Jerry Mateparae, Governor-General

## Order in Council

At Wellington this 15th day of February 2016

Present:

His Excellency the Governor-General in Council

This order is made under sections 30C, 30K, and 61AB of the State Sector Act 1988 on the advice and with the consent of the Executive Council.

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#### Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This order is administered by the State Services Commission.**

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## **Order**

### **1 Title**

This order is the State Sector (Application of Certain Provisions to Transfer of Functions from Ministry of Social Development to Ministry of Business, Innovation, and Employment) Order 2016.

### **2 Commencement**

This order comes into force on 1 April 2016.

### **3 Application of employee provisions**

Sections 30E and 30F of the State Sector Act 1988 apply to the transfer of the functions of the Property Management Centre of Expertise from the Ministry of Social Development to the Ministry of Business, Innovation, and Employment.

### **4 Application of consequential changes to references provisions**

Sections 30H and 30I of the State Sector Act 1988 apply to things coming into force, entered into, or created during the transitional period of 12 months, beginning on 1 April 2016 and ending on 31 March 2017, after the transfer of functions referred to in clause 3.

Michael Webster,  
Clerk of the Executive Council.

## **Explanatory note**

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

This order, which comes into force on 1 April 2016, does 2 things.

First, the order applies some of the employee provisions of the State Sector Act 1988 (the **Act**) to employees affected by the transfer of the functions of the Property Management Centre of Expertise from the Ministry of Social Development to the Ministry of Business, Innovation, and Employment.

The provisions applied are—

- section 30E, which relates to a restriction of compensation for technical redundancy;
- section 30F, which provides that sections 60 to 61B and 65 of the Act do not apply to certain appointments following a transfer of functions.

Sections 30E and 30F of the Act were repealed by the State Sector Amendment Act 2013 with effect from 18 July 2013. However, under section 61AB of the Act, sections 30E and 30F continue to apply until the end of 18 July 2016.

Secondly, the order applies sections 30H and 30I of the Act, which concern consequential changes to references to departments, employees, and chief executives following reorganisations, to things coming into force, entered into, or created during a 12-month transitional period, beginning on 1 April 2016 and ending on 31 March 2017, after the transfer of functions to the Ministry of Business, Innovation, and Employment.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 18 February 2016.

## **Reprints notes**

### **1     *General***

This is a reprint of the State Sector (Application of Certain Provisions to Transfer of Functions from Ministry of Social Development to Ministry of Business, Innovation, and Employment) Order 2016 that incorporates all the amendments to that order as at the date of the last amendment to it.

### **2     *Legal status***

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3     *Editorial and format changes***

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4     *Amendments incorporated in this reprint***

Public Service Act 2020 (2020 No 40): section 134