

# Defence Amendment Act 1988

Public Act 1988 No 30  
Date of assent 30 March 1988

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### An Act to amend the Defence Act 1971

**BE IT ENACTED by the Parliament of New Zealand as follows:**

#### **1 Short Title and commencement**

- (1) This Act may be cited as the Defence Amendment Act 1988, and shall be read together with and deemed part of the Defence Act 1971 (hereinafter referred to as the principal Act).
- (2) This Act shall come into force on the 1st day of April 1988.

#### **2 Conditions of employment of servicemen**

The principal Act is hereby amended by repealing section 46, and substituting the following section:

**“46**

- “(1) Except as otherwise provided in this section, the conditions of employment of servicemen shall be fixed by the Secretary of Defence.
- “(2) In fixing conditions of employment under subsection (1) of this section, the Secretary shall have regard to the following criteria:

- “(a) The need to achieve and maintain fair relativity with the levels of remuneration received elsewhere; and
  - “(b) The need to be fair both—
    - “(i) To the persons or group of persons whose remuneration is being determined; and
    - “(ii) To the taxpayer; and
  - “(c) The need to recruit and retain competent persons.
- “(3) The Secretary shall consult with the State Services Commission when fixing conditions of employment of servicemen under this section. The State Services Commission may at any time, either before or during the fixing of such conditions of employment, indicate to the Secretary that it wishes to participate with the Secretary in fixing those conditions of employment, and the Secretary shall allow the State Services Commission to participate accordingly.
- “(4) The remuneration of persons holding the positions of—
- “(a) Chief of Defence Staff; or
  - “(b) Deputy Chief of Defence Staff; or
  - “(c) Chief of Naval Staff; or
  - “(d) Chief of General Staff; or
  - “(e) Chief of Air Staff,—
- shall be determined from time to time by the Higher Salaries Commission.
- “(5) Nothing in the Labour Relations Act 1987 shall apply to the conditions of employment of servicemen.
- “(6) Nothing in this section affects any conditions of employment in force in respect of servicemen immediately before the commencement of the Defence Amendment Act 1988.”

This Act is administered in the Ministry of Defence.