

in lieu thereof doth hereby make the regulations set forth in the Schedule hereto. The regulations hereby made shall come into force on the date of the publication thereof in the *New Zealand Gazette*.

SCHEDULE.
REGULATIONS.
PROCEDURE ON APPEAL.

1. (1.) IN case of an appeal under the said Act the appellant shall, within the time limited by the Act, notify the Commissioner of his intention to appeal, and shall at the same time forward to the Commissioner, in duplicate, his case on appeal setting out concisely the grounds of his dissatisfaction with the decision appealed against.

(2.) The Commissioner shall, as soon as may be convenient, forward the appeal, together with his answer thereto, to the Chairman of the Board of Appeal. If in such answer the Commissioner consents to the appeal being allowed, the Board may decide accordingly without calling for the attendance of the appellant.

2. If in any case the Commissioner is of opinion that no ground of appeals exists he shall forward the notice of appeal to the Board, with an intimation to that effect, setting out his reason or reasons for such opinion, and if the Board concurs in such opinion the appellant shall be notified accordingly. If in any such case the Board considers there is a ground of appeal, then the matter shall be referred to the Solicitor-General for an opinion.

3. The sittings of the Board shall, if necessary, be held in Wellington on or about the first Monday in June and the first Monday in November in each year; the Board shall, on the application of the Commissioner, also sit at such other times and at such places as may be arranged.

4. The Chairman shall, as soon as practicable after the receipt of an appeal, forward to the appellant the answer of the Commissioner, and a notification of the time and place fixed for the hearing of the appeal, which time shall be at least ten days after the day such notice is posted to the appellant. If the appellant or his representative fails to appear at the hearing, the Board may determine the appeal in his absence on such evidence as is available. If he appears, the evidence shall be taken in his presence or in the presence of his representative, or both.

5. An appellant shall be entitled to be present at the hearing of his appeal, and if the appeal is allowed shall be entitled to expenses incurred in attending such hearing, not exceeding the rates set out in Regulation 109 of the regulations made on the 31st March, 1913; but if the appeal is not allowed, he shall not be entitled to any such expenses, unless the Board expressly directs that the whole or a portion of such expenses shall be allowed.

6. The Board of Appeal may, at the request of the appellant, allow any person to appear before them on his behalf.

7. A record of all evidence taken on any appeal shall be kept by the Board.

8. The Department may be represented by the Permanent Head, or by a senior officer of the Department nominated by the Permanent Head.

9. (1.) The Chairman of the Board may for the purposes of any appeal summon any officer of the Public Service whose evidence appears to be material to the determining of that appeal, and any person so summoned shall attend at such place and time as is specified in the summons, and produce any official or public books, documents, and writings in his custody and control which may be considered material to the appeal, and the Board may examine such person with respect to any matters relevant to the appeal.

(2.) The Board may, if it thinks fit, also hear the evidence of any person not being an officer of the Public Service.

10. Where the evidence of witnesses employed in remote localities is required, and where arrangements cannot conveniently be made for their attendance in person, or where they would be subjected to undue expense in travelling to appear before the Board of Appeal, the Chairman may appoint a competent person or persons to take the evidence of such witnesses concerning the matter of appeal.

11. The scale of allowances which may be paid to any witness summoned by the Board in respect of his travelling-expenses and