

The Government Railways (Staff) Amending Regulations 1947

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington, this 19th day of
November, 1947

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Government Railways Act, 1926, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. THESE regulations may be cited as the Government Railways (Staff) Amending Regulations 1947, and shall be read together with and form part of the regulations made under the Government Railways Act, 1908, on the 12th day of June, 1922, and published in the *Gazette* on the 15th day of the same month at page 1583, as the same are enuring under the Government Railways Act, 1926 (hereinafter called the principal regulations).

2. Regulation 8 of the principal regulations is revoked.

3. Regulation 21 of the principal regulations is amended by omitting all the words after the word "another".

4. Regulation 22 of the principal regulations, as amended (a) by the regulations made under the Government Railways Act, 1926, on the 9th day of September, 1929, and published in the *Gazette* on the 12th day of the same month at page 2447; and (b) on the 3rd day of April, 1946, and published in the *Gazette* on the 4th day of the same month at page 415, is amended—

(a) By inserting between the number "22" and the words "the probationary period" the number "(1)" in parentheses;

(b) By adding thereto the following additional clause:—

"(2) In respect of any probationer (other than a probationer referred to in paragraphs (a) (aa) and (b) of clause (1) of this regulation) who has any period of service as a temporary employee immediately prior to such probationer's engagement as a probationer, the probationary period specified in clause (1) of this regulation may be either waived by the General Manager or reduced to such extent as the General Manager deems fit."

5. (1) Regulation 64 of the principal regulations, as amended by the regulations made under the Government Railways Act, 1908—(a) on the 24th day of October, 1922, and published in the *Gazette* on the 26th day of the same month at page 2855; and (b) on the 17th day of November, 1924, and published in the *Gazette* on the 20th day of the same month at page 2791, and as amended or substituted, as the case may be, by the regulations made under the Government Railways Act, 1926—(c) on the 30th day of January, 1931, and published in the *Gazette* on the 12th day of February, 1931, at page 277; (d) on the 10th day of September, 1931, and published in the *Gazette* on the 24th day of the same month at page 2859; (e) on the 6th day of July, 1932, and published in the *Gazette* on the 21st day of the same month at page 1719; (f) on the 13th day of February, 1935, and published in the *Gazette* on the 28th day of the same month at page 565; (g) on the 11th day of December, 1935, and published in the *Gazette* on the 19th day of the same month at page 4043; (h) on the 7th day of October, 1936, and published in the *Gazette* on the 8th day of the same month at page 1840; and (i) on the 7th day of December, 1939, and published in the *Gazette* on the 14th day of the same month at page 3494, is amended—

(a) By revoking subparagraphs (i) to (vi) inclusive of paragraph (a) (but not the proviso to the said paragraph (a)), and substituting the following subparagraphs immediately before the proviso aforesaid:—

"(i) An employee whose salary exceeds £765 per annum but does not exceed £1,050 per annum (other than the Comptroller of Stores): 22s. 6d. per day.

(ii) The Assistant Chief Mechanical Engineer, the Assistant Chief Civil Engineer, and the Comptroller of Stores: 25s. per day.

(iii) The Chief Mechanical Engineer, the Chief Civil Engineer, the Staff Superintendent and Chief Legal Adviser, the Transportation Superintendent, the Chief Accountant, and the Chief Signal and Electrical Engineer: 27s. 6d. per day."

(b) By revoking paragraph (b), and substituting the following paragraph:—

"(b) An employee in the First Division whose salary exceeds £765 per annum, while absent from his headquarters on relief duty, shall, subject to paragraph (c) of this regulation, be paid relieving allowance for personal expenses at the rate prescribed for travelling allowance for such employee."

(2) This regulation shall be deemed to have come into force on the 19th day of June, 1945.

6. Clause (1) of Regulation 143 of the principal regulations, as substituted by the regulations made under the Government Railways Act, 1926, on the 9th day of September, 1929, and published in the *Gazette* on the 12th day of the same month at page 2447, is amended by revoking paragraph (i) thereof, and substituting the following paragraph:—

"(j) (i) During the fourth, fifth, and sixth years of his apprenticeship the General Manager may grant special leave of absence to an apprentice to enable him to attend such day classes at public technical or other educational institutions as are generally

or in any particular case approved by the General Manager, and if an apprentice possesses such qualifications as in the opinion of the General Manager fit him to undertake the course of study for the examination for associate membership of the Institution of Civil Engineers, or the Institution of Electrical Engineers, or the Institution of Mechanical Engineers, the General Manager may, at his discretion, grant such special leave during any earlier year of the apprenticeship.

"(ii) The special leave granted for the purposes set out in subparagraph (i) of this paragraph may be granted on pay for not more than five hours in each week. The General Manager may grant additional leave without pay on such conditions as he may determine."

7. (1) The principal regulations are amended by adding next after Regulation 143 the following regulation:—

"143A. (1) In this regulation 'employee' means any person employed in the Department as a member, probationer, or apprentice, but does not include any person temporarily employed in the Department.

"(2) The General Manager may, in accordance with the provisions of this regulation, grant special leave of absence to any employee to enable him to attend a course of study and training at a University college in furtherance of the employee's training in the Department in civil, electrical, or mechanical engineering.

"(3) Such special leave may be granted only in the case of an employee—

"(a) Who has not passed his thirty-fifth birthday;

"(b) Who has been engaged substantially in practical civil, electrical, or mechanical engineering work in the Department or elsewhere for three years, or for such shorter period as in any special case the General Manager may accept;

"(c) Who possesses such qualifications as in the opinion of the General Manager fit him for selection to attend a course of study and training in engineering; and

"(d) Whose work and behaviour during his service have been satisfactory.

"(4) Such special leave shall be granted and taken on the terms and conditions following:—

"(a) The period (including vacations) covered by such special leave shall not exceed two years, provided that the General Manager may, at his discretion, extend such period, but not beyond the employee's thirty-seventh birthday;

"(b) Such special leave shall be without pay, subject to the provisions of paragraphs (k) and (m) of this clause;

"(c) The employee shall attend a course or courses of study at the Auckland University College, the Canterbury University College, or at such other University college as the General Manager shall approve;

"(d) The employee shall undertake such course or courses of study and training and shall sit for such examinations as shall be approved or required by the General Manager;

"(e) The General Manager may arrange for the supply on loan to the employee of the text-books necessary for his course of study. Such text-books shall be returnable on demand;

"(f) The General Manager may authorize the payment by way of advance on behalf of the employee of his University college and University fees for attendance at courses of instruction and admission to examinations;

"(g) The General Manager may authorize payment to an unmarried employee during the period of his special leave of a subsistence allowance by way of advances of £40, £30, and £30 for the three terms respectively of each University session, payable at the commencement of each term. In the case of a male married employee the said sums may be increased to £70, £50, and £50 respectively;

"(h) Any sums advanced pursuant to the last two preceding paragraphs of this clause, or any other moneys expended on the employee's behalf, shall at the expiration or prior termination pursuant to paragraph (c) of this clause of the period of special leave be refunded by the employee in whole or in part, either forthwith on demand, or at such times and by such instalments as the General Manager shall direct;

"(j) No such refund shall be required if the employee passes the examinations for which the General Manager has required him to sit and so long as the employee complies with the terms and conditions prescribed by this regulation, and in particular with paragraph (p) of this clause;

"(k) The employee shall resume duty in the Department during University college vacations at his classified rate of pay;

"(l) The employee shall not during the period of his special leave enter into any employment outside the Department;

"(m) Any period of practical training in workshops prescribed for the course of study undertaken shall be served by the employee in such departmental workshop or workshops as shall be approved or required by the General Manager, and payment for such period shall be at the employee's classified rate of pay;

"(n) The employee shall continue any contributions for which he may be liable to the Government Railways Superannuation Fund as if such special leave had not been granted;