

# FIRST REPORT

OF THE

# CIVIL SERVICE COMMISSION.

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PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY COMMAND OF  
HIS EXCELLENCY.

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WELLINGTON.

—  
1866.



## COMMISSION.

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G. GREY, GOVERNOR.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and  
Ireland, Queen, Defender of the Faith, and so forth :

To our trusty and well-beloved Charles Knight, Esquire, Auditor of Public Accounts for New Zealand, William Gisborne, Esquire, Under Secretary of New Zealand, William Seed, Esquire, Collector of our Customs at the Port of Wellington, in New Zealand aforesaid, and James Major Spence, Esquire, of the Civil Service of the Colony of Victoria.

WHEREAS the Governor of our Colony of New Zealand, with the advice of the Executive Council thereof, has deemed it expedient that a Commission should forthwith issue—To inquire generally into the clerical strength and efficiency of the several departments of the Public Service: And especially as to the numbers, age of admission, rules of advancement and promotion, and remuneration of the several Clerks and higher Officers of the said departments: And to report such improvements in the organization of the same, by way of consolidation or otherwise, as may, in the opinion of you, the Commissioners hereinafter named, promote efficiency and economy: Also to inquire and report on the subject of retiring and other allowances and pensions: And especially whether the same should be provided by a contribution from the clerks in the nature of a Benefit Society; and if so, whether the said contribution should be compulsory, and therefore general, or only voluntary: Also to inquire and report as to the manner in which an Income Tax might be raised, and the most effective and economical mode of raising the same, and especially what proportion the cost of collection would probably bear to the gross amount of Tax collected:

Now know ye that we, reposing great trust and confidence in your knowledge and ability, have authorized and appointed, and by these Presents do authorize and appoint you

CHARLES KNIGHT,  
WILLIAM GISBORNE,  
WILLIAM SEED, and  
JAMES MAJOR SPENCE,

to be Commissioners for the purpose aforesaid: And for the better effecting the purpose of this Commission, we do give and grant you power and authority to call before you such persons as you shall judge likely to afford you any information upon the subject of this Commission, and to inquire of and concerning the premises by all other lawful means and ways whatsoever: And this Commission shall continue in full force and virtue, and you the said Commissioners may, from time to time, and at any place or places, proceed in the execution thereof, and of every matter and thing thereof contained, although the inquiry be not regularly continued from time to time by adjournment, and also that the before-named Charles Knight be the Chairman of you the said Commissioners: And lastly, that you do, with as little delay as possible, report to us, under your hands and seals, your opinion, resulting from the said inquiry, of the matter and things set forth in this our Commission.

In testimony whereof we have caused these our letters to be made Patent, and the Seal of our said Colony to be hereunto affixed.

Witness our trusty and well-beloved Sir George Grey, Knight Commander of the Most Honorable Order of the Bath, our Governor and Commander-in-Chief in and over our Colony of New Zealand and its Dependencies, at the Government House, at Wellington, in New Zealand aforesaid, on the twenty-third day of May, in the year of our Lord one thousand eight hundred and sixty-six, and in the twenty-ninth year of our Reign.

(L.S.)

By command,

E. W. STAFFORD.



# FIRST REPORT

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# CIVIL SERVICE COMMISSIONERS.

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To His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of the Colony of New Zealand, and Vice-Admiral of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

THE Royal Commission issued by your Excellency on the 23rd of last month, authorized and appointed us to inquire generally into the clerical strength and efficiency of the several departments of the public service; and especially as to the numbers, age of admission, rules of advancement and promotion, and remuneration of the several clerks and higher officers of the said departments; and to report such improvements in the organization of the same, by way of consolidation or otherwise, as may in our opinion promote efficiency and economy. Also, to inquire and report on the subject of retiring and other allowances and pensions, and especially whether the same should be provided by a contribution from the clerks, in the nature of a benefit society; and, if so, whether the said contribution should be compulsory, and therefore general, or only voluntary. Also, to inquire and report as to the manner in which an Income Tax might be raised, and the most effective and economical mode of raising the same; and especially what proportion the cost of collection would probably bear to the gross amount of tax collected.

2. We propose in this report to take a general view of the existing Civil Service of this Colony, Purpose of first Report. and to suggest principles for its reorganization, and also to indicate broadly, in several directions, the means, in our opinion, of effecting in it considerable economy without impairing the efficiency of its administration.

3. We propose to include in a future report a series of special departmental reports, containing a detailed account of our inquiries into various departments, and any changes which we think they need. Further Reports. We also propose, in a separate report, to reply to the question referred to us in relation to an Income Tax.

4. The Constitution and Laws of the Colony of New Zealand render the civil administration of affairs in it in many essential respects dissimilar to that in any other Colony, and this organic difference presents at the outset various anomalies. There are actually in the Colony ten Civil Services (one Colonial and nine Provincial), each entirely independent of the other in those executive functions which the law absolutely imposes on it. Nor are those functions of the nine Provincial Executives of that minor kind the exercise of which requires only a small and unimportant staff in each Province, for they include the conduct of Immigration, the construction of Public Works, and the preservation of life and property in settled districts. In none of these services has, so far as we are aware, any systematic organization been established. Moreover, while the general relation of a Provincial Executive to the Executive of the Colony is one of independence, Provincial Governments have, under delegated authority or by mutual arrangement, acted as the representative of the General Government in important branches of administration (including the survey, sale, and management of land). It has been often necessary both for the sake of economy and of efficiency, that an officer of the General Government should also be a Provincial officer. In alluding to these matters we desire not to enter into, or to express an opinion upon, political questions outside of the sphere of our duty, but merely to illustrate the complication of the subject in connexion with that one Civil Service into which we have to inquire, and the difficulty of unravelling it with a view to the adoption of administrative reforms. We have no authority to examine Provincial Civil Services, but in order to facilitate our duties, the Honorable the Colonial Secretary has, on our suggestion, asked the several Superintendents of Provinces to furnish for our information returns of Provincial Services, showing in each case when Provincial officers also hold any office under the General Government. As these returns will be in the same form as the return (to be presented to the General Assembly) of officers of the General Government, we recommend that they, when they are received, should be presented together with it, in order to complete the Official Directory of New Zealand. Review of existing Civil Service.

5. The Commissioners appointed in Victoria, in 1859, to report on the Civil Service of that Colony, make the following remarks on its condition at that time:— Victorian Civil Service in 1859.

“The radical defect of the present condition of the Civil Service is the total absence of any general rules. There is no rule as to appointments; no rule as to promotion; no rule as to dismissals; no rule as to leave of absence; no rule as to superannuation. There are few defined degrees of rank; there is no uniform correspondence between salary and duty; and there are variations of salary between officers of equal rank, who perform similar duties. Although, according to the theory of our Constitution, the Civil Service is a uniform body, under the control of the Governor, assisted by a Council composed of the political chief officers of the various Departments into which the service is divided, yet, from the absence of any formal regulations, the service has practically become fragmentary, and is split up into small departmental subdivisions, each of which regards itself as distinct from even kindred offices. We think, therefore, that the first step to remove these anomalies, and to restore to the service its natural and lawful unity, is the establishment of a proper system of classification.”

Applicability to New Zealand Civil Service.

6. These remarks accurately describe the present condition of the Civil Service of New Zealand, except only so far as superannuation is concerned, the Legislature having made liberal provision under that head. The peculiar political position of that service, the number of distinct and widely separated settlements over which it is spread, and the Native disturbances during the last five years, which have imposed on the Government military duties of no ordinary magnitude, fully account for that condition, but they have also aggravated its evils.

Results of absence of organisation.

7. This absence of systematic organisation has naturally resulted in confusion and irregularity. No fixed principles have existed to harmonise and cement the structure of the service. That twofold spirit of independence and emulation, which arises from a reasonable security of tenure, and probability of preferment, and which is so essential to the good of the public service, is feeble and languid. Appointments, pay and promotion, depend more upon fortuitous events than on settled principles. The best intentions of a Government, or of a Legislature will, under these circumstances, be practically frustrated. A settlement, however just, abstractedly considered, of individual claims, often results in reference to the service generally, in discontent, disorganization, and even in positive injustice. Protracted and fruitless discussion, in Parliament, of estimates,—private importunity,—neglect of many deserving claims, and the gradual deterioration of the service, are the consequences of this state of affairs. The defective vitality of such a Service is in vain supplemented by its numerical increase. The remedy only aggravates the disease, by creating in the lower ranks of office a disproportionate excess of under paid officers. The Civil Service of this Colony painfully illustrates this argument. The number of individuals in official capacities, paid under appropriations of the General Assembly is 1602. This number includes Country Postmasters, Native Assessors, &c., but excludes the Colonial Forces. The amount paid in salaries and fees, during the year 1865, is £193,404. The number of chief clerks of offices is thirty-five; the average rate of their annual salary is £281 8s. The number of other clerks is three hundred and eight; their average rate of salary is £175 17s. We have made careful inquiries from the Banks and principal Mercantile firms in the Colony, respecting the salaries which services of a kind similar to those rendered by officials usually command. We subjoin, although for obvious reasons without the names of our informants, the results of the information which we have obtained, from which it will be seen that the average salaries paid by Government to subordinate officers are lower than the current rates in the Colony, and a comparison with the salaries of the higher grades of officers will show that, generally speaking, those salaries are less than those paid to persons in a corresponding position in private establishments.

Numbers and salaries of the Civil Service.

Rates of salaries paid in mercantile firms and banks.

MERCANTILE FIRMS.

CHIEF MANAGER, NOT BEING A PARTNER. BRANCH MANAGERS, AND ACTING SOMETIMES AS SALESMEN OR CLERKS.	SALESMAN, SOMETIMES COMBINED WITH OTHER DUTIES.	CORRESPONDING CLERK, SOMETIMES COMBINED WITH OTHER DUTIES.	FIRST-CLASS ACCOUNTANT, GENERALLY COMBINED WITH CASHIER.	CASHIER.	CLERKS AND JUNIORS.
1.	2.	3.	4.	5.	6.
£400	£200	... ..	£200	... ..	£50 to £150
... ..	£500	... ..	£350	... ..	£200
... ..	... ..	... ..	... ..	... ..	£250 and £100
... ..	£200 to £250	... ..	£250	... ..	£150
... ..	£300	... ..	£300	... ..	£300 to £150
... ..	£300	£200	£200	... ..	£150
... ..	£400 to £250	£300	... ..	... ..	£200 to £250
... ..	£200, increasing £10 yearly	... ..	£300, Christmas douceur £20	... ..	Commence at £150, advance £10 per annum
£300	£260	... ..	... ..	£260	£150
£400	£350 and £350	... ..	£400	£300 and house	£350 to £50
£300 and house	... ..	... ..	... ..	... ..	... ..
£350 and house	£200 to £300	£250	£300 to £400	£300	£150 to £200
£500 to £1000	... ..	... ..	£300	... ..	£150 to £200
£400	£300	£300	... ..	£240	£100
... ..	... ..	... ..	... ..	£250	£80 to £150
£300	£200	£250	... ..	£200	£150
£400	£200	... ..	£350	... ..	£130 to £300
... ..	£400	£300	£350	£300	£200 to £300
... ..	... ..	... ..	£300, and Cashier	... ..	... ..
... ..	... ..	... ..	£400 do.	... ..	£200, increasing £50 to £300
... ..	£130 with dwelling-house	... ..	... ..	... ..	£182
... ..	£300	... ..	£200	£150 and £200	£75 and £40

BANKS.

MANAGER.	SECRETARY.	ACCOUNTANT.	TELLER.	LEDGER KEEPER.	JUNIORS.
£400 to £1000	... ..	£250 to £600	£200 to £350	£150 to £300	£50 to £150.

8. The general principles upon which we think that the proper organization of the Civil Service Principles should be based are the following, namely:—Classification; promotion from class to class; salaries with minimum and maximum limits, and with annual increments for each class; rules of discipline; retirement and other allowances, in certain cases.

9. We hope that by these means public servants may be enabled to feel that they are officers, not Improved position of a department, but of a government in which they have a recognized status; and that efficiency and length of service will uniformly lead to preferment, and that reasonable provision has been made for retirement and other allowances, in certain cases. of public servants.

10. These principles are recognized in the legislation of the United Kingdom, Canada, the Cape Draft Civil Service Bill, of Good Hope, and the Australian Colonies, and we feel assured that, with some modifications of detail, they would, after a fair trial, be successful in New Zealand. We have accordingly prepared a draft Civil Service Bill, which we enclose. It will be convenient, if we now proceed to offer such explanations on the chief provisions in this Bill as may be necessary for their elucidation, and in their support.

11. In the exceptions specified in the first clause of the Bill we have not included officers of the General Government who also hold Provincial offices, as often it is desirable, on grounds of economy and on other grounds, that offices under both Governments should be combined; but the clause provides in case of an officer receiving a provincial salary, that a diminution of his colonial salary under the Bill can be made, and that superannuation and other allowances shall only be computed in respect of the latter. Exceptions in first clause.

12. On the subject of classification we would observe that five classes would be created. The first Classification. class would consist of certain specified officers, whose salaries would be definitely fixed by appropriation, and who would not be entitled to the annual increases provided for other classes; and the four other classes would have minimum and maximum limits of salary, also fixed by appropriation, such salary being annually increased between those limits by one-sixth part of the difference between the minimum and maximum rates.

13. We desire to defer naming the officers of the first class, until further inquiry has been made by us, First class. but we consider that their number should be very limited.

14. We recommend that the minimum and maximum rates of salary of the four other classes Rates of salary to other classes. should be as hereunder stated:

	Minimum.	Maximum.
Fifth class ... ..	£80	£140
Fourth class ... ..	150	240
Third class ... ..	250	370
Second class ... ..	390	600

15. The salaries of classes, and not of officers or persons, would be voted, except, in the first instance, as regards the first class, and the Governor can, when it is thought requisite, recommend a rateable reduction of, or increase on, the salaries of all classes. Rateable reduction of, or increase.

16. The first classification and apportionment of officers to each Department are to be made after First classification and apportionment. the passing of the Act, but it would probably be impracticable to do so during the present session; and, in order to save a year's delay, we recommend that the Appropriation Act be so framed as to appropriate certain amounts for Departmental expenses, and also to fix the salaries of the officers of the first class, and the maximum and minimum rates of the salaries of the four other classes, provision being at the same time made that when the classification and apportionment take place under the seventh section of the Civil Service Bill, those salaries and rates shall forthwith come into effect on the condition that the amounts voted (as before referred to) for the several Departments are not exceeded.

17. It will be seen that the eighth section provides that the existing salaries of persons in office shall not be reduced by the operation of the Act, except as afterwards provided for. That exception was inserted so as not to preclude the Governor from abolishing or consolidating offices under the eleventh section. All new appointments, and all promotions should of course be subject to the new rates; but we considered that any reduction in this respect of existing salaries would, though a serious loss to individuals, be a trifling gain to the public, and that as such salaries had been given to them by the Legislature, it is not desirable that, while the officers themselves were retained in, and considered necessary to the service, they should, by a new classification, suffer a diminution of income. In legislation on this subject in the United Kingdom, in Canada, in the Cape of Good Hope, and in Queensland this principle has prevailed. If the existing salary of an officer is in excess of the class in which he is placed, he will not receive the annual increase, but only retain that excess in the form of a special allowance. Reductions of salary should be prospective.

18. Appeal is allowed in the ninth and tenth sections to the Governor in Council by any officer aggrieved by the classification, and such appeal is to be preceded by the inquiry and report of a Board formed of the first-class officers at the Seat of Government. The latter part of the tenth section also provides that any question connected with the administration and welfare of the Civil Service can be referred by a Minister to that Board for its report thereon. We attach considerable importance to this feature, which is of a novel character. The Board is only a Board of advice to the Ministry, but we hope that by its instrumentality there will be accumulated in the course of time a store of precedents and information connected with the administration of the service of great value and importance, and Appeal. Board of Inquiry.

that the Board will at any time afford Ministers a ready and impartial aid in arriving at a just conclusion on any question relating to the Civil Service.

Governor can abolish and consolidate offices.

19. The power given in the eleventh section, to abolish and consolidate offices, will, we think, enable a gradual reduction and reconstruction of many of the departments to be effected, and the provision made in the twelfth section, for compensation and re-employment, will protect, as far as desirable, the interests of those whose services are no longer required.

Appointments.

20. The third part of the Bill relates to appointments and promotion. We think it advantageous that persons entering the service in the fifth class shall be at that age when there is great aptitude for learning a profession, and we think it necessary that every candidate shall pass a preliminary examination, without competition, and that his first appointment shall be conditional, and upon probation for six months. It would also be advisable that the subordinates entering the fifth class should be selected, so far as practicable, in the Province in which the vacancies occur. Promotion is to take place from class to class, and in the four lower classes by rotation, provided the officer next on the list is qualified; but in filling up vacancies in the first class, we have allowed a much greater latitude of discretion, by enabling a selection to be made out of the whole number of officers in the second class.

Promotion.

Special appointments.

A power of special appointment is given in the 16th section, but the appointment is only to be provisional, until the Houses of the Legislature have had an opportunity of considering it.

21. The fourth part of the Bill, relating to discipline and leave of absence, does not require any explanation.

Benefit Society.

22. In considering the subject of superannuation, we have also considered the question referred to us in our Commission, whether retiring and other allowances should be provided by a contribution from the clerks, in the nature of a Benefit Society; and if so, whether the said contribution should be compulsory, and therefore general, or only voluntary.

Contribution for purposes of Benefit Society considered inexpedient.

23. We have arrived at the conclusion that compulsory or voluntary contribution for the purposes of a Benefit Society, under the administration of the Government, would be inexpedient. We believe that a system of compulsory deductions would be a fictitious and an inconvenient mode of paying a less salary than that assigned to the office, and that it would mislead, as it is difficult to convince contributors to such a fund, or their widows, or other representatives, that they have not a right, in cases of forfeiture or insufficient length of service or otherwise, to participate in a fund which they, or those whom they represent, have aided to form. Such a system also complicates the relations of Government with its officers, and gives rise to embarrassing questions. Objections of a similar character exist to a system of voluntary contributions to a Government Fund, and we believe that any arrangement of this kind which clerks may desire to make will be much more advantageously made by them with private societies than with the Government. No such system, compulsory or voluntary, has yet existed in the Civil Service in the Colony, and we cannot recommend its introduction.

Unencumbered salaries recommended.

24. We think that the fairest and most beneficial plan is that the Legislature should definitely fix certain superannuation and retiring allowances, and the conditions on which they can be granted, and then, having regard to such prospective allowance, assign such unencumbered salaries as it may think fit.

Existing claims to Superannuation reserved.

25. We recommend that with respect to future appointments part five of the Bill be substituted for the present Superannuation Acts, but we think it equitable that the existing rights of officers under these Acts should be reserved.

Officers formerly in service of New Zealand Company.

26. We propose in the twenty-ninth section of the Bill that persons who have been in the employment of the New Zealand Company, and who are now in the Civil Service of the Colony, shall be allowed to count the time of their employment by that Company in the computation of their retiring allowance. We think that the services of that Company in the early colonisation of New Zealand, and the quasi-official position in which it was for some time placed by the Imperial Parliament, fully entitle those persons to that privilege.

Officers at sixty years of age to be superannuated unless specially required to remain.

27. The Bill also provides that officers at the age of sixty shall retire from the Service, unless specially required by the Governor in Council to remain; and also, that officers who arrive at that age within ten years after the passing of the Act shall be entitled to half their annual salary as a superannuation allowance, if they have been ten years in the Service. This clause is introduced in order to enable those officers now in the Service who are sixty years of age, or who will become so within ten years, to be released at that age from further duty, although they have not been more than ten years in the Service. We believe that such a course will prove to be a wise economy. The Government will be able to call on such officers, when official duty exceeds their failing powers, to retire on a liberal provision. We fully agree with the English Superannuation Commissioners that "the evil consequences of retaining a single Civil servant in an important post for which he has become incompetent cannot be estimated in money, and may be much more than an equivalent for the expense of the superannuation of a whole Department." As officers in future will only be admitted into the Service (if the Bill becomes law) at an early age, they would, when they arrive at the age of sixty, be entitled from length of service to a sufficient income at the usual rate assigned in the other clauses, and we have named ten years as the limit of the duration of this exceptional clause, in order to provide for the case of those who may have been recently appointed, and are now fifty years old.

Rates of superannuation allowance.

28. In accordance with the precedent established in the United Kingdom and in Australian colonies, we recommend that in cases after ten years' service, where the necessity for retirement, under medical certificate, or otherwise, should arise, the amount granted should be ten-sixtieths of the salary of the superannuated officer on an average of the last three years, and that for every succeeding year the amount should rise by one sixtieth, until at the end of forty years service it attain its maximum amount of two-thirds of the salary taken on a similar average.

Allowance on full pay certain cases.

29. The 36th and 37th sections of the Bill provide for cases where an officer is disabled or killed in the active discharge of his duty, and authorises the Governor, in the former case, to grant to such disabled officer an allowance at the rate of his salary, and in the latter case to his family an allowance of a year's pay. The Bill only relates to Civil officers, (other Acts providing for Militia, &c.) and we



think that when an officer is seriously injured or killed in the active performance of his duty a liberal provision should be made for himself, or for those dependent on him.

30. The 38th section enables a gratuity to be given to the widow and children of an officer who dies while in the public service. The Superannuation Act of 1858 enables this to be done, and leaves it to the discretion of the Governor in Council to fix the amount within the limit of a year's pay. The present section, in addition to that limit, provides that the amount of the gratuity shall be proportionate to the length of the service of the deceased. The amount of these gratuities granted by the Government since "The Superannuation Act, 1858," is £3025 11s.; but we find that the practice has been, except in one or two recent cases, to grant a year's salary without respect to the length of service.

Gratuity to widow and children of officer dying while in the service.

31. The 41st section renders applicable only certain clauses of the Bill to the Clerk of either House, and to the Auditor and Comptroller of Public Accounts. Special Acts regulate the appointments of the two latter officers and we recommend that the appointment of the Clerk of either House should also be regulated by a special Act.

Parts only of the Act to be applicable to certain persons.

32. The 42nd and 43rd sections subject the public servants mentioned in Schedule B, such as Messengers, Housekeepers, Letter-carriers, &c., to such parts only of the Bill as relate to the alteration of offices, discipline, and short leave of absence, and to superannuation and allowances; and grant to such public servants an annual increase of five per cent., to be paid on the original salaries assigned to them for every complete year of their service. Much trust is frequently placed in such persons, and the experience which they derive from lengthened employment in one capacity is often of considerable value to the public service. We think that both on this account, and as an encouragement and reward to them for faithful service, this prospective increase should be accorded to them.

Annual increase to salaries of certain public servants.

33. We have in this Bill used the words "Governor in Council," as distinguished from "Governor," when we thought a more formal act of the Executive than usual was required.

34. These explanations will, we trust, have clearly set forth the objects of the Bill, and the means by which it is proposed to attain them. We respectfully submit the Bill, as a whole, for consideration, in the earnest hope that the adoption of its principles may place the organisation of the Civil Service on a sound basis, and secure great advantage both to the public and to the officers employed.

35. We now proceed to indicate generally in what directions we think economical reforms in the Civil Service may gradually be effected with advantage.

Suggestions.

36. It must be clearly understood that we do not advocate any sudden and extensive reduction of officers. We deprecate any such summary method of effecting economy as unwise and unjust. We believe that by degrees the abolition, when practicable, of vacant offices, or their combination with others, or the transfer to them of officers whose existing offices could be dispensed with, in fact, the judicious seizure of every favourable opportunity to economise; and the reduction of officers by the means of the compensation and retirement allowances provided in the proposed Bill, should it become law, will enable the Government, insensibly and without inflicting distress, to effect the objects in view. Our desire is to point out the end to which we think every effort should be directed, and our belief is that that end can, at no distant period, be attained without difficulty.

Gradual attainment of objects in view.

37. The cost of the administration of justice, by means of paid Resident Magistrates, appears to us excessive. Exclusively of Wardens, who are also Resident Magistrates in certain gold fields, and who are paid partly or wholly out of Provincial funds, there are 58 persons who are Resident Magistrates paid by the General Government, and their aggregate annual salaries, exclusively of any other paid appointments which they may hold, amount to £17,804. We recommend that paid Resident Magistrates should only be appointed at principal towns and in some native districts; and that Petty Sessions, with equivalent powers, under "The Petty Sessions Act, 1865," should be substituted in other districts. We would, however, advise some slight modifications in the provisions of that Act. We think that the clerk and bailiff should be appointed and paid by the Crown, and not by Justices of the Peace, and the fees and fines should be paid into the Colonial Treasury. We also think that, all Justices being required to exercise the functions of these honorary offices, the necessity of paying a Chairman any fee might be avoided by leaving the choice of Chairman to the Justices attending each Bench.

Resident Magistrates.

Substitution by Petty Sessions recommended in many districts.

38. Our belief is that the retention of at most twenty paid Resident Magistrates would be quite sufficient, and that the salaries of the remainder might be saved. The cost of the proposed permanent staff and mileage under the Petty Sessions Act would probably equal the cost of the present staff now acting under Resident Magistrates in the same districts. Moreover, the appointment, as suggested, of Resident Magistrates in a few native districts would, in our opinion, save the expense which is now incurred, of salaried Civil Commissioners.

Saving to be effected.

39. We are of opinion that a permanent non-political law officer of the Crown should be appointed, who should transact the legal business of the Government, and conduct prosecutions at the Seat of Government, and elsewhere, if desired to do so. The judicial correspondence of the Government should, we think, be conducted in a branch of the Colonial Secretary's office. As we shall again have occasion to refer to the conduct of business by branches of an office as a very economical and efficient system, we wish to be understood to mean by that system that each branch shall be presided over by an officer of experience and ability, and that the Under Secretary, or other chief officer, should have the general supervision of it, under the immediate control of the Responsible Minister.

Law Officer of the Crown.

Judicial correspondence.

40. The Colonial Defence Department has engaged our attention. That department was established in 1863, in order to meet the sudden emergency of civil war, and was at the time intended to be temporary. It conducts, through the several commanding officers, the administration of the Colonial Forces, consisting of military settlers, defence and other corps, militia and volunteers. The organization of these forces resembles, to a considerable extent, that of the military service in the United Kingdom. We believe that it will be necessary for the General Government to maintain for some years an armed force, but we think that the application to it of the system adopted in an Imperial army, renders the force unnecessarily cumbrous and expensive.

Colonial Defence department.

Organization of Armed Force.

41. We recommend that, when the engagements of the General Government with the military settlers and other corps have been completed, the present paid forces of the Colony should be substituted by an armed constabulary force, foot and mounted, similar to the Irish armed police.

Armed Constabulary Force recommended.

Trustworthy natives could be embodied in such force, when it is considered advisable. Such force should be under one permanent non-political officer. He should be under the control of the Government; and we think that the correspondence with him could be conducted in a branch of the Colonial Secretary's Office.

Militia and  
Volunteers.

42. The militia and volunteers should be kept in reserve. All correspondence connected with them to come to the Colonial Secretary through the officer above referred to, who should also be Inspector of Militia and Volunteers. Every encouragement to volunteer forces should continue to be given by the Government, and the militia should be periodically drilled under the supervision of a limited staff. All arms, ammunition, and other militia stores to be placed in charge of the Inspector of the militia and volunteers.

Native Depart-  
ment.

43. With respect to the Native Department we have come to the conclusion that the conduct of correspondence on Native affairs could in a short time be transferred to a branch in the Colonial Secretary's Office. Correspondence on the subject of Native Reserves, Native Lands, and in connection with the working of the Native Lands Act should go through the office of the Secretary for Crown Lands.

Treasury, Com-  
missioner of  
Customs, and  
Audit Depart-  
ments.

44. We have carefully considered the departments of the hon. Colonial Treasurer, of the hon. Commissioner of Customs, and of the Auditor of Public Accounts, and we offer the following observations with a view to the adoption of such measures as may best secure the proper collection of, and accounting for, the Revenue, and at the same time introduce simplicity and economy into the present system.

45. The existing laws for the regulation of the collection, custody, and disbursement of the public funds provide a sufficient control. At present part of the law only is put in execution; the Comptroller's Act of last session not having been brought into operation, the intended system is incomplete.

Sub-Treasurers.

46. The past mode of collection and custody of the revenue occasioned the appointment of many Sub-Treasurers; which offices of trust and check have been generally attached to the local Collector of Customs or other officer, thus neutralizing to some extent the object of the office as one of check. Improved regulations relative to "Public Accounts and the receipt and issue of Public Moneys" have been issued lately, by which, if the Comptroller's Act were in operation, the Treasury would be relieved of the duties of collection and custody of revenue. Our examination into the working of the Sub-Treasuries has decided us to recommend that they should be gradually abolished. The chief duty now required of them is to make payments, and as nearly all the money so paid is for salaries and wages and the contingent expenditure of the local offices of the several Departments of the General Government, we propose that the Colonial Treasurer at Wellington should make advances to Departments for each month's payments (to be accounted for within the month), instead of as at present to the Sub-Treasurers. This abolition we consider to be safe. It would reduce accounting between the local officers, their superiors, the Treasury, and the Audit offices, and bring more closely under central control all officers in matters of finance.

Inspection of  
collections and  
payments.

47. Instead of the weak and partial control which Sub-Treasurers holding other offices can exercise, we propose to provide an efficient substitute, by inspection of all collecting or paying officers—such inspection to be frequent, and by an officer whose constant knowledge of the condition of all other similar offices gained in the exercise of his office, would enable him to discover and check error, and to bring each office into and maintain it in a state of efficiency. This alteration will also centre in the Treasury at Wellington all the finance of the Colony, and we do not think that the change will materially increase the duty of that office.

Audit and  
Treasury.

48. We also propose hereafter to recommend a system which will define clearly the duties to be required separately of the Treasury and Audit Departments.

Auditor.

49. Heretofore the Auditor and his office have been made of the most extended use as cases of emergency arose, and we find the Department now performing duties foreign to its proper functions as defined by law. We think that this office should be limited to its duty of check and control, in order that such duty may always be done as closely up to date as possible, and that its independence as directed by law may be fully maintained. This limitation will enable economy to be effected in this Department.

Book-keeping to  
to be in Treasury.

50. We also contemplate relieving the Audit Office of some book-keeping duty by transferring it to the Treasury, as in that office the whole of the books of the Colony should be kept, and be checked by the Auditor upon the vouchers submitted by the Treasury. These alterations, we are satisfied, will reduce the work at present performed.

Customs depart-  
ment.

51. The Customs Department has not hitherto been held sufficiently in control from head-quarters. To establish the great requirement of uniformity of practice throughout the Colony, it is needful to place this Department under the control of one head, who, we think, should be under the ministerial control of the Hon. the Colonial Treasurer, as an office chiefly for the collection of Revenue. Inspection is absolutely necessary for this chief branch of the service to secure the full amount of collections, and to ascertain that the several officers constantly perform their duties; that the coast is watched, and that the ports are not overmanned with officers. The Inspector should be an officer thoroughly acquainted with all the duties of the Department; he should know all the officers, and be in possession of the experience of the several ports, so as to be able to apply that knowledge to advantage. In his absence, the Collector at the Seat of Government should perform the secretarial duty of the Department.

Inspection of  
Customs neces-  
sary.

Audit of Customs  
accounts.

52. We propose an arrangement of the system of audit of Customs accounts, so as to render it more rapid in performance and lighter in work in the Audit Office, esteeming concurrent audit, or as nearly so as can be, of great importance. We will give the details of this arrangement in another report.

Registry of deeds.

53. In the offices of Registrars of Deeds much clerical labour would be saved and arrears of work obviated by requiring persons who send in deeds for registry to transmit at the same time copies of such deeds on prescribed forms. These copies could be compared with the originals by the Registrar, and, if correct, be certified, and then bound together. This system has for some years been in force in the Colony of Victoria.

54. We have directed our attention to the present laws relating to the registration of votes, the issue of writs, and the conduct of elections, both General and Provincial, and we are of opinion that the present system is, in many respects, inconvenient and expensive, and also objectionable on constitutional grounds. Electoral laws.

55. Our inquiries into the expenditure incurred under the present system, have induced us to view the matter in its constitutional aspect, but we feel convinced that on grounds of economy alone an alteration in the direction which we propose should be made.

56. It is an axiom in constitutional liberty that the Executive Government should be excluded as much as possible from the exercise of any influence over the conduct of elections of Members of a Legislature, and this principle is strictly observed in the United Kingdom. The law there jealously protects the formation of electoral rolls, the appointment of polling places and Returning Officers, and the issue of writs, except only, with respect to the latter, in case of a dissolution of Parliament, from the action of the Crown.

57. It is impossible in a young Colony to adopt this system in its entirety, as in an old and settled country, but we submit the following recommendations with a view to assimilating, as far as practicable, the law relating to elections in this Colony, to that in the United Kingdom, or at least to basing it on the same principles.

Clerks of District Courts, of Resident Magistrate's Courts, and of Petty Sessions, to act as Registration Officers.

Resident Magistrates at specified places to be *ex officio* Revising Officers.

Mayors, Chairmen of Town Boards, or other honorary elected functionaries, to be *ex officio* Returning Officers and only to be allowed actual expenses.

Polling places to be appointed originally by law, and electoral districts to be formed into separate divisions, one for each polling place, with a separate roll for each division. Applications for additional polling places and alterations, when required, should be made to the Returning Officer of the district, with a description, showing the boundaries of the division for which the applications are made, and after due publicity, if recommended by the Returning Officer, to be granted by the Governor.

The issue of writs for elections to the House of Representatives to be by the Hon. the Speaker of that House, except upon the dissolution of Parliament, when the writs should be issued by the Governor, or by an officer of the Supreme Court (in England it is the Clerk of Chancery) upon precept addressed to him by the Governor.

58. The same principles should be applied, as far as practicable, to Provincial elections, the conduct of which now mainly devolves on the General Government. Provincial elections.

59. We think that all electoral lists should be printed at the Government Printing Office, and that new lists of electoral claims should, instead of being advertised as at present in newspapers, be printed at the same office upon large notices, which should be posted conspicuously in the districts to which such claims relate. The expense of printing electoral rolls and advertising electoral claims, &c., during the year 1865 amounted to at least £4000, while under the arrangement which we propose the expense would be trifling. Printing and advertising Electoral Lists.

60. We recommend that an Accountant should be appointed to the Government Printing Office, who should also be a storekeeper and have charge of, and issue, and account for all Government stores of stationery, forms (which for the Customs and for magistrates are now very voluminous) and office furniture, &c. Also he should distribute and sell Acts, Gazettes, Statistics, &c. He should also receive and account for all charges for private advertisements in the Gazette. As this work is now spread over a variety of offices, it occupies the time of clerks, and is costly and inefficient. Accountant to Government Printing Office recommended.

61. A small lithographic press in the Government Printing Office, and the introduction of copying machines into the other offices, would also be the means of saving much clerical labour now engaged in copying circulars, and entering letters in letter books. Lithographic press, &c.

62. We have now concluded the treatment of the subjects which we propose to discuss in this Report, and we shall lose no time in the preparation of those further Reports which are still required to fulfil the terms of our Commission.

We have the honor to submit to your Excellency this our first Report.

CHARLES KNIGHT, *Chairman*,  
W. GISBORNE,  
WILLIAM SEED,  
J. M. SPENCE.

Wellington, 30th June, 1866.

[ DRAFT CIVIL SERVICE BILL. ]

AN ACT TO ORGANIZE AND REGULATE THE CIVIL SERVICE OF NEW ZEALAND. Title.

WHEREAS it is expedient to organize and classify the Civil Service of New Zealand according to the duties the officers thereof perform and to regulate the salaries therein and to establish therein an equitable and uniform system of appointment promotion and dismissal and to grant officers leave of absence and to provide retiring and other allowances in certain cases Preamble.

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1. The Short Title of this Act shall be "The Civil Service Act 1866." Short Title.

2. Nothing in this Act shall apply except as hereinafter provided to any Responsible Minister or to any Judge of the Supreme Court or to the Speaker and Clerk of either House of Parliament or to the Auditor or Comptroller of Public Accounts or to any officer the right to appoint whom is not vested in the Governor or to any officer of or member of a Colonial Military or Volunteer Force or to any person paid by fees or commission nor to any officer appointed by the Governor to whose office salary Persons excepted from operation of Act.

is not appropriated by the Colonial Legislature or to any person holding any honorary office or employed for any temporary service only Provided always that when an officer of the General Government also holds a paid provincial office it shall be lawful for the Governor to diminish as he shall think fit the payment to such officer of the salary referred to in this Act Provided further that the computation of superannuation and other allowances specified in this Act shall only be made in case of such officer in respect of the salary paid to him by the General Government.

*Part I.—Classification.*

- Division of Civil Service. 3. The Civil Service shall for the purposes of this Act be taken to consist of five (5) classes Provided always that the Governor shall have power to create new and to alter existing offices and so soon as salaries have been legally appropriated to such offices shall bring them by Order in Council under the provisions of this Act.
- First class officers 4. The officers mentioned in Schedule A. to this Act shall be officers of the first class and (except in the case of officers paid by virtue of any Act now or which hereafter shall be in force) shall have attached to them respectively but subject to such alterations as are hereinafter provided the several salaries which shall be granted to them by the Appropriation Act for the year 186 or by the Appropriation Act next following the creation of any additional first class officer.
- Salaries of classes 5. Every class except the first class shall have a maximum and a minimum limit of salary ascertained in the manner hereinafter directed and every officer therein shall be entitled to receive in every year by way of increase to his salary a sum equal to one-sixth part of the difference between the limits of the salary assigned for that year to the class in which he is placed but no officer shall in any year receive a salary higher than the maximum limit for that year in his class.
- Mode of voting salaries. 6. In the message transmitting the Estimates for the current financial year the Governor may recommend to the House of Representatives the rates of salaries of the officers of the first class and also a maximum and a minimum limit of salary for each class except the first and the rates and limits of salary thereupon adopted by the House of Representatives for each such respective class shall be the rates and limits of salary as the case may be for that class during that financial year but in every inferior class the maximum limit of salary shall be less than the minimum limit of salary in the class next above such inferior class and in any subsequent financial year the Governor may recommend by message to the House of Representatives a rateable reduction or increase if any such be required according to a specified rate in or to the salaries of all classes.
- Classification. 7. As soon as conveniently may be after the passing of this Act the Governor in Council shall determine the number of offices of each class that are required for the efficient working of each Department and shall classify the offices of the Civil Service according to the arrangement of offices so determined and as soon as such classification has been completed a statement thereof shall be published in the Government *Gazette*.
- Application of classification. 8. The salary of no officer shall be reduced through the operation of this Act (except as hereinafter provided) to any amount less than he is now receiving and the annual increase shall in no case be granted except upon satisfactory proof of the efficiency and general good conduct of each officer and if at the time of the passing of this Act any officer is in receipt of a salary within the limits assigned by this Act to the class in which the Governor in Council places him but above the minimum salary of that class such officer shall continue to receive such salary and the annual increases provided for in section five of this Act until he shall have reached the maximum therein provided.
- Appeal. 9. If at any time any officer thinks that he has been placed in a class lower or be in receipt of a less amount of salary than that which from the nature of his services he ought to have been placed in or entitled to or that the increased duties imposed upon him are such as would devolve on an officer of a higher class than that in which he has been placed in the annual list he may appeal to the Governor in Council and such appeal shall be submitted to the Governor in Council in the manner hereinafter directed and the decision thereupon shall be final.
- Civil Service Board. 10. The first class officers at the seat of Government shall form a Board to which all appeals as hereinbefore mentioned shall be referred before they are submitted to the Governor in Council which Board shall inquire thereinto and report thereupon and make such recommendations as to it shall seem fit on such appeals which shall thereafter be submitted together with such report and recommendations to the Governor in Council And it shall be lawful for any Minister of the Crown at any time to refer to such Board such question as he may think fit connected with the administration of the Civil Service of the Colony in the matters of appointment promotion salary or inquiry or other questions connected with the efficiency and welfare of such service and it shall be the duty of such Board to report for the consideration of the Government on every question so referred and it shall have power and authority to summon and examine witnesses and to call for and obtain papers.

*Part II.—Alteration of Offices.*

- Abolition and consolidation of offices. 11. It shall be lawful for the Governor from time to time to abolish or consolidate any offices and alter the distribution of the officers in the Civil Service in each Department as circumstances may require.
- Compensation on abolition. 12. When the services of any officer are dispensed with in consequence of the abolition of the office he holds or otherwise and not through any fault of his own he shall as compensation receive for each year of service one month's salary according to the rate paid him at the time of such abolition and a proportionate sum for any additional period less than a year such officer shall have a preferent claim subject to consideration as in the case of promotion to employment when a vacancy occurs in any class not superior to the class he occupied at the time of the abolition of his office Provided always that the amount of compensation so paid shall in no case exceed the amount of salary which would have accrued to such officer between his former and subsequent appointment Provided also that in the case of the abolition of an office after the passing of this Act and before the date of the classification under it the holder of such office shall have a similar claim to employment when a vacancy occurs in any class not superior to the class in which it is considered he would have occupied at the time of the abolition of his office.
- And re-employment.

*Part III.—Appointments and Promotion.*

13. Every person entering the Civil Service of this Colony as a subordinate of the fifth class shall be of the full age of seventeen years and not more than twenty-two years and shall be subject to the probation herein directed and shall be conditionally appointed at the minimum salary of that class and every candidate for admission into the Civil Service shall as a condition precedent to his nomination as a probationer produce such evidence as the Governor may think sufficient as to his age health and moral character and every candidate for admission into the Civil Service shall further pass before a Board of Examiners appointed by the Governor such examination but without competition as the Governor may from time to time direct. Conditions precedent to entering service.

14. When any person has been conditionally appointed upon probation in any office in the Civil Service at the expiration of six months from the date of such appointment if the head of the Department in which the probationer has served shall have recommended him in writing as a suitable person to become an officer of the Civil Service the Governor may make such appointment absolute and if the probationer be not so recommended his appointment shall lapse. Appointment.

15. When in the Civil Service any vacancy occurs in any class except the first class the Governor shall whenever he can do so without detriment to the efficiency of the public service promote to such vacancy that officer being qualified to fill such vacancy who shall stand next in rotation on the classified list of the service and when a vacancy occurs in the first class it shall be lawful for the Governor to refer to the Board as hereinbefore constituted for a recommendation of the officers of the second class qualified to fill the same and thereon to act as he shall think fit. Promotion.

16. Whenever it is expedient to secure for the public on the occurrence of any vacancy the services of some person of known ability and to place such person immediately in some of the higher classes of the Civil Service although such person may not have been previously engaged in the Civil Service of this Colony and if there be not in the lower classes of the service officers fully competent to perform the duties of the vacant office the Governor in Council anything in this Act to the contrary notwithstanding may provisionally appoint such person accordingly. Special appointment.

17. When any such provisional appointment is made a statement thereof and of the reasons for which it has been made shall forthwith be submitted by the Governor to the General Assembly if then in session and if not in session then within one week of the commencement of the session next ensuing and such appointment shall not be confirmed by the Governor until after the termination of such session. Confirmation of.

18. Notwithstanding anything herein contained any person who at any time has been or shall hereafter be employed in any office in the Civil Service and who has not been dismissed or called on to resign for improper conduct may be appointed to any class in the same manner as if he had never left such service and such service (excluding the period when not in service) shall be taken to be continuous. Re-appointment.

*Part IV.—Discipline and Leave of Absence.*

19. The Governor may from time to time make and publish in the *Government Gazette* regulations and repeal or vary the same concerning the duties to be performed by officers of the Civil Service and the discipline to be observed in the performance of such duties and by such regulations may authorize in certain cases the suspension of officers and may affix to breaches of such regulations according to the nature of the offence the penalties therein set forth Provided always that no such regulations shall in any manner alter or affect duties which by any Act now or hereafter to be in force are or shall be required to be performed and if any officer shall become inefficient or be guilty of any breach of such regulations the Governor in Council may according to the nature of the offence upon proof thereof as hereinafter directed dismiss him from the service or reduce him to a lower rank therein or to a lower salary within his class or deprive him of such future annual increment as he would otherwise have been entitled to receive or of any part thereof or of his leave of absence during such time as the Governor in Council thinks fit. Regulation. Dismissal or reduction of officer

20. If any officer be convicted of any felony or infamous offence or become bankrupt or apply to take the benefit of any Act now or hereafter to be in force for the relief of insolvent debtors or by any deed or other writing compound with his creditors or make an assignment of his salary for their benefit he shall be deemed to have forfeited his office. Forfeiture of office.

21. When any such officer has forfeited his office by reason of any such pecuniary embarrassment as aforesaid if he prove to the satisfaction of the Governor in Council that such embarrassment has not been caused or attended by any fraud extravagance or dishonorable conduct the Governor in Council may reinstate such officer in his former position in the service. Reinstatement.

22. Where any officer is guilty of any conduct which in the opinion of the Governor in Council renders him unfit to continue in the Civil Service such officer upon proof thereof as hereinafter directed may be dismissed from the service. Dismissal.

23. When any officer is negligent or careless in the discharge of his duties if the first class officer in charge of the Department wherein such first mentioned officer is engaged be of opinion that the offence is not of so serious a nature that a report thereof should in the course of his duty be made to the Governor in Council such officer in charge may for every such case of misconduct order to be deducted by way of fine from the salary of such other officer such amount as shall be fixed by the regulations aforesaid or if not so fixed a sum not exceeding five pounds and the Responsible Minister of the Department may if the officer so punished appeal to him confirm or disallow such penalty and his decision shall be final and without appeal. Misconduct.

24. The Treasurer on receiving notice of any pecuniary penalty imposed under the authority of this Act shall deduct the amount thereof from the salary or next payment made by him on account of salary to the officer incurring such penalty. Penalty.

25. When any officer is accused of inefficiency offence or breach of his duty or of any conduct rendering it unfit that he should remain in the Civil Service if he deny the truth of such accusation and if the Governor in Council nevertheless think that sufficient cause has been shown for further Inquiry.

proceedings the Governor in Council may refer the matter to the Board constituted by section ten of this Act to inquire as to the truth of such charge and such Board shall have authority to hear receive and examine evidence and shall after fully hearing the case report to the Governor in Council their opinion thereon.

- Leave of absence.** 26. The Responsible Minister of every Department may at such times as may be convenient grant to every officer leave of absence for recreation for any period or periods not exceeding in the whole four weeks in each year and in cases of illness or other pressing necessity grant such extended leave not exceeding twelve months and on such terms as he thinks fit.
- Furlough.** 27. The Governor may grant to any officer in the Civil Service of at least ten years continuous service twelve months' leave of absence and to any officer of lesser period of service any time not exceeding six months' leave of absence on half salary.

*Part V.—Superannuation and Allowances.*

- Repeal of Acts.** 28. The Acts respectively intituled "The Civil Service Superannuation Act 1858" and "The Civil Service Amendment Act 1861" are hereby repealed save and provided that nothing in this Act shall prejudice or affect the rights under those Acts or either of them of persons appointed to offices before the passing of this Act.
- Existing claims reserved.**
- New Zealand Company's officers.** 29. Whereas the New Zealand Company effected the early colonisation of a large portion of New Zealand and was for some time entrusted by the Imperial Parliament with the administration of the Waste Lands of the Crown in the then Province of New Munster in this Colony officers and other persons who have been in the employment of that Company and who are now in the Civil Service of the Colony shall be entitled to reckon in the computation of their retiring allowance the time during which they were in the employment of such Company.
- Retirement.** 30. When any officer after the passing of this Act (except as hereinafter provided) has attained the full age of sixty years he shall thereupon retire from active service upon a superannuation allowance.
- Superannuation allowance to present officers.** 31. Any officer who at the passing of this Act has attained or within ten years thereafter shall have attained the age of sixty years if or as soon as he shall have been ten years in the Civil Service of New Zealand and if he has not received any other compensation or retiring allowance in respect of such service shall retire from active service on an annual allowance of half the average annual salary received by him during the two years preceding his superannuation.
- Officers retiring may be required to continue.**
- Retirement on ill health.** 32. The Governor in Council may nevertheless require any officer who would otherwise retire as aforesaid notwithstanding his age to continue to perform his duties.
- Forfeiture of allowance in certain cases.** 33. When any officer desires to retire from active service and has not attained the full age of sixty years if he produce medical evidence satisfactory to the Governor in Council that he is incapable from infirmity of mind or body to discharge the duties of his office and that such infirmity is likely to be permanent the Governor in Council may permit such officer to retire accordingly upon a superannuation allowance as hereinafter provided.
- Rates of salary and allowance.** 34. If the Governor in Council require any officer to resume his duties in his former office or in any other office for which he is qualified and if such officer be in such a state of health as to be able to perform such duties and if he decline to undertake such duties or neglect duly to perform the same such officer shall forfeit his right to the superannuation allowance which had been granted to him and in case any person enjoying any superannuation or retiring allowance under this Act shall be appointed to fill any office in the Civil Service every such allowance shall cease to be paid for any period subsequent to such appointment if the annual amount of the profits of the office to which he shall be appointed shall be equal to those of the office formerly held by him and in case they shall not be equal to those of his former office then no more of such superannuation allowance shall be paid to him than what with the salary of his new appointment shall be equal to that of his former office.
- Computation of allowances.** 35. Every superannuated officer (except as hereinbefore expressly provided) whether his remuneration be computed by day pay weekly wages or annual salary shall receive in respect of such superannuation the following annual allowance (that is to say) after ten years' service and under eleven years' ten-sixtieths of the average annual salary received by him during three years preceding his superannuation after eleven and under twelve years' service eleven-sixtieths of such annual salary and in like manner for each additional year of service an addition to his annual allowance of one-sixtieth of such salary until he has completed the full term of service of forty years but the total amount of any superannuation allowance shall in no case exceed forty-sixtieths of the salary on which the allowance is computed.
- Allowance to officer disabled in performance of duty.** 36. If any officer without his own default and in the active discharge of his public duty receives such bodily injury as to incapacitate him from the discharge of his duties the Governor in Council may grant to such officer an allowance not exceeding his then rate of salary.
- Allowance to relatives of officer killed in discharge of duty.** 37. If any officer shall be killed or die from bodily injury received without his own default in the active discharge of his public duty the Governor in Council may grant to the widow or children or at his discretion to any other relations of such officer an allowance not exceeding one year's pay at the average annual salary he was receiving during the two years preceding his death.
- Gratuity to widow or children.** 38. If any officer shall die while in the public service the Governor in Council may grant to his widow or children or to such persons as the Governor may direct in trust on her or their behalf a gratuity not exceeding two months' pay at his then rate of salary for each year of service Provided that such gratuity shall not exceed one year's salary.
- Warrant of allowance.** 39. When any superannuation or other allowance or gratuity is granted under this Act the causes of the granting thereof shall be set forth in the warrant granting the same.
- Bounty of Parliament not restrained.** 40. Nothing herein contained shall be taken to prevent the Governor from recommending to Parliament any allowance or gratuity in consideration of any special services rendered by the officers entitled thereto or of any other special circumstances.

*Part VI.—Miscellaneous.*

41. The provisions contained in sections twenty-six twenty-seven and in such sections as Part of Act only are included in part five of this Act and in section forty-one and none others shall apply to the Clerk applicable to of either House of Parliament and to the Auditor of Public Accounts and to the Comptroller of certain officers. Public Accounts.

42. The provisions contained in sections eleven twelve nineteen twenty twenty-one twenty-two Messengers &c. twenty-three twenty-four twenty-five and twenty-six and parts five and six of this Act and none others subject to certain shall apply to the public servants mentioned in Schedule B. hereto and such persons shall receive sections. respectively such salaries as Parliament may from year to year provide.

43. The public servants mentioned in such Schedule to whom annual salaries are payable shall be Annual increase allowed an annual increment of five pounds per centum per annum upon the amount of the original to salaries of salary for each complete year of service in their respective situations from and after the commencement of the current financial year Provided always that such increment shall not be payable except on the messengers &c. recommendation of the Ministerial head of their respective Departments and provided also that such salary with the accrued increments shall never for one year exceed double the original salary.

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 SCHEDULE A.

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 SCHEDULE B.

Messengers  
Housekeepers  
Courtkeepers  
Lettercarriers  
Bailiffs.

Criers  
Warders and  
Boatmen  
Gardeners

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