

Version
as at 10 November 1987



New Zealand Railways Corporation (Staff) Regulations 1982

(SR 1982/46)

New Zealand Railways Corporation (Staff) Regulations 1982: revoked, on 10 November 1987, pursuant to section 20(3)(c) of the State Services Conditions of Employment Amendment Act 1987 (1987 No 17).

David Beattie, Governor-General

Order in Council

At the Government Buildings at Wellington this 15th day of March 1982

Present:

The Right Hon D MacIntyre presiding in Council

Pursuant to the New Zealand Railways Corporation Act 1981, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Transport.

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Regulations

Part 1 Preliminary

1 Title and commencement

- (1) These regulations may be cited as the New Zealand Railways Corporation (Staff) Regulations 1982.
- (2) These regulations shall come into force on 1 April 1982.

2 Interpretation

- (1) In these regulations, unless the context otherwise requires,—

Act means the New Zealand Railways Corporation Act 1981

Appeal Board means the New Zealand Railways Corporation Appeal Board constituted under the Act

classified salary, in relation to any employee, means the rate of salary at which an employee of the salaried division of his position, grade, age, marital status, or examination qualification, or on promotion from the general division to the salaried division, is entitled to be paid while performing his ordinary duties during ordinary working hours

classified rate of wages, in relation to any employee, means the rate of wages at which an employee of the general division of his class, designation, length of service, grade, age, or marital status is entitled to be paid while performing his ordinary duties during ordinary working hours

controlling officer means an employee who has 1 or more employees under his charge

Corporation means the New Zealand Railways Corporation

deceased employee means—

- (a) a person who, at the time of his death, was a member of the Corporation; or
- (b) a person who, at the time of his death, was employed in the Corporation in a temporary capacity and whose last continuous period of service in the Corporation was not less than 10 years

deceased retired employee means a person who, at the time of his death, was a retired employee

dependent child means any unmarried person, being under the age of 18 years, or in the case of a person who is a full-time student at any school, college, or university, in regard to the issue of privilege tickets, being under the age of

25 years, or, in any particular case being under such other age as the General Manager, in his discretion, determines, who—

- (a) in relation to an employee is his child, adopted child, or stepchild or a ward of State in his care, and is residing at the home of the employee, and is, in the opinion of the General Manager, substantially dependent on the employee for maintenance; and
- (b) in relation to a retired employee, was, at the date of retirement of the employee, his child, adopted child, or stepchild, or a ward of State in his care, and is residing at the home of the retired employee, and is, in the opinion of the General Manager, substantially dependent on the retired employee for maintenance; and
- (c) in relation, to a deceased employee, was, at the date of death of the employee, his or her child, adopted child, or stepchild or a ward of State in his or her care, and who—
 - (i) is residing at the home of the widow or widower of the employee, and is, in the opinion of the General Manager, substantially dependent on the widow or widower for maintenance; or
 - (ii) where the widow or widower has died, was residing at the home of the widow or widower until her or his death, and is, in the opinion of the General Manager, substantially dependent on a guardian for maintenance; or
 - (iii) where the employee left no widow or widower surviving him or her, was, at the date of death of the employee, residing at the home of the employee and, in the opinion of the General Manager, is substantially dependent on a guardian for maintenance; and
- (d) in the case of a deceased retired employee, was, at the date of retirement of the employee, his or her child, adopted child, or stepchild, or a ward of State in his or her care, and who—
 - (i) is residing at the home of the widow or widower of the employee, and is, in the opinion of the General Manager, substantially dependent on the widow or widower for maintenance; or
 - (ii) where the widow or widower has died, was residing at the home of the widow or widower until her or his death and is, in the opinion of the General Manager, substantially dependent on a guardian for maintenance; or
 - (iii) where the employee left no widow or widower surviving him or her, was at the date of retirement of the employee residing at the home of the employee and, in the opinion of the General Manager, is substantially dependent on a guardian for maintenance:

provided that where that person resides in any year partly at a place other than the home of the employee, or, as the case may be, the retired employee, or the

deceased employee, or the widow or widower of the deceased employee, or the deceased retired employee, or the widow or widower of the deceased retired employee, solely for the purposes of education or employment that person shall be deemed to be residing at that home during that year

employee means any person employed in the service of the Corporation, whether as a member or on probation or temporarily

family means—

- (a) in relation to an employee, the spouse or housekeeper of that employee and his or her dependent children:
- (b) in relation to a retired employee, the spouse or housekeeper of that employee and his or her dependent children:
- (c) in relation to a deceased employee, the spouse of that employee and his or her dependent children:
- (d) in relation to a deceased retired employee, the spouse of that employee if they were married before the retirement of the employee and his or her dependent children

General Manager means the General Manager of the Corporation

holiday means any of the following days, namely, New Year's Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day, Christmas Day, Boxing Day, Anniversary Day, Waitangi Day, and any other day which the General Manager may declare to be a holiday

housekeeper means a person—

- (a) who resides with an employee who is not married or a retired employee who is not married, as the case may be, or, if married, is not living with his or her spouse, and who is a bona fide householder; and
- (b) whose sole occupation is to keep house for the employee or retired employee, as the case may be; and
- (c) who is not substantially dependent upon the income of a person other than the employee or retired employee, as the case may be, or on income from any other source

leave year means a period of 12 months commencing on 1 December and ending with 30 November

member means any person employed in the service of the Corporation, but does not include a person serving on probation pursuant to regulation 17, or any person temporarily employed in any capacity

month means a calendar month

observed holiday means any of the following days:

- (a) 27 December or the day immediately following that on which Boxing Day is observed:

provided that when 27 December falls on a Saturday the observed holiday shall be 29 December:

- (b) 2 January or the day immediately following the day on which New Year's Day is observed:

provided that when 2 January falls on a Saturday the observed holiday shall be 4 January

privilege ticket means a ticket sold under the conditions governing the issue of railway employees' privilege tickets in the scale of charges for the time being in force on the Corporation railways, or a concession ticket otherwise issued to railway employees for a passenger journey

probationer means any person serving on probation pursuant to regulation 17

promotion means advancement to a higher grade or to a position carrying a higher rate of salary or wages; and includes progression from the minimum to the maximum salary or wage of any class or grade

quarter means any period of 3 calendar months 1 January, 1 April, 1 July, or 1 October

retired employee means either—

- (a) a member who has retired from the service of the Corporation and who—
- (i) is in receipt of a retiring allowance under the provisions of the Government Superannuation Fund Act 1956; or
 - (ii) would on retirement have been entitled to receive a retiring allowance under the provisions of the Government Superannuation Fund Act 1956 had he been a contributor at the time of his retirement; or
 - (iii) would be in receipt of a retiring allowance under the Government Superannuation Fund Act 1956 had he not elected to receive a refund of his contributions; or
- (b) an employee—
- (i) whose last continuous period of service in the Corporation was in a temporary capacity and was not less than 10 years in duration; and
 - (ii) who attained the age of 60 years before the termination of that period of service, or who before attaining 60 years of age was permitted by the General Manager to retire because of being medically unfit for further duty; and
 - (iii) whose services in the Corporation were dispensed with through no fault of the employee or who voluntarily retired from the service of the Corporation

retiring employee means either—

- (a) a member who has completed his last day on duty in the service of the Corporation and who on his retirement from the service—
 - (i) will become entitled to receive a retiring allowance under the Government Superannuation Fund Act 1956; or
 - (ii) would be entitled to receive a retiring allowance under the Government Superannuation Fund Act 1956 had he been a contributor at the time of his retirement; or
 - (iii) would be entitled to receive a retiring allowance under the Government Superannuation Fund Act 1956 had he not elected to receive a refund of his contributions; or
- (b) an employee—
 - (i) who is employed in the Corporation in a temporary capacity; and
 - (ii) whose last continuous period in the service of the Corporation is not less than 10 years; and
 - (iii) who has attained the age of 60 years; and
 - (iv) who has completed his last day on duty in the service of the Corporation; and
 - (v) who is voluntarily retiring from the service of the Corporation or whose services are being dispensed with through no fault of the employee

service organisation means any one of the following organisations, namely, the National Union of Railwaymen of New Zealand, the New Zealand Locomotive Engineers' Association, the New Zealand Railway Officers' Institute (Incorporated), and the New Zealand Railway Tradesmen's Association.

- (2) If any question arises as to whether any person is a housekeeper within the meaning of these regulations or as to whether any employee or retired employee, as the case may be, is a bona fide householder, it shall be determined by the General Manager.
- (3) Any period of employment or service in the former New Zealand Government Railways Department of any person shall be deemed to be employment or service in the New Zealand Railways Corporation for the purposes of these regulations.

Part 2

Engagement of employees

3 Application for employment

Every candidate for full-time employment in the Corporation shall apply in his own handwriting on the official application form, which shall be forwarded to the General Manager.

4 Documents required from candidates

Every candidate for employment as a probationer shall submit the following documents with his application form:

- (a) a Registrar's certificate of birth:
provided that where the Corporation is satisfied that it is impracticable to obtain a Registrar's certificate of birth, the Corporation may accept either a declaration under the Oaths and Declarations Act 1957 of the candidate's date of birth, or such other documentary evidence of the candidate's date of birth as the Corporation may deem sufficient:
- (b) a certificate of the educational qualifications of the candidate (as required by regulation 8) signed by the Registrar of the University of New Zealand or by any authorised officer of the New Zealand Education Department or a New Zealand Education Board or by any other person whose signature may be accepted by the Corporation in that behalf:
- (c) where the candidate has never been in employment, 2 testimonials of recent date as to character from persons of good repute:
- (d) where the candidate has been in employment at any time prior to making the application, 1 testimonial of recent date as to character from a person of good repute, and 1 testimonial from the candidate's present or last employer as to ability and character, or a satisfactory explanation why such a testimonial is not furnished, in which case the Corporation may require such other evidence of ability and character as the Corporation deems desirable:
- (e) where the candidate desires employment as a tradesman, the indenture of apprenticeship or such other documentary evidence as the Corporation may accept as proof of the candidate being a qualified tradesman.

5 Documents required from candidates for temporary positions

- (1) Every candidate for employment in a temporary capacity shall (where applicable) submit with his application the documents prescribed in regulation 4(e).
- (2) Every candidate for employment in a temporary capacity who is under the age of 23 years shall also submit with his application the documents prescribed in regulation 4(a).

6 Temporary employment

Persons may be employed in a temporary capacity in the Corporation for such periods as the exigencies of the Corporation require.

7 Minimum and maximum ages for engagement as a probationer

- (1) Subject to this regulation, no candidate for employment shall be engaged as a probationer in any occupation if his age at the date of his engagement is less than the minimum or more than the maximum for the occupation as specified hereunder:

Occupation	Age last birthday	
	Minimum years	Maximum years
Cadet	15	19
Apprentice	15	19
Traffic trainee	15	35
Trainee technician	15	19
Candidate for any other junior occupation	15	19
Locomotive trainee	17	26
Tradesman	20	50
Clerk Clerical assistant	20	50
Traffic or freight assistant Labourer Garage attendant	18½	50
Bus driver Coach driver Motor lorry driver	21	50
Candidates for any other adult occupation	20	50

- (2) In the case of any candidate for employment, the maximum age of the candidate at his last birthday before the date of the engagement of the candidate as a probationer may, in special circumstances, be extended by the Corporation at its discretion.

- (3) In the case of candidates for employment as locomotive or traffic trainees, preference may be given to any candidate who has not passed his 20th birthday at the date of engagement.

- (4) In the case of candidates for employment as labourers, traffic assistants, freight assistants, bus drivers, coach drivers, or garage attendants, preference may be given to any candidate who has not passed his 35th birthday at the date of engagement.
- (5) In the case of any candidate who has had previous experience as a member in the branch of the Corporation to which he makes application for employment, the maximum age of the candidate at his last birthday before the date of the engagement of the candidate as a probationer may be extended by the Corporation at its discretion.
- (6) In the case of any candidate who has had any continuous period of service in a temporary capacity immediately preceding the date of his engagement as a probationer, his age at the commencement of the temporary service may, at the discretion of the Corporation, be accepted for the purpose of this regulation instead of his age at the date of his engagement as a probationer.
- (7) If there is no suitable candidate within the specified age limits, the Corporation may engage any candidate who is suitable and otherwise eligible for engagement as a probationer.
- (8) In the case of any candidate who is a discharged serviceman within the meaning of Part 1 of the Rehabilitation Act 1941, and whose application for employment in the Corporation is made within a period of 1 year from the date on which he lawfully ceased to serve as a serviceman, the maximum age of the candidate at his last birthday before the date of the engagement of the candidate as a probationer may be extended by the Corporation at its discretion.

8 Minimum educational qualifications

- (1) Except as provided in subclause (2), no candidate may be engaged as a probationer in any occupation specified in column 1 of the following table unless he possesses the minimum qualification specified in column 2 of the table in respect of that occupation, or an equivalent or higher qualification:

Column 1	Column 2
Occupation	Minimum educational qualification required
Professional cadet	University entrance
Engineering officer cadet	A pass in 4 or more subjects, including mathematics, in the school certificate examination
Clerical cadet	3 years' attendance at a secondary school
Trainee technician	
Clerical assistant	2 years' attendance at a secondary school
Traffic trainee	
Apprentice	
Locomotive trainee	
Busdriver	Evidence that, on leaving school, the candidate was in a class not lower than form 2
Coachdriver	
In all other cases	Evidence that, on leaving school, the candidate was in a class not lower than form 2

- (2) In engaging any probationer in any occupation the Corporation may—
- (a) give preference to any applicant with higher educational qualifications than other candidates for the same occupation:
 - (b) accept any educational qualification which, in its opinion, is of a standard at least equivalent to the minimum for the occupation specified in subclause (1):
 - (c) if there is no suitable candidate possessing any such minimum educational qualification, engage any candidate who is suitable and otherwise eligible for engagement as a probationer.

9 Registration of candidates for employment

- (1) Candidates for employment as probationers who, in the opinion of the Corporation, are eligible and suitable for engagement, and whose applications are in proper form, shall be entitled to have their applications registered in an employment register kept in the General Manager's office. The applications shall be registered in the order of their receipt, according to the occupation for which the candidate applies and the locality in which the candidate resides.
- (2) Every such application may be removed from the employment register at the expiration of 6 months from the date of the registration thereof, unless it has been renewed in accordance with subclause (3).
- (3) The application may be renewed by the candidate at intervals of 6 months from the date on which the application or a renewal thereof was registered. A renewal may be effected by giving notice of the desire to renew in writing to the General Manager. Every renewed application shall rank in order of the date on which the original application was registered.

10 Selection of candidates for employment

The selection of candidates for engagement as probationers shall be made from among those candidates whose names are registered in the employment register as aforesaid, and shall generally be made according to the order of their registration:

provided that the Corporation may give preference to any candidate whom it considers more suitable for engagement than other candidates for the same occupation.

11 Candidate's rights

None of the foregoing regulations shall operate to invalidate the engagement of any employee in the Corporation, nor shall they give any candidate a right to be engaged.

12 Medical examination prior to engagement

- (1) No candidate shall be engaged as a probationer or, unless authorised by the Corporation, temporarily on a full time basis unless—

- (a) he has passed (where required) a medical examination prescribed by the Corporation and conducted by a registered medical practitioner nominated by the Corporation; and
 - (b) the registered medical practitioner has supplied a certificate of physical fitness in a form approved by the Corporation.
- (2) The practitioner's fee for the first medical examination of any candidate shall be paid by the Corporation. The fee for any subsequent medical examination which may be necessary on account of the candidate's failure to pass the first medical examination shall be paid by the candidate.

13 Candidates failing to take up employment when offered

- (1) If any candidate for employment as a probationer fails—
 - (a) to present himself for the medical examination prescribed in regulation 12(1)(a); or
 - (b) to produce any document specified in regulation 4; or
 - (c) to produce any evidence which may, in the opinion of the Corporation, be required in order to determine satisfactorily the eligibility or suitability of the candidate for employment; or
 - (d) to report for duty in the occupation or position offered to him—
within 8 days after notice has been posted to him at the last address registered against his name, his application shall lapse.
- (2) If the candidate renews his application subsequently, the Corporation may register it upon such conditions as it deems fit.
- (3) The said period of 8 days may be reduced or extended if in the opinion of the Corporation a reduction or extension is warranted.

14 Candidates travelling to take up duty

- (1) Any candidate required to travel to take up duty may be granted free travel by any Corporation services for himself and his family.
- (2) Unless otherwise authorised by the Corporation, no other expenses of any kind whatsoever which may be incurred by the candidate in taking up duty shall be paid by the Corporation.

Part 3

Conditions of employment and permanent appointment

15 Employees to be members of a service organisation

[Revoked]

Regulation 15: revoked, on 1 February 1984, by section 5 of the New Zealand Railways Corporation Amendment Act 1983 (1983 No 110).

16 Relatives working together

Unless authorised by the Corporation, no employee and his or her—

- (a) spouse; or
- (b) son or stepson; or
- (c) daughter or stepdaughter; or
- (d) son-in-law; or
- (e) daughter-in-law; or
- (f) brother; or
- (g) sister,—

shall be employed in such circumstances that the one is under the immediate charge of the other.

17 Period of probation

- (1) Subject to this regulation, every probationer shall serve for the appropriate period of probation as prescribed in subclause (2).
- (2) The period of probation shall be 1 000 hours on duty in the case of probationer apprentices and 1 year in all other cases.
- (3) Notwithstanding anything in subclause (2), the Corporation may in cases of absence from duty with or without pay for periods totalling 3 months or more, unsatisfactory work or conduct, or other sufficient cause extend the period of probation for such periods as the Corporation thinks fit.
- (4) In respect of any probationer (other than a probationer apprentice) who has any period of service as a temporary employee immediately prior to his engagement as a probationer, the probationary period specified in subclause (2) may be either waived by the Corporation or reduced to such period as the Corporation shall determine.
- (5) Except as provided in subclause (4), no previous period of employment in the Corporation shall be taken into account in calculating the period of probation.
- (6) Every probationer shall find such guarantee of fidelity as the Corporation may require.
- (7) Every probationer whose services are no longer required or who, in the opinion of the Corporation,—
 - (a) fails to carry out satisfactorily the duties assigned to him; or
 - (b) fails to maintain a satisfactory standard of conduct; or
 - (c) for any other reason whatsoever is unsuitable for retention in the Corporation—

may, subject to section 99 of the Act, be dismissed by the Corporation at any period or at the conclusion thereof or before being appointed as a member or indentured as an apprentice, as the case may be.

18 Appointment to permanent staff

- (1) Subject to this regulation, a probationer, on the expiration of his probationary period, or on being indentured as an apprentice, as the case may be, shall be appointed as a member.
- (2) No probationer shall be appointed as a member, or as the case may be, indentured as an apprentice and appointed as a member until he has served the period of probation prescribed in regulation 17 and unless the Corporation is satisfied that—
 - (a) the work and conduct of the probationer during his probationary period have been satisfactory; and
 - (b) he has fulfilled satisfactorily the conditions of his probation as prescribed in these regulations; and
 - (c) he is suitable in every respect for appointment as a member or, as the case may be, for indenture as an apprentice, and that his services are required as such.
- (3) No engineering cadet shall be appointed as a member unless he has passed the second professional examination for the degree of Bachelor of Engineering.
- (4) An indenture of apprenticeship may be in the form set out in Schedule 1 and every indenture when duly executed shall be binding on and after the date thereof, and, after the execution of the indenture by the signatories thereto, it shall remain in the custody of the master until the apprentice shall have served his period of apprenticeship, when it will become his property.
- (5) The period of apprenticeship shall commence at the date of engagement as an apprentice in the service of the Corporation.
- (6) The period of apprenticeship to be served by an apprentice shall be 9 000 hours on duty; but the Corporation may from time to time, on such conditions as it may determine, reduce the period in respect of any apprentice or class of apprentice to not less than 6 000 hours.
- (7) For the purposes of subclause (6), hours on duty shall be deemed to include—
 - (a) absences on account of leave granted, up to a maximum of 8 hours per week, for the purposes of attending day classes or lectures at educational institutions:
 - (b) absences on account of leave granted for the purpose of attending a course of study and training at a university in accordance with the provisions of regulation 130:
 - (c) absences through being off duty when workshops are closed for holidays and the apprentice is not required to work:
 - (d) absences on account of accident arising out of and in the course of the employment:

- (e) absences on account of volunteer service in the Territorial Volunteer Force.
- (8) When an apprentice has served his period of apprenticeship there shall be endorsed on the apprentice's indenture by or on behalf of the General Manager a certificate setting out the period of apprenticeship actually served under the indenture and the date of the completion of that period.

19 Apprentices to attend day classes

Unless otherwise directed by the Corporation, every apprentice shall attend during working hours such day classes as may be provided by the Corporation. The classes shall provide the apprentice with instruction in the theory and practice of his trade and in mathematics and drawing.

20 Corporation examinations

Examinations or assessments covering the work done in the day classes may be held during the course of each year. Certificates shall be issued to successful candidates each year.

21 Apprentices to provide stationery, etc

The apprentice shall provide suitable exercise books for class notes and such drawing instruments as may be specified by the Corporation from time to time.

22 Apprentices attending classes at educational institutions

The Corporation may direct an apprentice, instead of attending day classes pursuant to regulation 19, to take and persevere in such course of study and training as the Corporation may determine and, if so required, to attend such day or night classes, or both, at such educational institutions as the Corporation may specify for instruction in mathematics, drawing, and such other subjects as the Corporation may direct.

23 Attendances at night classes

An apprentice who is required to undertake a course of study for the purpose of attaining any certificate awarded by the New Zealand Trades Certification Board shall attend such night classes as may be required by the institution providing the course.

24 Apprentices to provide apparatus, etc

Every apprentice shall himself provide all instruments and apparatus necessary for use at classes at educational institutions.

25 Special leave for study at day classes

During his apprenticeship an apprentice may be granted special leave of absence to enable him to attend at an educational institution such day classes as are generally or in any particular case approved by the Corporation.

26 Special leave provisions

The special leave of absence granted for the purposes set out in regulation 25 may be granted on pay for not more than 8 hours in each week. Any additional leave without pay which may be granted shall be subject to such conditions as the Corporation may from time to time determine.

27 Voluntary attendance at classes at educational institutions outside normal working hours

Any apprentice who voluntarily undertakes a course of study and training approved by the Corporation at classes outside normal working hours at educational institutions may be afforded such privileges as the Corporation may from time to time determine to enable him to attend the classes.

28 Trade training

The Corporation shall determine the schedule of trade training of apprentices, and the schedule shall be arranged in accordance with and subject to the facilities available for that training.

29 Corporation may dismiss apprentices

Any employee who has served an apprenticeship in the Corporation and whose services are no longer required or who, in the opinion of the Corporation,—

- (a) fails to carry out satisfactorily the duties assigned to him; or
- (b) fails to maintain a satisfactory standard of conduct; or
- (c) for any other reason whatsoever is unsuitable for retention in the Corporation—

may, subject to sections 98 and 99 of the Act, be dismissed by the Corporation at any time.

30 Corporation may vary regulations

Where, in the opinion of the Corporation, it is impracticable for apprentices in any particular trade to comply with all or any of regulations 19 to 28, the Corporation shall determine the extent to which those regulations shall apply, and, in respect of any of those regulations which it directs shall not apply, it may substitute such other provisions as it deems desirable.

31 Reimbursement of fees for classes at educational institutions

The Corporation may refund the whole or any portion of the fees paid by an apprentice who attends classes at an educational institution in pursuance of regulation 22 or regulation 27 on production by him of a report from the director of the educational institution that the apprentice has attended not less than 70% of the classes (excluding any that he has been precluded from attending through absence on duty) and that his work and conduct at the classes have been satisfactory. Where the fees are subject to a reduction for payment in

advance, the amount of the refund after the first year shall be computed on the scale for fees paid in advance.

Part 4

Authorisation and grading of positions

32 Corporation's authority

- (1) Notwithstanding anything in these regulations, the Corporation may—
 - (a) create any new position and abolish any existing position:
 - (b) from time to time or for the time being determine the grading of any position in the salaried division and the type of gradings to be used for positions in the salaried division:
 - (c) determine the qualifications required to be held, or which it is desirable should be held, by the occupier of any position:
 - (d) in order to give effect to any agreement or contract of service, or on appointing or promoting any employee, or for any other reason whatsoever, determine, subject to section 75 of the Act, the class (and grade if any) in which any employee shall be placed, and, in respect of an employee in the salaried division, may fix the rate of salary which shall be paid to the employee, notwithstanding that the rate of salary may be other than the rate attached to the grade in which the employee is placed.
- (2) Without in any way limiting the power of the Corporation to determine the type of gradings to be used for positions in the salaried division, it is hereby declared that a grading may be either a single grade, or a number of grades, or a minimum grade.

Part 5

Seniority of members

33 Preparation of list of staff

As soon as conveniently may be after every 1 April there shall be printed a list or lists setting out as at that date the name, designation, and pay of each member, probationer, and apprentice, and the length of time he has been in the service of the Corporation, whether temporarily or permanently, together with such other particulars as the Corporation may think fit.

34 Order of seniority of salaried division

- (1) The order of seniority of members occupying positions in classes 1 and 2 of the salaried division shall be the order from time to time determined by the Corporation and not the order in which the names of members appear on the list or lists mentioned in regulation 33.

- (2) The order of seniority of members and probationers occupying positions in other classes of the salaried division shall be the order in which the names of the members and probationers appear on the lists mentioned in regulation 33.
- (3) As between any 2 such members whose names appear on different lists the order of seniority shall be determined by reference to the length of time they have been in the service of the Corporation since they were last appointed. In computing the lengths of time such members have been in the service of the Corporation any periods the members have been delayed in advancing in seniority—
- (a) through failure to pass the controlling officers examination; or
 - (b) because the General Manager has not given a certificate in writing that they are entitled so to advance; or
 - (c) because they have failed to apply for or would not accept promotion to any position; or
 - (d) through being reduced in status,—
- shall not be counted as service.

35 Special promotion of members

Members who are promoted and whose promotion is, pursuant to section 85(3) of the Act, declared to be special promotion shall be deemed to be classified in the grade to which they are specially promoted, except that for the purposes of section 85(5) of the Act the seniority of members who have been specially promoted as aforesaid shall be determined in accordance with the following rules:

- (a) notwithstanding anything in the following paragraphs, every member who is specially promoted shall be entitled to advancement in seniority (up to and within the grade to which he is specially promoted) from his classified position (immediately before his special promotion) to the same extent as he would have advanced if he had not been specially promoted, the grade or sub-grade in which a member is classified immediately before his special promotion or to which he is advanced pursuant to this paragraph being hereafter in this regulation referred to as his ordinary grade:
- (b) except to the extent provided in paragraphs (c) to (g), the seniority of a member who has been specially promoted shall be determined in all cases as if he had not been specially promoted:
- (c) in the case of a member who is specially promoted to any grade by reason of the possession by him of an examination qualification, that member, for the purposes of further special promotion in or to any position the nature of which, in the opinion of the Corporation, requires that the occupant thereof should possess the same examination qualification, shall be deemed to be senior to a member (whether or not

specialty promoted) who was, at the time of the special promotion of the first-mentioned member, in a lower grade than that to which the first-mentioned member was specialty promoted:

- (d) as between members who have been specialty promoted to the same higher grade by reason of their possessing the same examination qualification, the member who was first specialty promoted to the higher grade shall be deemed to be senior to the other member for the purposes of further special promotion in or to any position the nature of which, in the opinion of the Corporation, requires that the occupant thereof should possess the same examination qualification:
- (e) as between a member who has been specialty promoted by reason of possessing a particular examination qualification, on the one hand, and a member possessing the same examination qualification (whether acquired subsequently to the special promotion of the other member or not) who has not been promoted by reason of possessing that qualification and whose ordinary grade at the time of the special promotion of the first-mentioned member was the same as the grade to which that member was specialty promoted, on the other hand, the second-mentioned member shall be deemed to be senior to the first-mentioned member for the purposes of special promotion in or to any position the nature of which, in the opinion of the Corporation, requires that the occupant thereof should possess the same examination qualification:
- (f) as between a member who has been specialty promoted for any reason (other than by reason of possessing an examination qualification) on the one hand, and a member who, at the time of the special promotion of the first-mentioned member, possessed the same special qualifications, knowledge, or experience as resulted in the special promotion of the first-mentioned member and who, immediately before the special promotion of the first-mentioned member, was senior and who failed to apply for, or would not accept, promotion to the position to which the first-mentioned member was specialty promoted or applied for promotion to that position and subsequently withdrew his application or failed to commence or prosecute any right of appeal against the appointment to the position to which the first-mentioned member was specialty promoted, on the other hand, the first-mentioned member shall for the purposes of further promotion in or to any position the nature of which (in the opinion of the Corporation) requires that the occupant thereof should possess the same special qualifications, knowledge, or experience as resulted in the special promotion of the first-mentioned member, retain the seniority conferred upon him by the special promotion over the second-mentioned member:
- (g) as between a member who has been specialty promoted to any grade by reason of being certified proficient in train-running duties (but not

a member who has been specially promoted by reason of being certified proficient in train-running duties and of the possession by him of other special qualifications, knowledge, or experience), on the one hand, and a member certified proficient in those duties who has not been specially promoted to the same higher grade by reason of being so certified and whose ordinary grade is lower than the grade to which the first-mentioned member has been specially promoted, on the other hand, the first-mentioned member shall be deemed to be senior to the second-mentioned member for the purposes of special promotion in or to any position the nature of which, in the opinion of the Corporation, requires that the occupant thereof should be certified proficient in train-running duties:

- (h) for the purposes of this regulation the term **examination qualification** means—
- (i) the law professional examination; or
 - (ii) the accountants' professional examination; or
 - (iii) the examination for any university degree; or
 - (iv) the examination for associate membership of the Institution of Civil Engineers or of the Institution of Mechanical Engineers or of the Institution of Electrical Engineers; or
 - (v) any examination which, in the opinion of the Corporation, is of a standard equivalent to or higher than any of the foregoing.

36 Order of seniority of general division

- (1) For the purposes of compiling the list or lists specified in regulation 33, adults in any occupation in the general division shall be placed below minors in the same occupation who were last appointed in the Corporation before the adults.
- (2) Minors shall as between themselves, other things being equal, be placed on the list prescribed in regulation 33 on the basis of length of service since the date of last appointment in the Corporation in each case, the minor with the longer service ranking above any minor with shorter service notwithstanding that the latter may be entitled to a higher rate of pay than the former.

Part 6 Promotion

37 Increments of pay and advancement from one grade to another

- (1) The right of any member, probationer, or apprentice to advance from one grade to another or, where there are no grades, his right to receive any increment of pay shall in each case depend on his efficiency and good conduct, and no such advancement shall take place and no increment shall be payable unless

the General Manager certifies in writing that the member, probationer, or apprentice, as the case may be, is entitled thereto.

- (2) The right of any other employee to advance from one grade to another or, where there are no grades, his right to receive any increment of pay shall, in each case, depend on his efficiency and good conduct.

38 General division members declining to accept promotion

- (1) Any member of the general division who desires to be passed over in the event of his being offered promotion, or who declines promotion when offered, shall forfeit his right to be again considered for promotion for a period of 2 years from the time when he expresses the desire or is offered the promotion. The Corporation may, if good and sufficient reasons have been given to the Corporation's satisfaction, reduce the period of forfeiture upon such conditions as it deems fit.
- (2) The provisions of this regulation shall not preclude any member applying for and being appointed to a position for which applications have been called.

39 Members who are not to act in advanced capacity

Unless otherwise authorised by the Corporation, or except in circumstances of emergency when no eligible member is available, a member who is adversely reported upon or who has forfeited his right to be considered for promotion or who has been reduced in status pursuant to section 93 of the Act shall not be permitted to act in an advanced capacity.

40 Advancement in class 4 conditional on passing controlling officers' examination

- (1) Except as provided in this regulation and in regulation 41, no member shall be advanced beyond the top salary step of grade 01, class 4, until he has passed a controlling officers' examination in such subjects relating to the work of the Corporation as may be specified by the Corporation.
- (2) Any member whose position, occupation, or educational qualifications are such that in the opinion of the Corporation a controlling officers' examination is not necessary shall not be required to pass such an examination.

41 Corporation may advance certain members in class 4 who have not passed examination

Notwithstanding anything in regulation 40, any member who, being under the necessity of passing a controlling officers' examination,—

- (a) has failed to pass the said examination; and
- (b) has 20 years' service in the Corporation (whether continuous since the date of his last appointment or otherwise); and
- (c) is in the opinion of the Corporation, suitable for promotion beyond the top salary step of grade 01 of class 4—

may, at the discretion of the Corporation and subject to such conditions as the Corporation thinks fit, be advanced to a higher grade:

provided that the member shall not be promoted to a position in any grade higher than grade 03 until he passes a controlling officers' examination.

42 Promotion of temporary employees in salaried division

Any temporary employee in class 4 of the salaried division who is promoted to a position in that class of the said division shall, on promotion, be—

- (a) placed in the lowest grade of the grade to which he is promoted; and
- (b) paid a rate of salary attached to a grade that is the equivalent of his classified salary immediately prior to his promotion or, if there is no such rate of salary, then the rate of salary attached to the grade that is next above the equivalent of his classified salary immediately prior to his promotion.

43 Engineering staff

- (1) No member or probationer shall be designated as an assistant engineer unless—
 - (a) he is a graduate in engineering of a university in New Zealand; or
 - (b) he is the holder of a degree in either engineering or engineering science from a university in any country other than New Zealand and that degree is acceptable as qualification for graduateship of the New Zealand Institution of Engineers; or
 - (c) he is a graduate of the New Zealand Institution of Engineers, or of the Institution of Civil Engineers, or of the Institution of Mechanical Engineers, or of the Institution of Electrical Engineers, or of any other engineering institution which the New Zealand Institution of Engineers may accept as academic qualification for registration as an engineer in New Zealand, and has had 5 years of practical training in the profession of engineering.
- (2) No assistant engineer shall be designated as an engineer unless he is a corporate member of the Institution of Civil Engineers, or of the Institution of Mechanical Engineers, or of the Institution of Electrical Engineers, or is registered as an engineer under the Engineers Registration Act 1924.
- (3) No engineer or assistant engineer shall be eligible for promotion beyond grade 18 of class 5, unless he is registered as an engineer under the Engineers Registration Act 1924:

provided that an engineer or assistant engineer may, if he is the holder of the degree of Master of Engineering or Doctor of Philosophy, be promoted to grade 19 of class 5.
- (4) For the purposes of this regulation the term **engineer** includes any member designated as an engineer on the lists for the time being last issued pursuant to

regulation 33; and if a question arises whether or not any person is an engineer so as to be subject to this regulation, the question may be decided by the Corporation.

44 Architectural staff

- (1) No member or probationer shall be designated as an architectural graduate unless he is a graduate with a diploma or degree in architecture of a university in New Zealand.
- (2) No member or probationer shall be designated as an architectural associate unless he is the holder of a degree in architecture from a university in any country other than New Zealand, and that degree is acceptable as a qualification for membership of the New Zealand Institute of Architects.
- (3) No architectural graduate or architectural associate shall be designated as an architect unless he is a member of the New Zealand Institute of Architects or is registered as an architect under the Architects Act 1963.
- (4) No architectural graduate or architectural associate shall be eligible for promotion beyond grade 15 of class 17 until he is registered as an architect under the Architects Act 1963.
- (5) For the purpose of this regulation the term **architect** includes any member designated as an architect on the lists for the time being last issued pursuant to regulation 33, and if a question arises whether or not any person is an architect so as to be subject to this regulation the question may be decided by the Corporation.

45 Promotion of members from general division to class 4 of the salaried division

- (1) Every member of the general division—
 - (a) who possesses educational qualifications which, in the opinion of the Corporation, are not below the standard required for form 3; and
 - (b) whose last continuous period of service in the Corporation is 4 years or more; and
 - (c) who passes a controlling officer's examination; and
 - (d) who passes a test of efficiency conducted by 2 members of the salaried division nominated by the General Manager, in such of the following as may be prescribed by the Corporation, namely:
 - (i) balancing station books and accounts:
 - (ii) computing wages and salaries:
 - (iii) costing articles:
 - (iv) the provisions of the rules, regulations, codes of general and special instructions of the Corporation, the scale of charges, and the

Corporation's determinations under the State Services Conditions of Employment Act 1977; and

- (e) who has been certified by the 2 nominated members as competent, by reason of his ability and qualifications, to discharge satisfactorily the duties of a stationmaster or clerk in grade 01 of class 4 of the salaried division,—

may be promoted to the salaried division as a stationmaster or clerk and be placed in grade 01 of class 4 of the salaried division.

- (2) Where reasonably practicable, every opportunity and assistance shall be given to an employee to acquire the knowledge necessary to pass the tests specified in subclause (1)(d). Time spent by the employee when he is off duty in acquiring the knowledge shall not be regarded as time worked, nor shall it entitle him to claim consideration in any respect except as regards his qualifications for promotion to the salaried division.
- (3) The order in which members who qualify for promotion under subclause (1) shall be promoted shall be determined by reference to the date on which they were certified as competent under subclause (1)(e), a member who is certified earlier having priority over members subsequently certified. If 2 or more members are certified on the same day the order of priority shall be determined by reference to the length of service since the last permanent appointment of each such member, the member with the longer permanent service having priority over the other members.

46 Certain other promotions from general division to salaried division

Subject to regulations 7 and 48, as vacancies occur or as the exigencies of the Corporation may require, members may be promoted from the general division to the salaried division to positions the nature of which in the opinion of the Corporation require that the occupant has been designated and has served in such occupations and for such periods in the general division as the Corporation may deem necessary.

47 Promotion of signalman

- (1) No signalman shall be eligible for promotion to any position designated supervisor, foreman, or ticket inspector unless he has been designated as a shunter or senior shunter for 2 years or more and has served as a shunter or senior shunter for a period of or periods aggregating 2 years or more.
- (2) Notwithstanding subclause (1), a signalman who has served as a leading freight operator for such period as the Corporation deems requisite shall be eligible for promotion to the position of freight supervisor, freight foreman, foreman freight, assistant foreman freight, or assistant foreman coaching.
- (3) Notwithstanding subclauses (1) and (2), a signalman who has served as such for a period of not less than 2 years or who has served as a leading traffic

operator for such periods as the Corporation deems requisite shall be eligible for promotion to such positions as may be determined by the Corporation.

48 Promotion of leading freight operator and leading traffic operator

- (1) No leading freight operator or leading traffic operator shall be eligible for promotion to any position designated supervisor, foreman, or ticket inspector, unless he has been designated as a shunter or senior shunter for 2 years or more and has served as a shunter or senior shunter for a period of or periods aggregating 2 years or more.
- (2) Notwithstanding subclause (1), a leading freight operator who has served as such for a period of not less than 2 years shall be eligible for promotion to the position of freight supervisor, freight foreman, foreman freight, assistant foreman freight, or assistant foreman coaching.
- (3) Notwithstanding subclause (1), a leading traffic operator who has served as such for a period of not less than 2 years or who has served as a leading freight operator for a period of not less than 2 years shall be eligible for promotion to such positions as may be determined by the Corporation.

49 Promotion of disabled employees to salaried division

- (1) Any member, probationer, or apprentice in the general division who has sustained injury—
 - (a) arising out of and in the course of his duties in the Corporation; or
 - (b) on military service—

and who, in the opinion of the Corporation, is unfitted by reason of the injury to follow his ordinary occupation in the general division may, at the discretion of the Corporation, be promoted to the position of clerical assistant in the salaried division and be placed in grade 01 of class 4.

- (2) Any member in the general division—
 - (a) whose period of service in the Corporation since the date of his last engagement is not less than 5 years; and
 - (b) who, due to sickness or injury or physical defect or bodily infirmity has, in the opinion of the Corporation, becomes permanently unfit to perform the duties of his ordinary occupation in the general division or of any other occupation in that division to which he is eligible for transfer,—

may, at the discretion of the Corporation, be promoted to the position of clerical assistant in the salaried division and be placed in grade 01 of class 4.

50 Rates of pay on promotion to salaried division

Subject to regulation 46, each member, probationer, and apprentice in the general division who is promoted to the salaried division shall, on promotion, be—

- (a) placed in the lowest grade of the grade to which he is promoted; and

- (b) paid a rate of salary that is the annual equivalent of his classified rate of wages immediately prior to his promotion or, if there is no such rate of salary, then the rate of salary that is next above the annual equivalent of his classified rate of wages immediately prior to his promotion.

51 Appointment as guard and senior shunter

- (1) No member shall be appointed as a guard unless he has been designated as a shunter or senior shunter for 2 years or more and has served as a shunter or senior shunter for a period of or periods aggregating 2 years or more.
- (2) No member shall be appointed as a senior shunter unless he has been designated as a shunter for 1 year or more and has served as a shunter for a period of or periods aggregating 1 year or more.

52 Appointment as signalman

No member shall be appointed as a signalman unless he has been designated as a shunter for 6 months or more and has served as a shunter for a period of or periods aggregating 6 months or more.

53 Corporation may waive or reduce service period

- (1) Notwithstanding anything in regulations 47, 48, and 51, the periods of service and designation as a shunter or senior shunter specified in those regulations may be reduced by the Corporation by up to 12 months in the following circumstances:
 - (a) where the member is unfit to serve as a shunter or senior shunter by reason of physical defect, bodily infirmity, or age:
 - (b) where the member has served as a signalman at a major signalling installation, as defined by the Corporation, or as a grid controller:
 - (c) where the member was delayed in taking up his appointment as a shunter or senior shunter to meet the exigencies of the Corporation.
- (2) Notwithstanding anything in regulation 52, in any case where a member is unfit to serve as a shunter, the periods of service and designation as a shunter specified in that regulation may be waived by the Corporation.
- (3) For the purposes of this regulation a member shall be deemed unfit to serve as a shunter or senior shunter if, on the certificate of a medical practitioner approved by the Corporation, it is established to the satisfaction of the Corporation that, by reason of physical defect or bodily infirmity not caused by irregular habits, the member has become either temporarily or permanently unable to perform such duties.

54 Promotion to locomotive assistant

- (1) No locomotive trainee shall be promoted to locomotive assistant or, unless otherwise authorised either generally or specifically by the Corporation, act as

a locomotive assistant unless he has passed the Corporation examination for locomotive assistants.

- (2) No member employed as a locomotive assistant shall advance beyond the rate of wages prescribed for a locomotive assistant in the third year unless he has passed the Corporation examination for an enginedriver's second-class certificate.

55 Promotion to enginedriver

- (1) No locomotive assistant shall be promoted to enginedriver or act as an enginedriver unless he has passed the Corporation examination for an enginedriver's second-class certificate.
- (2) No member employed as an enginedriver shall advance to a rate of pay prescribed for a member with an enginedriver's first-class certificate unless he has passed the Corporation examination for that certificate.

56 Promotion to leading plumber

No member shall be eligible for promotion to leading plumber unless he is a registered plumber within the meaning of the Plumbers, Gasfitters, and Drainlayers Act 1976.

57 Designation as a communications technician

- (1) No trainee technician shall be designated as a communications technician unless he has passed such examinations as may be determined by the Corporation:
provided that the Corporation may, at its discretion, allow such previous experience on telecommunications work as it considers appropriate for the purpose of reducing the period to be served as a trainee technician before the employee may be designated as a communications technician.
- (2) No trainee technician or communications technician shall be eligible for promotion—
 - (a) beyond grade 11 of class 26, unless he has passed, or been exempted from sitting, such examinations as may be prescribed by the Corporation from time to time;
 - (b) beyond grade 13 of class 26, unless he has passed such further examinations as may be prescribed by the Corporation from time to time.
- (3) Nothing in this regulation shall affect the appointment or promotion of any member whose appointment to the position of communications technician or communications supervisor in the Way and Works Branch of the New Zealand Government Railways Department was made on or before 23 April 1964.

Part 7

Appeal Board

58 Interpretation and election of members

- (1) For the purposes of this regulation the expressions **member, member of the salaried division, member of the general division, Workshops Branch, Locomotive Running Branch, Traffic Branch, and Way and Works Branch** shall have the meanings defined in section 94 of the Act.
- (2) The Director, Stores Branch of the Corporation shall be the Returning Officer for each election of the elective members of the Appeal Board:
provided that the General Manager may appoint any other member as Returning Officer for any particular election.
- (3) The General Manager shall appoint at least 2 scrutineers for each election, at least 1 from the salaried division and at least 1 from the general division.
- (4) The General Manager shall cause to be prepared and deposited at the head office of the Corporation 5 separate voting lists as follows:
 - (a) one of all members of the salaried division:
 - (b) one of all members in the Workshops Branch:
 - (c) one of all members in the Locomotive Running Branch:
 - (d) one of all members in the Traffic Branch:
 - (e) one of all members in the Way and Works Branch.
- (5) The voting lists shall be prepared and deposited not later than 14 clear days before the voting lists are closed.
- (6) The validity of any election shall not be questioned on the ground that a name wrongly appears on any voting list or has been wrongly omitted therefrom.
- (7) Each voting list shall be open for the inspection of any member at all reasonable times.
- (8) If any member wishes to take any objection to any voting list, particulars of the objection shall be communicated in writing through his controlling officer to the General Manager, who shall inquire into and determine the matter and whose decision thereon shall be final.
- (9) No objection to any voting list shall be entertained unless it reaches the General Manager at least 3 clear days before the voting lists are closed in accordance with subclause (10).
- (10) The voting lists shall be closed for the purposes of each election on the 42nd day before the day fixed for the ballot for the election, and shall continue closed until the election is completed.

- (11) A ballot for every extraordinary election shall be taken on a date to be fixed by the General Manager, being in no case later than 4 months after the vacancy necessitating the election occurs.
- (12) At least 70 days before the date of the ballot for any ordinary or extraordinary election the General Manager shall notify to all members concerned the following particulars with regard to the election:
- (a) the date for the closing of nominations of candidates for the election:
 - (b) the number of vacancies:
 - (c) the day on which the ballot (if necessary) will be taken:
 - (d) the division or branch for which the vacancy or vacancies occur,—
- and the said particulars shall be notified in writing and the document shall be dispatched and delivered, as nearly as may be, in the same manner as printed train advices and important circulars:
- provided that the failure of any member to receive notification shall not invalidate the election.
- (13) Every nomination of a candidate for any election shall be made in writing by 3 or more members in the same voting list as the candidate and shall bear the written consent of the candidate. Every such nomination shall reach the Returning Officer at Wellington not later than the 40th day before the day prescribed for the ballot for the election. Any nomination which does not comply with the requirements of this clause shall be null and void. Every such nomination shall be accompanied by information relating to:
- (a) the candidate's railway service record; and
 - (b) the candidate's service organisation record as an elected official at branch and national level (if any); and
 - (c) the candidate's Railways Appeal Board experience (if any),—
- and a copy of such information shall be supplied with each ballot paper.
- (14) If only 1 candidate is duly nominated for any 1 vacancy, the Returning Officer shall, on the day on which the votes would have been counted had a ballot been taken, declare that candidate duly elected.
- (15) If 2 or more candidates are duly nominated for any 1 vacancy a ballot of the members concerned shall be taken by the Returning Officer.
- (16) Every member whose name appears on a voting list shall be entitled to vote for 1 duly nominated candidate to represent the division or branch to which the voter belongs.
- (17) In taking a ballot the Returning Officer shall, as soon as possible after the date for receiving nominations is past, cause to be printed and supplied to each member whose name appears on any voting list on the date on which the voting list was closed an envelope addressed to the Returning Officer and a ballot paper containing a list of the names of all the duly nominated candidates in the

division or branch to which the member to whom it is sent belongs; and the ballot paper shall be in the form or to the effect as follows:

Ballot paper

Election of a member of the [*specify*] division to act as the representative of the [*specify*] on the Railways Corporation Appeal Board.

Directions—The voter can vote for 1 candidate only. The voter must strike out with pen and ink or pencil the name of each candidate for whom he does not intend to vote.

The name of the voter must not be written on the ballot paper. The ballot paper must be enclosed in the envelope provided for the purpose, and forwarded to the Returning Officer through the voter's controlling officer or nearest stationmaster so as to reach the Returning Officer on or before [*date of the ballot.*]

Candidates for election

[*Set out full names and official designations and locations of all duly nominated candidates in alphabetical order of their surnames.*]

- (18) Every member shall, immediately on receiving the ballot paper, sign the receipt form provided for the purpose.
- (19) No member shall in any case be compelled to record his vote, and except as provided in subclause (13), no member shall be canvassed for votes, nor shall any candidate or any other person attempt by circular or otherwise howsoever to influence voters in their voting. If any breach of the provisions of this subclause is committed, the Minister may declare the candidate by whom or on whose behalf or in whose interest the canvass or attempt to influence voters as aforesaid has been made to be disqualified for election unless, the offender being a person other than the candidate, it is proved to the satisfaction of the Minister that the candidate was not in any way privy to and did not instigate or in any way approve of or countenance the breach.
- (20) If any candidate who has been declared disqualified under subclause (19) is elected, whether the disqualification takes place before or after the election, the election of the candidate shall be and become null and void, and an extraordinary election shall be held in accordance with subclause (11). The list prepared for the original election shall be deemed to be the list of voters for the extraordinary election.
- (21) Every candidate who is disqualified under subclause (19) shall be ineligible for nomination at the extraordinary election held in consequence of the disqualification.
- (22) On the seventh day following the date fixed for the ballot the Returning Officer shall, in the presence of the scrutineers, proceed to ascertain the total number of valid votes recorded for each candidate. The Returning Officer shall declare the candidate who obtains the majority of votes in each division or branch to be duly elected.
- (23) The ballot papers shall, after being counted, be enclosed in a sealed packet and, unless a scrutiny or recount is demanded, shall be retained unopened in the custody of the Returning Officer. A scrutiny or recount may be demanded

by an application made in writing to the Returning Officer by not less than 7 voters within 14 days after the publication of the result of the election. The scrutiny or recount shall be conducted by the Returning Officer and the scrutineers. The ballot papers shall remain in the custody of the Returning Officer for 60 days from the date of the election and shall be then destroyed.

- (24) Whenever there is an equality of votes at any election, and the addition of 1 vote will entitle any of the candidates to be elected, the Returning Officer shall himself record the additional vote.
- (25) Any dispute or question arising as to the meaning of this regulation in its application to any particular election shall be referred by the General Manager to the Chairman of the Appeal Board for determination, and the decision of the Chairman of the Appeal Board thereon shall be final and binding.

59 Appointment of Secretary

The Corporation shall appoint a member of the Corporation to be Secretary to the Appeal Board, and, unless otherwise provided in these regulations, all communications to that board shall be addressed to the Secretary.

60 Institution of appeals

Every appeal shall be instituted by notice of appeal addressed to the General Manager and shall be in the following form:

I hereby give notice of appeal against [*appellant to insert particulars of the decision appealed against*] on the following grounds [*appellant to set out fully the grounds of appeal*], and ask that the under-mentioned employees of the Corporation be allowed to give evidence on my behalf, and that [*appellant to insert name of advocate*] appear as advocate on my behalf before the Appeal Board.

Names of witnesses: [*appellant to insert names of witnesses*].

Signature of appellant:

Classification No:

Designation:

Location:

61 Corporation to answer appeals

The Corporation shall, as soon as may be convenient, forward the appeal, together with its answer thereto, to the Secretary to the Appeal Board.

62 Duties of Secretary to Appeal Board

The Secretary to the Appeal Board shall immediately forward the appeal together with the answer of the Corporation, to the Chairman of the Appeal Board, who shall fix a time and place for the hearing of the appeal and shall notify the Corporation of the time and place. The Corporation shall thereupon transmit the notification to the other members of the Board and to the parties directly interested, including witnesses who are employees of the Corporation:

provided, however, that if in its answer to the appeal the Corporation intimates that it offers no objection to the appeals being allowed, the Appeal Board may allow the appeal without calling for the attendance of the appellant.

63 Promulgation of decisions of Board

The Secretary to the Appeal Board shall forward to the Corporation the decision of the Board and shall forward to the appellant a copy of the decision.

64 Right of appeal

If in any case the Corporation is of opinion that no right of appeal exists, the Corporation shall forward the notice of appeal to the Appeal Board with an intimation to that effect, setting out the Corporation's reasons for that opinion. If the Appeal Board concurs in that opinion, the appellant shall be notified accordingly. If the Appeal Board considers there is a right of appeal, the matter shall be referred to the Solicitor-General for the opinion of Crown counsel:

provided that the Appeal Board shall not be bound by that opinion.

65 Adjournment of sittings

The Appeal Board may adjourn its sittings from time to time and from place to place.

66 Board to determine appeals

The Appeal Board shall inform itself by the evidence adduced before it, and shall, subject to the provisions of the Act and these regulations, hear and determine all appeals according to equity and good conscience.

67 Facilities for members attending sittings

Members of the Appeal Board shall be accorded such facilities for attending the sittings of the Board as the Corporation may determine.

68 Witness resident at a distance

- (1) Where notice of appeal has been lodged and the Chairman of the Appeal Board is satisfied on the application in writing of the appellant or of the Corporation, that any person named in the application, including the appellant, can give material evidence on the appeal, and that the person resides more than 35 kilometres from the place appointed for the hearing of the appeal, or that the person is about to go and remain beyond that distance from the place until after the time appointed for the hearing, or that it is desirable for any other reason which the Chairman of the Appeal Board may approve, that the evidence of the person should be taken otherwise than at the hearing of the appeal, the Chairman of the Appeal Board may arrange for a District Court Judge to take the evidence. The District Court Judge so acting shall fix a time and place for the examination of the person.

- (2) Notice of the intention to hold the examination and the time and place fixed therefor shall forthwith be given to the appellant and to the Corporation.
- (3) The procedure on examination shall, except as may be otherwise prescribed, be the same in all respects as if the examination were the hearing of the appeal.
- (4) All evidence given at the examination shall be taken on oath or be solemnly affirmed and shall be reduced to writing. The writing shall be signed by the District Court Judge before whom it is taken and by the person or persons giving the evidence respectively, and shall be forwarded by the District Court Judge to the Chairman of the Appeal Board, together with all books, documents, papers, writings, and things admitted in evidence or copies thereof.

69 Right of Board to fix costs

The costs of the examination may be fixed by the District Court Judge on the same scale as is allowed by the Appeal Board. The costs, as fixed by the District Court Judge, shall be dealt with by the Board as if they had been incurred at the hearing.

70 Giving evidence from a distance

Every person giving evidence at the examination shall be deemed to have given his evidence in the appeal, and in any appeal it shall be sufficient to allege that the examination was held under the provisions of the Act. The written record of the evidence of any person given at the examination purporting to have been signed as aforesaid shall be judicially noticed by the Appeal Board without any further proof.

Part 8

Duties and conduct

71 Duties to be performed as specified

The duties ordinarily to be performed by employees and the discipline to be observed in the performance of those duties shall be as specified in the Corporation's rules, regulations, codes of special instructions, and any other authorised instructions, general or special, which may be issued from time to time either in writing or orally, and every employee shall obey strictly all such rules, regulations, codes, and instructions.

72 Assignment of duties

Every employee shall, as far as practicable, have his ordinary duties specifically assigned to him, but he may be required to perform any other duty if the exigencies of the Corporation so demand.

73 Employees to seek guidance

Every employee who does not fully understand the duties assigned to him must immediately seek instructions and guidance, and no excuse of lack of knowledge shall be admitted in extenuation of any irregularity or neglect.

74 Hours of duty

Every employee shall attend for duty punctually at the hours assigned to him from time to time by his controlling officer.

75 Absence from duty

No employee shall—

- (a) absent himself from duty; or
- (b) leave his post during working hours; or
- (c) alter his assigned hours of duty; or
- (d) exchange duty with any other employee,—

without first obtaining the permission of his controlling officer.

76 Employees to attend for duty when instructed

When the exigencies of the Corporation so require and when so instructed by his controlling officer, an employee shall attend for duty at any time, whether or not the attendance involves the working of overtime.

77 Employees to advise controlling officer when unable to attend for duty

Any employee who for any reason is prevented from attending for duty at the appointed time shall send notice as soon as possible of the fact and the cause to his controlling officer, who shall forthwith verify the circumstances (if considered necessary) and take such other action as the occasion requires.

78 Employees to produce medical certificates

- (1) Where an employee is prevented, as a result of illness or accident, from reporting for duty for any continuous period exceeding 24 hours, the Corporation may require the employee to produce a certificate from a registered medical practitioner setting forth the nature of the employee's illness or the injuries sustained by him and the probable duration of his absence from duty.
- (2) Where the period of absence exceeds 1 week, the Corporation may, at such intervals of time as the Corporation may determine, require additional certificates from a registered medical practitioner nominated by the Corporation.
- (3) Unless otherwise decided by the Corporation, the fee for the certificates referred to in subclauses (1) and (2) shall be paid by the employee.

79 Employees notifying address, change of address, or marital status

- (1) Every employee on first taking up duty shall inform his controlling officer of his residential address and the name and residential address of his next of kin, and thereafter shall promptly inform his controlling officer of any change of his next of kin, or of his own or his next of kin's address.
- (2) Every employee shall inform his controlling officer promptly of any change in his marital status.

80 Members and probationers to reside in locality specified by Corporation

If the Corporation considers it to be desirable in the interests of the Corporation that a member or probationer should reside in any specified locality, it may direct the member or probationer to reside in that locality.

81 Members or probationers to transfer to locality specified by Corporation

Every member or probationer directed by the Corporation to do so shall transfer from any locality to any other locality or from any branch of the Corporation to any other branch of the Corporation, and any member or probationer who refuses or neglects to comply with any instruction directing him to transfer shall be liable to dismissal.

82 Conduct of employees

Every employee shall at all times conduct himself in a proper and seemly manner.

83 Employees to be courteous

Every employee shall be courteous and obliging, and when asked shall give his name without hesitation. He shall also take care to give correct information and to afford every proper facility to persons having business with the Corporation.

84 Protection of Corporation property

Every employee shall at all times take proper precautions to protect the property of the Corporation or any property or goods in the custody of the Corporation from loss, waste, or damage. Each employee shall inform his controlling officer promptly of any such property which he may observe exposed or liable to loss, waste, or damage.

85 Employees forbidden to convert Corporation property to their own use

No employee shall convert to his own any property belonging to the Corporation or any property or goods in the custody of the Corporation. The fact that the property or goods may appear to be useless or abandoned shall not constitute an excuse for any such conversion.

86 Employees forbidden to solicit gratuities

No employee shall solicit any gratuity from any person under circumstances that relate to his employment in the Corporation.

87 Employees forbidden to seek outside influence

Every employee who directly or indirectly seeks the influence or interest of any person or persons outside the Corporation with a view to obtaining promotion, transfer, or any benefit or advantage in the Corporation whatsoever shall be liable to dismissal.

88 Employees not to divulge official information without authority

Every employee who—

- (a) communicates any official information to any person, except in the course of his official duty; or
- (b) communicates any official information to the press, without the authority of the General Manager or the Corporation; or
- (c) uses any official information, except in the course of his official duty; or
- (d) shows any document or book, being the property of the Corporation, to any person, except in the course of his official duty—

shall be liable to dismissal.

89 Employees not to give testimonials

Unless otherwise authorised by the General Manager, no employee shall—

- (a) give any certificate of service or testimonial of character to any person regarding any person who is or has been an employee, or
- (b) take for his own use from any person any article of a kind offered for trial by that person for use by or for the purposes of the Corporation or give to any person any certificate or testimonial regarding any such article or any article of a kind in use by the Corporation, or any article which is the property of the Corporation.

90 Members, probationers, and apprentices not to engage in private employment

- (1) Except with the permission of the Corporation, which permission may at any time be withdrawn, no member, probationer, or apprentice shall—
 - (a) accept or discharge the duties of or be employed in any paid office in connection with any commercial business, whether the business be carried on by any corporation, company, firm, or individual; or
 - (b) engage in any such business, whether as principal or agent; or
 - (c) engage in the private practice of any profession or trade.

- (2) Nothing in subclause (1) shall prevent an employee from becoming a member or shareholder only of any incorporated company or of any company or society of persons registered under any Act.

91 Activities on public bodies

- (1) If an employee proposes to offer himself for appointment or election to any office on the council or board of any public or local authority he shall notify the General Manager of the proposal in time for him to communicate to the employee the Corporation's decision as to whether or not the proposal is approved. Approval shall be given in cases other than those in which, in the opinion of the Corporation, the duties of the office would interfere with the due and proper discharge of his duty as an employee of the Corporation.
- (2) If any employee holds or is appointed to or elected to any office on the council or board of any public or local authority and the Corporation is of the opinion that the duties of the office interfere with the due and proper discharge of his duty as an employee of the Corporation, the Corporation may call on the employee to resign the office.

92 Smoking on duty

Unless authorised by his controlling officer, no employee shall smoke while on duty.

93 Intemperance of employees

- (1) Any employee who while on duty shows any effects whatsoever of having consumed alcoholic liquor or of having taken harmful drugs shall be liable to dismissal.
- (2) Any employee who while on duty consumes, takes, or has in his possession, custody, or control, otherwise than for the purposes of section 26 or section 27 of the Act or for conveyance or delivery by the Corporation in the ordinary course of business, any alcoholic liquor or harmful drugs shall be liable to dismissal.
- (3) Any employee who by reason of his consuming alcoholic liquor or taking harmful drugs while off duty or by reason of misconduct fails or is unable or unfit to take up duty at the appointed time shall be liable to dismissal.
- (4) Every employee shall report immediately to his controlling officer every instance that comes to his notice where he has cause to believe that any other employee, while on duty or at or about the time he is due to commence duty,—
- (a) shows any effects whatsoever of having consumed alcoholic liquor or of having taken harmful drugs; or
 - (b) consumes, takes, or has in his possession, custody, or control, otherwise than for the purposes of section 26 or section 27 of the Act or for conveyance or delivery by the Corporation in the ordinary course of business, any alcoholic liquor or harmful drugs.

Part 9

Charges and complaints

94 Procedure for laying complaints

- (1) Every complaint made by an employee against another employee which, in the opinion of the complainant's controlling officer or of his district officer or head of branch, is of a serious nature shall be—
 - (a) made in writing; and
 - (b) signed by the complainant; and
 - (c) made to the complainant's controlling officer or his district officer or head of branch within 3 days after the subject-matter of the complaint came to the complainant's knowledge.
- (2) If the complainant fails to comply with the requirements of paragraphs (a), (b), and (c) of subclause (1), it shall be presumed that the complaint was frivolous or trivial or that the complainant was actuated by malice, unless the Corporation decides to the contrary.
- (3) Every complaint made against an employee by a person not employed in the Corporation shall, where possible, be obtained in writing and signed by the complainant.

95 Employees to furnish explanation

- (1) Notwithstanding regulation 94, the controlling officer of any employee, or any member whose duty it is to do so, may, if there is any reason to believe that an employee has been guilty of misconduct or that there are grounds for complaint against him, require the employee or any other employee to furnish an oral or written explanation.
- (2) Except in the case of an employee who is convicted by a court of competent jurisdiction of any crime or offence, no penalty (other than suspension for consuming alcoholic liquor while on duty or for showing the effects while on duty of having consumed alcoholic liquor) shall be imposed on an employee under section 93 of the Act until he has been supplied with a written statement of the charge or complaint and has been given an opportunity of furnishing an explanation.

96 Corporation may institute inquiry

If in the opinion of the Corporation the circumstances of any charge or complaint so warrant, it may appoint any employee or employees to hold an inquiry and the Corporation may suspend from duty the employee or any or all of the employees implicated.

Part 10

Penalties

97 Failure to perform duties

Every employee who fails to perform the duties assigned to him in an efficient manner shall be liable to dismissal.

98 Imposition of penalties

The penalties authorised by section 93 of the Act may be imposed on any employee who is convicted by a court of competent jurisdiction of any crime or offence related to or affecting his employment.

99 Controlling officer to report employee

Every controlling officer shall report promptly any instance that comes to his notice where any employee becomes liable to a penalty by virtue of section 93 of the Act, whether by reason of regulation 98 or by reason of any breach of these regulations.

100 Alternatives to dismissal

Any person who for a breach of these regulations is liable to dismissal may, instead of dismissal, be subjected to suspension, reduction in status, or reduction in pay.

101 Suspension of employee

- (1) Every controlling officer may suspend from duty forthwith any employee under his charge whom he deems to be or to have been inefficient or guilty of carelessness or misconduct if the circumstances, in the opinion of the controlling officer, render suspension desirable in the interests of safety or the general interests of the Corporation; and, in like circumstances, every controlling officer may suspend from duty forthwith any employee who, in the opinion of the controlling officer, fails or has failed to observe or perform in a proper and efficient manner any of the rules, regulations, or instructions of the Corporation or any other instruction duly issued or given by any employee in authority. If the controlling officer of any employee in respect of whom any question of suspension arises is absent or not readily available, the senior member present (exclusive of the last-mentioned employee), irrespective of the branch of the Corporation in which he is employed, shall be deemed to be the controlling officer of that employee for the purposes of this subclause.
- (2) Every such suspension shall be confirmed as soon as reasonably practicable by the suspending member or by his controlling officer or by the controlling officer of the suspended employee, by notice to the employee in writing which shall contain a statement of the reasons therefor.

102 Notification of suspension of employees

Any member who suspends any employee shall telegraph the facts forthwith to the General Manager, and to his own and to the suspended employee's district officer or head of branch, as the case may require.

103 Payment of wages during suspension

No employee shall be paid any salary, wages, or other emoluments in respect of any period for which he is under suspension unless the Corporation is satisfied after investigation that the employee was not guilty of action or conduct warranting suspension.

104 Suspension of employees not on duty

An employee may be suspended notwithstanding that at the time of suspension he is for any reason not on duty.

105 Notification of penalty

Where a penalty is imposed on any employee he shall be informed in writing of the offence for which he is punished and of the penalty imposed.

106 Forfeiture of privileges on dismissal

Where an employee is dismissed from the service of the Corporation, all privileges to which he is or had become entitled as an employee shall, subject to the provisions of the Act, be forfeited.

Part 11 Accidents

107 Employees to report accidents sustained while on duty

Every employee who, while on duty, meets with an accident, however slight, shall report the fact immediately to his controlling officer.

108 Employees not to expose themselves to danger

- (1) Employees shall refrain from exposing themselves recklessly or unnecessarily to danger and as far as possible prevent such exposure on the part of others.
- (2) Employees whose duties compel them to be on or about the lines of railway shall, when possible, face the traffic, and when moving from one part of the permanent way to another be careful to avoid trains or vehicles travelling in either direction; they shall also look in each direction before crossing the line.

Part 12

Allowances and expenses

109 Special allowances

The Corporation may grant a special allowance to an employee—

- (a) for special work performed in the course of the employee's duty; or
- (b) in any other case it considers that the circumstances justify payment.

110 Gratuity instead of retiring leave

Instead of the retiring leave which may be prescribed for an employee, the Corporation may grant a gratuity not exceeding an amount equivalent to the value of the retiring leave computed at the employee's classified rate of salary or wages on the employee's last day of duty or on the expiry date of any leave granted to the employee, whichever is the later.

111 Employees with war disabilities

An employee in the general division with proven war disabilities—

- (a) who, on account of such disabilities, is unable to carry out the duties he would normally be required to undertake on his discharge from the Armed Forces; and
- (b) who, in the opinion of the Corporation, was, at the time of his discharge from the Armed Forces otherwise entitled to payment at the rate of wages then prescribed for an employee of his class, designation, grade, age, and length of service,—

shall, if transferred to a position or occupation in the general division for which a lower rate of wages is prescribed, be granted an allowance sufficient to bring his remuneration up to the classified rate of wages prescribed from time to time for the position or occupation from which he is so transferred, and that allowance shall be treated in all respects as wages.

112 Allowances for war disabilities

Any allowance granted in accordance with regulation 111 shall be subject to any adjustments which may, from time to time, be made in the classified rate of wages to which the employee would have been entitled had he not been transferred on account of war disabilities, but the employee shall not be entitled to an increased allowance in respect of any scale increment prescribed for the position or occupation from which he has been so transferred.

113 Allowances to cease

Where an employee who is granted an allowance in accordance with regulation 111 again becomes able to occupy the position or to follow the occupation in which he would normally have been employed on his discharge from the Armed Forces, but elects not to do so, or declines promotion to another pos-

ition, payment of the allowance shall cease as from the date on which the employee is instructed to resume his normal position or occupation or on which he is offered promotion.

114 Employees with defective vision or hearing

An employee in the general division who, on account of defective vision or hearing for which he is not entitled to compensation under the Workers' Compensation Act 1956 or the Accident Compensation Act 1972—

- (a) is unable to carry out the duties of the position or occupation to which he has been appointed; and
- (b) is transferred to a position or occupation in the general division for which a lower rate of wages is prescribed,—

may, while so transferred, be granted, at the discretion of the Corporation, an allowance sufficient to bring his remuneration up to the classified rate of wages prescribed at the time the transfer takes place for the position or occupation from which he is so transferred, and that allowance shall be treated in all respects as wages.

115 Adjustments to allowances for defective vision or hearing

Any allowance granted in accordance with regulation 114 shall be subject to any adjustments which may from time to time be made—

- (a) in the classified rate of wages to which the employee would have been entitled had he not been transferred; or
- (b) in the remuneration (including any allowances) for the position or occupation to which the employee is transferred,—

but the employee shall not be entitled to an increased allowance in respect of any scale increment or any special increase in the rate of wages prescribed for the position or occupation from which he has been transferred.

116 Cessation of allowances for defective vision or hearing

Where an employee who is granted an allowance in accordance with regulation 114 again becomes able to occupy the position or follow the occupation in which he was employed prior to his transfer to the lower paid position or occupation, but elects not to do so, or declines promotion to another position, payment of the allowance shall cease as from the date on which the employee is instructed to resume his normal position or occupation or on which he is offered promotion.

117 Expenses for families of employees transferred

- (1) When an employee is transferred from one locality to another to meet the exigencies of the Corporation, the employee shall be entitled to—
 - (a) free transport for his family; and

- (b) free conveyance of his bona fide household furniture and effects; and
 - (c) expenses reasonably and actually incurred by his family during the journey and for the following periods—
 - (i) prior to the commencement of the journey, 2 days:
 - (ii) after arrival at destination, 7 days:provided that the Corporation may extend or reduce any such period if it deems fit.
- (2) Expenses for members transferred at own request—
- (a) every member who is transferred from one locality to another at his own request shall be entitled to—
 - (i) free transport by railway for his family; and
 - (ii) free conveyance by railway only of his bona fide household furniture and effects:
 - (b) all other expenses incurred by or on behalf of the member's family in connection with the transfer shall be borne by the member.

118 Corporation to determine what expenses shall be payable

Any question arising in a particular case as to who is a member of the family of an employee or what are the bona fide household furniture and effects of an employee for the purposes of any determination shall be decided by the Corporation.

119 Expenses incurred by employees in connection with their duties

The Corporation may authorise the payment to an employee of the cost of any item of expenditure reasonably and actually incurred by the employee in connection with his duties and for which no other provision is made in these regulations or in any determination.

120 Employees to produce evidence of entitlement to allowances or expenses

Every employee who claims the payment of an allowance or the reimbursement of an item of expense shall produce such evidence that he is entitled thereto as may be required by the Corporation or the member having authority to authorise payment of the claim.

121 Receipts required in support of claim

Whenever a claim is made for reimbursement of any item of expense amounting to more than the amount or amounts determined from time to time by the Corporation, the claim shall be supported by a receipt for the amount actually paid by the claimant.

Part 13

Leave of absence

122 Leave of absence subject to satisfactory conduct

No leave of absence which may be granted to an employee in accordance with this Part shall be claimed as of right. The granting of any such leave of absence shall be subject to the satisfactory conduct of the employee.

123 Misuse of leave of absence

In every case where leave of absence is granted to an employee in accordance with this Part, his controlling officer shall satisfy himself that the employee utilises the leave for the purpose for which it was granted. Every employee who misuses any such leave of absence shall be liable to dismissal.

124 Emergency leave

The Corporation may grant emergency leave of absence to any employee for such purposes and for such period and subject to such conditions as the Corporation may deem fit.

125 Debiting of emergency leave

Emergency leave on pay granted in any leave year to an employee in the salaried division shall be recorded with any sick leave granted to that employee during the same leave year, and the total period of sick leave and emergency leave shall be taken into account for the purpose of determining the deduction (if any) which shall be made from the employee's annual leave.

126 Special leave

In special cases the Corporation may grant special leave of absence with or without pay on such terms and conditions as the Corporation thinks fit.

127 Promotion suspended while on special leave

Unless otherwise determined by the Corporation, the right of an employee to be considered for or receive promotion or to receive an annual increment shall be suspended for and during any period an employee is absent on special leave.

128 Retrospective grant of emergency leave or sick leave

Where an employee is absent from duty by reason of sudden illness, accident, or emergency and the Corporation considers the case to be one in which sick leave or emergency leave should be granted, such leave may be granted to commence from the beginning of the employee's absence and the absence shall thereupon be deemed to have been absence on leave accordingly.

129 Revocation of grant of leave

A grant of leave made in accordance with this Part or any portion of such leave not taken may, on notice to the employee, be revoked or modified if, by reason of changed circumstances, misrepresentation, or otherwise, the Corporation deems any such revocation or modification to be necessary.

Part 14

Employees qualifying in an engineering or other profession

130 Corporation scholarships

- (1) The Corporation may, in accordance with the provisions of this regulation, award in each year 1 or more scholarships.
- (2) The scholarships may be awarded to any member of the Corporation.
- (3) Corporation scholarships shall, unless the Corporation or the General Manager directs otherwise, be awarded annually in November.
- (4) Eligibility for the award of a Corporation scholarship shall be as determined by the General Manager.
- (5) Corporation scholarships shall be awarded and taken on the following terms—
 - (a) each such scholarship shall be tenable up to 4 years:
 - (b) the scholarship holder shall undergo such special training in technical and administrative work as may be considered by the General Manager to be of mutual benefit to the scholar and the Corporation:
 - (c) the scholarship holder shall be encouraged to qualify for a university degree, or for associate membership of an approved professional institution:
 - (d) any scholarship holder shall become entitled to special leave on pay for the purpose of attending up to a 2 years' course of study and training at a university:

provided that if the scholar makes satisfactory progress at his studies the Corporation may, at its discretion, extend the period of special leave on pay for an additional 2 years to enable the scholar to qualify for a university degree:
 - (e) the scholarship holder shall duly procure term reports on his attendance and progress to be obtained from the university he is attending, and to be produced to the General Manager; and if at any time any such reports show, in the General Manager's opinion, that the scholarship holder is abusing the concession granted to him under this regulation, or that he is not utilising it to the best of his ability, the Corporation may terminate the special leave forthwith:

- (f) every scholarship holder who enters upon any such university course shall be paid at such rate as may from time to time be determined by the General Manager during the time he is occupied on the course. He shall be required to devote himself wholly to the objects of the scholarship and shall not during the period of special leave, without the prior approval of the General Manager, enter into any employment outside the Corporation:
 - (g) every scholarship holder shall resume duty in the Corporation during university vacations at his classified rate of wages:
 - (h) the scholarship holder shall not resign from or leave the Corporation during the period of his special leave or during the period of 5 years next following the expiration thereof, otherwise than by way of retirement with the consent or by the direction of the General Manager on the ground of being medically unfit for further duty; and, if required by the Corporation, the scholar shall enter into a bond, with or without bondsmen, in that behalf; but nothing in this paragraph shall be construed as a waiver on the part of the Corporation of the right to dismiss any scholarship holder from the service of the Corporation under any power in that behalf.
- (6) Where, in the opinion of the General Manager, it is impracticable for a scholar to comply fully with all or any of the foregoing provisions of this regulation, the General Manager shall determine the extent to which those provisions shall apply, and, in respect of any provisions of this regulation which he directs shall not apply, he may substitute such other provisions he deems desirable.

131 Special leave for employees attending university courses

- (1) In this regulation the term **employee** means any person employed in the Corporation as a member, probationer, or apprentice, but does not include any person temporarily employed in the Corporation.
- (2) The General Manager may, upon such conditions as he thinks fit, grant special leave of absence to any employee to enable him to attend a course of study and training at a university or other educational institution, whether in New Zealand or elsewhere, in furtherance of the employee's training in the Corporation.
- (3) Where leave of absence has been granted under subclause (2), the following provisions shall apply:
 - (a) 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 Corporation:
 - (b) the Corporation may authorise the payment on behalf of the employee of his university and tuition fees and may arrange for the supply or loan to

the employee of the textbooks necessary for the course of study; and all such textbooks shall be returnable on demand:

- (c) the Corporation may refund to the employee the whole or such part as the Corporation thinks fit of the amount expended by him in the purchase of approved textbooks:
- (d) the employee shall not during the period of his special leave, without the prior approval of the Corporation, enter into any employment outside the Corporation:
- (e) the employee shall continue any contributions for which he may be liable to the Government Superannuation Fund as if the special leave had not been granted:
- (f) the employee shall duly procure term reports on his attendance and progress to be obtained from the dean of the faculty at the university or the head of any other educational institution he is attending, and to be produced to the General Manager; and if at any time any such reports show, in the Corporation's opinion, that the employee is abusing the concession granted to him under this regulation or that he is not utilising it to the best of his ability, or if the exigencies of the Corporation at any time so require, the Corporation may terminate the special leave forthwith:
- (g) the employee shall, if so required, enter into a bond as security for compliance by him with the conditions upon which leave is granted.

Part 15

Free travel and travelling on duty

132 Free travel

The Corporation may grant to any person free travel on any Corporation services (including the free use of sleeping berths).

133 Travelling on duty

Every employee travelling on duty shall travel by Corporation services whenever reasonably practicable.

134 Travel by air

If an employee is required to travel by air, other than by a Corporation service, and any government means of such conveyance is available at the time, it shall be used. In every other case the least expensive means of conveyance shall be used.

135 Authority needed for sleeping berths

No employee who is required to travel on duty shall occupy a sleeping berth on a train free of charge, or be reimbursed with the cost of any such berth, without the authority of the Corporation.

136 Use of private vehicles on Corporation business

The Corporation may authorise an employee to use his own vehicle for travelling on duty, and the employee may be granted an allowance in recompense for the use thereof at such rate as may be fixed from time to time by the Corporation.

Part 16**Free passes, free tickets, and privilege tickets****137 Employees not to sell free passes, etc**

No employee shall—

- (a) sell or transfer or offer for sale or transfer any free pass, free ticket, or privilege ticket, or any order for any privilege ticket, or any order to obtain free passenger travel by the Cook Strait rail ferries; or
- (b) permit any person other than the person to whom or on whose behalf any such free pass, free ticket, privilege ticket, or order is sold or issued as the case may be, to make use of it; or
- (c) use or attempt to use any such free pass, free ticket, privilege ticket, or order without being entitled to do so; or
- (d) alter any such free pass, free ticket, privilege ticket, or order without authority; or
- (e) make any false statement relating to the age or occupation of any person or relating to any other matter on which the issue of a free pass, free ticket, or the charge for any ticket is dependent.

138 Forfeiture of passes, etc

- (1) In addition to any penalty to which he may be liable on being convicted of an offence against any Act or under any regulation of the Corporation, every employee who commits a breach of any of the provisions of regulation 137 or who, while using any free pass, free ticket, or privilege ticket, commits a breach of any regulation of the Corporation renders himself liable—
 - (a) to forfeiture of his right to receive free passes, free ticket orders, and privilege ticket orders, either permanently or for such period as the Corporation may specify; and
 - (b) to 1 or more of the penalties prescribed by section 93 of the Act.

- (2) Any person, other than an employee, to whom or on whose behalf any free pass or free ticket or free ticket order or privilege ticket or privilege ticket order is sold or issued, as the case may be, pursuant to these regulations who does anything prohibited by regulation 137, or who, while using any free pass or free ticket or privilege ticket, commits a breach of any regulation, renders himself liable to forfeiture of his right to receive free passes, free ticket orders, and privilege ticket orders either permanently or for such period as the Corporation may specify.

139 Restrictions on use of free passes, etc

- (1) Every free pass, free ticket, and privilege ticket issued under these regulations, or pursuant to any order or determination issued under the State Services Conditions of Employment Act 1977 in that behalf, shall be issued on the condition that it shall not be used for travelling to and from work outside the Corporation or in the exercise of any other commercial or professional pursuit other than for travel to and from work in the Corporation.
- (2) If any such free pass, free ticket, or privilege ticket is used in contravention of this regulation it shall be liable to confiscation, and the person so using it shall be liable to the forfeiture of any right he may have to the issue of any further free passes, free tickets, or privilege tickets.

140 Users of free passes, etc, to furnish evidence of identity on request

Every person presenting or using a free pass, free ticket, free ticket order, privilege ticket, or privilege ticket order shall, on demand, furnish proof of his identity.

141 Signature of person other than retired employee may be accepted in certain cases

If, as a result of illness or other unavoidable cause, a retired employee is unable to attend at the place at which privilege ticket orders are issued to sign a privilege ticket order, the signature of the retired employee's spouse or housekeeper, as the case may be, may be accepted instead of the signature of the retired employee.

142 Free passes, etc, to be subject to conditions

The use of any free pass, free ticket, or privilege ticket by any person shall be subject to such reasonable conditions or restrictions as the Corporation may from time to time impose.

143 Free passes and free tickets for families of employees

- (1) Where pursuant to these regulations or to any order or determination made in that behalf under the State Services Conditions of Employment Act 1977 an employee is entitled to a free pass or free ticket in respect of annual leave, a free pass or free ticket available for travel on such services as may be decided

from time to time by the Corporation may be issued in favour of each member of his family.

- (2) When the issue of a free pass or a free ticket in favour of any member of an employee's family coincides with the grant of annual leave to the employee, the free pass or free ticket issued to the member of the employee's family shall, subject to subclause (5), be available for the same period as the free pass or free ticket issued to the employee.
- (3) When a free pass or free ticket is issued to any member of an employee's family either before or after the granting of annual leave to the employee, the free pass or free ticket shall be available for a period equal to—
 - (a) the period of annual leave to which the employee is entitled in respect of the leave year for which the free pass or free ticket is issued; and
 - (b) 1 day in respect of each holiday which occurs during that leave year.
- (4) Not more than 1 free pass or free ticket shall be issued to any member of an employee's family in respect of each leave year except—
 - (a) when the employee is granted annual leave in 2 or more periods to suit the convenience of the Corporation, in which case free passes or free tickets may be issued for the periods of the parts of the annual leave; or
 - (b) when part of the annual leave is granted to the employee because of bereavement, sickness, or other exceptional circumstances, in which case a free pass or free ticket may, at the discretion of the Corporation, be issued for the period of that part of the annual leave.
- (5) Where an employee is permitted to accumulate his annual leave, each member of his family may be granted a free pass or free ticket for the period of the accumulated leave:

provided that where any member of the employee's family has previously received a free pass or free ticket in respect of a portion of the leave so accumulated that member of the employee's family shall not again be granted a pass or ticket in respect of that portion.
- (6) There may be issued in substitution for a free pass or free ticket pursuant to paragraph (1) to any member of an employee's family 2 free passes or tickets each available during the consecutive period of 2 months to be stated in the passes for 1 outward and 1 homeward journey between any 2 specified points on Corporation passenger services. Each of the 2 substituted passes or tickets shall be made available for the same period.
- (7) Except as provided in subclause (5) a free pass or ticket or substituted passes or tickets may be issued to any member of an employee's family either concurrently with the period of the employee's annual leave or at any time during a period of 12 months before or 13 months after the date on which that leave falls due.

- (8) Notwithstanding subclause (7), no member of an employee's family shall, unless otherwise authorised by the Corporation, receive a free pass or ticket or substituted passes or tickets during the period when the employee is qualifying for his first grant of annual leave.
- (9) Where an employee is granted an extension of leave at the expiry of his annual leave, there may be granted to each member of his family a single journey free pass or free ticket available for travel at any time during the period of the extended leave. The free pass or ticket shall be available from any specified point on Corporation passenger services to the point nearest the employee's place of residence.
- (10) Where an employee is entitled to a free pass or free ticket under subclause (1), an order authorising the issue of free tickets for 1 return passenger journey on the Cook Strait rail ferries may, on application by the employee, be issued in favour of any member of his family.
- (11) Cook Strait rail ferry tickets issued to any person under subclause (10) shall be subject to the following conditions:
 - (a) in any 1 leave year an employee shall not be issued with more than 1 order authorising the issue of free tickets for 1 return passenger journey in favour of each member of his family, except as provided in regulation 145(2):
 - (b) the total period of availability of the tickets shall not exceed 6 weeks.

144 Stores free pass for spouse or housekeeper of an employee

- (1) Instead of the free pass which may be issued pursuant to any order or determination made in that behalf under the State Services Conditions of Employment Act 1977 to an employee located and residing at a place at which domestic stores are unobtainable, there may be issued a free pass in respect of the spouse or housekeeper of that employee. Every such free pass shall be available for travel by railway once in each week between the place at which the employee resides and the nearest place at which domestic stores can be obtained.
- (2) Any free pass issued to an employee's spouse or housekeeper or to an employee residing at a place at which domestic stores are unobtainable may be extended to cover such of the employee's dependent children as are under 6 years of age.

145 Free passes and free tickets for families of retiring employees

- (1) A retiring employee who is granted retiring leave may, on application, be granted free passes or free tickets in favour of his or her spouse and dependent children. The free pass or free ticket shall be available for a period not exceeding 3 months, which period of availability may commence at any date not later than 6 months after the date on which the retiring leave of the retiring employee commences or would have commenced had he not elected to receive a gratuity instead of the leave.

- (2) In addition, an order may, on application, be supplied in favour of the retiring employee's spouse or any dependent child authorising a free return passenger journey on the Cook Strait rail ferries.

146 Privilege tickets for employees' families, retired employees and their families, and deceased employees' families

Privilege ticket orders for the issue of privilege tickets available for travel by railway between the stations shown in the order or by Cook Strait rail ferries may be issued in accordance with the table of this regulation to the applicants specified in column 1 of the table in favour of the persons specified in respect of each class of applicant in column 2 of the table:

Column 1 Applicant	Column 2 Persons in respect of whom privilege tickets may be issued
1 An employee to whom orders for ordinary privilege tickets may be issued pursuant to any order or determination made in that behalf under the State Services Conditions of Employment Act 1977	Members of his or her family
2 A retired employee	Himself, his wife or herself, her husband or housekeeper, and his or her dependent children
3 Widow or widower of deceased employee	Herself, himself and any dependent children of the deceased employee: provided that all such issues shall cease on the remarriage of the widow or widower
4 Widow or widower of deceased retired employee	Herself, himself and any dependent children of the deceased retired employee: provided that all such issues shall cease on the remarriage of the widow or widower
5 Guardian of the dependent child of a deceased employee or deceased retired employee	Any dependent child of the deceased employee or deceased retired employee: provided that all such issues shall cease on the remarriage of the widow or widower of the deceased employee or deceased retired employee, as the case may be

Part 17

Occupation of Corporation premises and sleeping accommodation

147 Conditions of occupation of Corporation premises, etc

- (1) Where, in the opinion of the Corporation, it is necessary for the purpose of his employment and for the efficient discharge of his duties that an employee should occupy any premises or any sleeping accommodation provided by the Corporation and, in the opinion of the Corporation, suitable for that purpose, it shall be a condition of his employment or continued employment that the employee shall occupy the premises or the accommodation when required by the Corporation to do so.

- (2) There shall be deducted from the salary or wages of every employee occupying any such premises or any sleeping accommodation such periodical amount as the Corporation may from time to time determine as constituting the value of the accommodation so provided, and the services, if any, accorded therewith. The amount of the deduction shall from time to time be notified to the employee.
- (3) The employee shall vacate the premises or sleeping accommodation, as the case may be, at any time when directed to do so by the General Manager, and shall comply with the direction according to the terms thereof. When the employee ceases to be employed in the service of the Corporation he shall vacate the premises or sleeping accommodation immediately without any further notice than the provisions of this subclause.
- (4) The employee shall take proper care of the premises or sleeping accommodation, as the case may be, and of all fittings and fixtures belonging thereto, and shall not without the written permission of the General Manager make any alteration or addition thereto, whether structural or otherwise.
- (5) The employee shall, when vacating the premises or sleeping accommodation, as the case may be, leave the same and the fittings and fixtures belonging thereto in good, clean, and tenantable order, repair, and condition (fair wear and tear and damage by fire or other inevitable calamity excepted).
- (6) The employee shall, when vacating the premises or sleeping accommodation, as the case may be, leave in each lighting fixture therein electric-light globes, or incandescent-gas burners, as the case may be, in good condition and of the same quality and power as those provided when he took possession of the premises or sleeping accommodation.
- (7) The employee shall be responsible for the sweeping of all chimneys at his own expense entirely.
- (8) The employee shall be responsible for the safe custody of all keys supplied to him; and, when vacating the premises or sleeping accommodation, as the case may be, the keys shall, unless otherwise directed, be delivered to the employee's controlling officer.
- (9) If the employee fails to comply with subclauses (4), (5), (6), (7), and (8), the cost to the Corporation of the necessary replacements, repairs, or cleaning, as the case may be, may, without prejudice to any other remedy which the Corporation may have, be deducted from the wages or salary of the employee.
- (10) The employee shall not be entitled to the exclusive or any possession of the premises or sleeping accommodation, as the case may be, and any person authorised by the Corporation may at any time enter therein for the purpose of inspecting the same or effecting alterations, repairs, or additions thereto, or for any other purpose.
- (11) The employee shall not, without the previous written permission of the Corporation, which may at any time be withdrawn, part with the possession of the

premises or any part thereof, or of the sleeping accommodation or any part thereof.

- (12) The Corporation shall not be responsible for any loss or damage to the employee's furniture or other effects in the premises or sleeping accommodation, as the case may be, which may be caused by fire or otherwise.

Part 18

Employees leaving the Corporation

148 Notice to be given

- (1) No member or probationer shall leave the service of the Corporation without giving to his controlling officer 2 weeks' notice in writing of his intention to do so.
- (2) Any temporary employee, except a temporary employee engaged on an hour-to-hour basis, shall give to his controlling officer 1 week's notice of his intention to leave the service of the Corporation.
- (3) If any employee leaves the service of the Corporation without giving notice as aforesaid, any salary, wages, or other emoluments due to the employee may be forfeited to recoup the Corporation in whole or in part for any loss, damage, or expense which may be occasioned by his leaving without giving the notice.

149 Corporation property to be returned

No person shall, on leaving the service of the Corporation, be paid any money which may be due to him until he has delivered up to his controlling officer any property of the Corporation with which he has been supplied or which he may have in his possession or under his control. If any such property has been lost, or damaged by improper use, a deduction may be made from any money due to the employee sufficient to cover the damage or the estimated value of the article lost, as the case may be. If that money is insufficient for the purposes, the person shall make good the deficiency.

Part 19

Reduction of staff

150 Corporation may authorise when necessary

If and whenever the Corporation decides that it is necessary to reduce the staff of the Corporation, it may direct that the services of a specified number of employees shall be dispensed with, and may make such equitable arrangements to give effect to the direction as it may deem fit.

151 Employees may be temporarily laid off in certain cases

- (1) If at any time the Corporation is of the opinion that there is for the time being insufficient work to keep any employee or any class of employees gainfully occupied in his or their normal occupation, it may direct, by notice in writing to that employee or to the members of that class, as the case may be, that, while the notice remains in force, the services of the employee or members of the class are not required; and every such notice shall take effect according to its tenor.
- (2) Every such notice shall state the time and date from which it is to take effect, and shall remain in force for such period as may be specified therein, or, if no such period is specified, until it is revoked by the Corporation.
- (3) While any such notice remains in force, no employee to whom it relates shall be entitled to any remuneration by way of salary or wages, or allowances, nor shall he be obliged to perform any duty that he would, but for the notice, normally be obliged to perform.
- (4) Without limiting any other method of notification, an employee or class of employees shall be deemed to have been notified of the existence of any notice made under this regulation or of the revocation of any such notice, if the notice or, as the case may be, the revocation of the notice, is notified to any trade union of which the employee is a member or, in the case of a class of employees, of which the employees of that class are members.
- (5) Except as specifically provided in this regulation, where any notice made under subclause (1) is for the time being in force, nothing shall affect the rights and obligations of the Corporation as employer or the rights and obligations as employees of the persons to whom the notice relates.
- (6) On the expiration or, as the case may be, revocation of any notice made under this regulation, every employee to whom the notice relates (unless he or the Corporation has sooner terminated his employment in the Corporation) shall be under an obligation to report for duty at the normal time for the commencement of his duty on the next day on which he would, but for the notice, have been under an obligation to report.

152 Particulars of employees dispensed with to be retained

The following particulars regarding every employee whose services are dispensed with in pursuance of regulation 150 shall be recorded in the General Manager's office—

- (a) name and occupation in the Corporation at the time when his services were dispensed with; and
- (b) address in New Zealand.

153 Re-employment of ex-employees

- (1) Subject to the provisions of the Act with respect to appointments to positions in the Corporation, every such employee shall, in order of seniority of service, have the offer of re-employment in any position in the Corporation for which, in the opinion of the Corporation, he is qualified before any other person is appointed to the service to fill that position.
- (2) Every such offer of re-employment shall be sent to the ex-employee at his address recorded in accordance with regulation 152.

**Part 20
Revocations****154 Revocations**

The regulations specified in Schedule 2 are hereby revoked.

Schedule 1

Indenture of apprenticeship

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This indenture of apprenticeship is made pursuant to section 82 of the New Zealand Railways Corporation Act 1981 (referred to in this indenture as the **Act**), this *[date]*, between *[full name, designation, and location of employee authorised by the Corporation to act as a master for the purposes of the said section 82, and his successors in office]* (in this indenture referred to as the **master**) of the first part, *[full name, address, and occupation of the apprentice's parent or guardian]* (in this indenture referred to as the **guardian**) of the second part, and *[full name, address, and occupation of the apprentice]*, a minor born on *[date]*, (in this indenture referred to as the **apprentice**) of the third part and WITNESSES as follows:

- 1 **In consideration of** covenants hereinafter made by the said *[name of apprentice]*, the master hereby covenants on behalf of the New Zealand Railways Corporation (in this indenture referred to as the **Corporation**) with the apprentice and also (as a separate covenant) with the guardian—
 - (a) that the apprentice will be employed in the Corporation as an apprentice in the trade of *[specify]* (in this indenture referred to as the **trade**):
 - (b) that the term of the apprenticeship shall be neither less than 6 000 hours nor more than 9 000 hours and shall commence on *[date]*:
 - (c) that, subject to sections 82 and 83 of the Act, the apprentice will be employed in the Corporation throughout the prescribed term, during which the master will to the best of his power, skill, and knowledge train and instruct the apprentice in the skills of the trade:
 - (d) that the apprentice, during the term of his apprenticeship, shall be paid at such rates as may be prescribed from time to time by the Railways Industrial Tribunal constituted under the State Services Conditions of Employment Act 1977.
- 2 **In consideration of** the foregoing covenants, the apprentice and the guardian hereby jointly and severally covenant with the master and the Corporation that the apprentice will—
 - (a) faithfully and diligently serve the Corporation as an apprentice in terms of the Act for the prescribed term and subject to the conditions set out in this indenture:
 - (b) not divulge or communicate any confidential information acquired in the course of his duties as a railway employee:
 - (c) willingly obey the lawful commands of the master:
 - (d) not absent himself from his duties without leave:

- (e) not damage or permit damage to any property of the Corporation or of any person employed in the Corporation or to any other property in his custody or care or under his control in the course of his employment:
 - (f) in all things conduct himself in the manner of a good and diligent apprentice of the Corporation:
 - (g) at all times conform to the provisions of the Act and of any regulations made under the Act:
 - (h) undertake such courses of study and enter for such examinations as may from time to time be directed by the Corporation (whether or not the courses are held during ordinary working hours or are provided in the Corporation):
 - (i) diligently pursue the aforesaid courses during the whole term of the apprenticeship or during such shorter terms as the Corporation may determine.
- 3 **It is hereby further agreed and declared** that, for the purpose of providing the apprentice with a full and comprehensive training he may, with the consent of his guardian (if the apprentice is under 20 years of age), be transferred to another location for such period and upon such terms as the Corporation may determine or approve.

In witness whereof the parties hereto have set their hands the day and year first above written.

Signature:

[Full name of master, designation, and location]

In the presence of:

Witness:

Occupation:

Address:

Signature:

[Full name of parent or guardian]

In the presence of:

Witness:

Occupation:

Address:

Signature:

[Full name of apprentice]

In the presence of:

Witness:

Occupation:

Address:

(This indenture will be endorsed on completion of the apprenticeship.)

Schedule 2

Regulations revoked

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Government Railways (Staff) Regulations 1953 (SR 1953/34) (Reprinted with amendments Nos 1 to 33 (SR 1973/108))

Government Railways (Staff) Regulations 1953, Amendment No 2 (SR 1954/197)

Government Railways (Staff) Regulations 1953, Amendment No 4 (SR 1955/85)

Government Railways (Staff) Regulations 1953, Amendment No 5 (SR 1955/221)

Government Railways (Staff) Regulations 1953, Amendment No 6 (SR 1956/68)

Government Railways (Staff) Regulations 1953, Amendment No 7 (SR 1956/117)

Government Railways (Staff) Regulations 1953, Amendment No 8 (SR 1957/25)

Government Railways (Staff) Regulations 1953, Amendment No 10 (SR 1958/138)

Government Railways (Staff) Regulations 1953, Amendment No 13 (SR 1960/150)

Government Railways (Staff) Regulations 1953, Amendment No 14 (SR 1961/59)

Government Railways (Staff) Regulations 1953, Amendment No 15 (SR 1961/158)

Government Railways (Staff) Regulations 1953, Amendment No 17 (SR 1962/179)

Government Railways (Staff) Regulations 1953, Amendment No 18 (SR 1963/131)

Government Railways (Staff) Regulations 1953, Amendment No 20 (SR 1964/51)

Government Railways (Staff) Regulations 1953, Amendment No 23 (SR 1965/132)

Government Railways (Staff) Regulations 1953, Amendment No 24 (SR 1966/8)

Government Railways (Staff) Regulations 1953, Amendment No 25 (SR 1966/150)

Government Railways (Staff) Regulations 1953, Amendment No 26 (SR 1967/101)

**Government Railways (Staff) Regulations 1953, Amendment No 27
(SR 1967/245)**

**Government Railways (Staff) Regulations 1953, Amendment No 28 (SR
1968/105)**

**Government Railways (Staff) Regulations 1953, Amendment No 30 (SR
1969/172)**

**Government Railways (Staff) Regulations 1953, Amendment No 31
(SR 1970/125)**

**Government Railways (Staff) Regulations 1953, Amendment No 32 (SR
1971/238)**

**Government Railways (Staff) Regulations 1953, Amendment No 33 (SR
1972/228)**

Government Railways (Staff) Regulations 1953, Amendment No 34 (SR 1977/86)

Government Railways (Staff) Regulations 1953, Amendment No 35 (SR 1981/57)

**Government Railways (Staff) Regulations 1953, Amendment No 36
(SR 1981/341)**

P G Millen,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 18 March 1982.

Contents

- 1 General
- 2 Status of reprints
- 3 How reprints are prepared
- 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
- 5 List of amendments incorporated in this reprint (most recent first)

Notes**1 General**

This is a reprint of the New Zealand Railways Corporation (Staff) Regulations 1982. The reprint incorporates all the amendments to the regulations as at 1 February 1984, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted

enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)

- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

State Services Conditions of Employment Amendment Act 1987 (1987 No 17): section 20(3)(c)

New Zealand Railways Corporation Amendment Act 1983 (1983 No 110): section 5