

Reprint
as at 7 August 2020



**State Sector (Employee Provisions Applied to Transfer of
Functions from Department of Internal Affairs to
Department of Building and Housing) Order 2005**
(SR 2005/151)

State Sector (Employee Provisions Applied to Transfer of Functions from Department of Internal Affairs to Department of Building and Housing) Order 2005: revoked, on 7 August 2020, by section 134 of the Public Service Act 2020 (2020 No 40).

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 7th day of June 2005

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 30C of the State Sector Act 1988, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

Contents

		Page
1	Title	2
2	Commencement	2

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.

- 3 Application of employee provisions to transfer of functions from 2
Department of Internal Affairs to Department of Building and
Housing

Order

1 Title

This order is the State Sector (Employee Provisions Applied to Transfer of Functions from Department of Internal Affairs to Department of Building and Housing) Order 2005.

2 Commencement

This order comes into force on 1 July 2005.

3 Application of employee provisions to transfer of functions from Department of Internal Affairs to Department of Building and Housing

Sections 30E to 30G of the State Sector Act 1988 apply to the transfer of the following functions from the Department of Internal Affairs to the Department of Building and Housing:

- (a) the Weathertight Homes Resolution Service;
- (b) the administration of the Weathertight Homes Resolution Services Act 2002;
- (c) information and policy advice to the Government in relation to weather-tightness.

Diane Morcom,
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 comes into force on 1 July 2005. It applies some of the employee provisions of the State Sector Act 1988 to employees of the Department of Internal Affairs affected by the transfer of the functions associated with the Weathertight Homes Resolution Service to the Department of Building and Housing. The provisions applied are—

- section 30E, which relates to the restriction of compensation for technical redundancy. As a result, a Department of Internal Affairs employee who is offered equivalent employment with the Department of Building and Housing,

or who accepts other employment with the Department of Building and Housing, is not entitled to receive compensation for technical redundancy:

- section 30F, which disapplies some of the State Sector Act 1988 provisions that usually apply to appointments. As a result, the Department of Building and Housing is not obliged to comply with some standard obligations—for example, the obligation to notify a vacancy before appointing a Department of Internal Affairs employee:
- section 30G, which relates to the application of collective agreements. As a result, any collective employment agreement that relates to transferring employees will continue to apply to those employees after the transfer, but only in so far as it relates to those employees.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 9 June 2005.

Reprints notes

1 *General*

This is a reprint of the State Sector (Employee Provisions Applied to Transfer of Functions from Department of Internal Affairs to Department of Building and Housing) Order 2005 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