

Reprint
as at 7 August 2020



State Sector (Employee Provisions Applied to Transfer of Functions from Ministry of Education to Ministry of Social Development) Order 2008

(SR 2008/135)

State Sector (Employee Provisions Applied to Transfer of Functions from Ministry of Education to Ministry of Social Development) Order 2008: revoked, on 7 August 2020, by section 134 of the Public Service Act 2020 (2020 No 40).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 26th day of May 2008

Present:

His Excellency the Governor-General in Council

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

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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.

Order

1 Title

This order is the State Sector (Employee Provisions Applied to Transfer of Functions from Ministry of Education to Ministry of Social Development) Order 2008.

2 Commencement

This order comes into force on 1 July 2008.

3 Application of employee provisions to transfer of functions from Ministry of Education to Ministry of Social Development

- (1) Sections 30E to 30G of the State Sector Act 1988 apply to the transfer of functions set out in subclause (2) from the Ministry of Education to the Ministry of Social Development.
- (2) The transferred functions are functions in connection with the following parent support and development funding or programmes:
 - (a) the Family Start Programme:
 - (b) any funding appropriated for, and expended on, programmes—
 - (i) of training for new parents; and
 - (ii) provided by Parents Centres New Zealand Incorporated:
 - (c) the Home Instruction Programme for Preschool and Year One Youngsters (HIPPY):
 - (d) the Parents as First Teachers (PAFT) Programme:
 - (e) the Whānau Toko I Te Ora (WTITO) Programme.

Martin Bell,
for 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 July 2008, applies some of the employee provisions of the State Sector Act 1988 to employees affected by the transfer of certain functions from the Ministry of Education to the Ministry of Social Development.

Those functions are functions in connection with the following parent support and development funding or programmes:

- the Family Start Programme:
- any funding appropriated for, and expended on, programmes—

- of training for new parents; and
- provided by Parents Centres New Zealand Incorporated:
- the Home Instruction Programme for Preschool and Year One Youngsters (HIPPY):
- the Parents as First Teachers (PAFT) Programme:
- the Whānau Toko I Te Ora (WTITO) Programme.

The provisions applied are—

- section 30E, which relates to restriction of compensation for technical redundancy. As a result, a Ministry of Education employee who is offered equivalent employment with the Ministry of Social Development, or who accepts other employment with the Ministry of Social Development, is not entitled to 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 Ministry of Social Development is not obliged to comply with some standard obligations (for example, the obligation to notify a vacancy before appointing a Ministry of Education employee):
- section 30G, which relates to the application of collective employment 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*: 29 May 2008.

Reprints notes

1 *General*

This is a reprint of the State Sector (Employee Provisions Applied to Transfer of Functions from Ministry of Education to Ministry of Social Development) Order 2008 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