

# NOTICES MADE PURSUANT TO SECTION 5 OF THE PUBLIC SERVICE ORDINANCE 1922- 1940 DECLARING THAT THE PROVISIONS OF THE ORDINANCE SHOULD NOT APPLY TO CERTAIN EMPLOYEES.

Particulars of these notices are set out in the Table below and the notices still in force (other than notices applying only to named employees) are printed immediately after the Table:

### TABLE.

(N.B.—Notices not now in force are shown in italics).

Date on which notice made by Gov.-Gen. in Council.	Date on which published in <i>N.G. Gaz.</i>	Employees exempted and period of exemption (if any).	Page on which printed.
<i>(Undated)</i>	<i>16.1.1928</i>	<i>One named employee for 12 months from 1.2.1927</i>	—
<i>23.12.1935</i>	<i>15.1.1936</i>	<i>Sixteen classes of officers or employees specified in the notice for the period ending 30.6.1936, except those who are permanent officers of the Public Service of the Territory</i>	—
<i>23.12.1935<sup>(a)</sup></i>	<i>29.2.1936</i>	<i>Forty named employees for the period ending 30.6.1936</i>	—
<i>10.6.1936</i>	<i>15.7.1936</i>	<i>Seventeen classes of officers or employees specified in the notice, for the period ending 30.6.1937, except those who are permanent officers of the Public Service of the Territory</i>	—
<i>24.6.1936<sup>(a)</sup></i>	<i>15.8.1936</i>	<i>The employees named in the notice dated 23.12.1935 and published in <i>N.G. Gaz.</i> of 29.2.1936, so long as each continues to be employed by the New Guinea Administration</i>	—
5.1.1938	15.2.1938	Eighteen classes of officers or employees specified in the notice, except those who are permanent officers of the Public Service of the Territory	4268
16.10.1940	15.11.1940	Six classes of officers or employees specified in the notice, except those who are permanent officers of the Public Service of the Territory	4269

(a) The notice dated 23.12.1935 and published in *N.G. Gaz.* of 29.2.1936 was affected by notice dated 24.6.1936 and published in *N.G. Gaz.* of 15.8.1936.

**TEXT OF NOTICES.**

[Notice dated 5th January, 1938, and published in New Guinea Gazette of 15th February, 1938.]

TERRITORY OF NEW GUINEA.

Public Service Ordinance 1922-1936.

Pursuant to the provisions of section five of the *Public Service Ordinance* 1922-1936 of the Territory of New Guinea, I hereby declare that as from the 1st July, 1937, the provisions of the said Ordinance shall not apply to the following classes of officers or employees appointed by the Minister, whether before or after the issue of this declaration, except those who are permanent officers of the Public Service of the Territory:—

Persons employed on ships and vessels belonging to or under the control of the Administration;  
Persons employed for specified periods;  
Persons employed on loan from the Commonwealth Public Service or the Public Service of any State or Territory of the Commonwealth;  
Persons employed as Storeman-Gaoler-Overseer;  
Persons employed under indenture of apprenticeship;  
Persons employed as Clerks-Watchmen;  
Artisans;  
Chauffeurs;  
Chainmen;  
Inspectors and Instructors (Agriculture);  
Labourers;  
Land Investigation Officers;  
Matrons of Hospitals;  
Nurses;  
Roadmasters;  
Teachers;  
Translators;  
Typistes.

Dated this fifth day of January, One thousand nine hundred and thirty-eight.

(Sgd.) GOWRIE,  
Governor-General.

By His Excellency's Command,

(Sgd.) W. M. HUGHES,  
for the Prime Minister.

**[Notice dated 16th October, 1940, and published in New Guinea Gazette of 15th November, 1940.]**

TERRITORY OF NEW GUINEA.

Public Service Ordinance 1922-1940.

Pursuant to the provisions of section five of the *Public Service Ordinance 1922-1940* of the Territory of New Guinea, I hereby declare that, in addition to the classes of officers or employees specified in the declaration<sup>(1)</sup> dated fifth January, 1938, and published in the *New Guinea Gazette* dated fifteenth of February, 1938, the provisions of the said Ordinance shall not apply to the following classes of officers or employees appointed by the Minister, whether before or after the issue of this declaration, except those who are permanent officers of the Public Service of the Territory:—

Overseer Native Labour;  
Road Overseer;  
Field Assistant;  
Storeman;  
Mechanic;  
Housekeeper.

Dated this sixteenth day of October, One thousand nine hundred and forty.

GOWRIE,  
Governor-General.

By His Excellency's Command,

H. K. NOCK,  
for the Prime Minister.

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(1) Printed on p. 4268.

NOTICE MADE PURSUANT TO SECTION 5 OF  
THE PUBLIC SERVICE ORDINANCE 1922-  
1940 DETERMINING THE RATES OF PAY  
AND CONDITIONS OF EMPLOYMENT OF  
EXEMPT OFFICERS AND EMPLOYEES.

TERRITORY OF NEW GUINEA.

Public Service Ordinance 1922-1940.

*Exempt Officers and Employees.*

Pursuant to the provisions of section five of the *Public Service Ordinance* 1922-1940 of the Territory of New Guinea, I, James Mackintosh Fraser, Minister of State for External Territories, do hereby determine that, unless otherwise determined in any particular case, the rates of payment and the conditions of employment of officers and employees or classes of officers or employees to whom or to which the Governor-General has declared that the provisions of the said Ordinance do not apply (hereinafter referred to as "exempt officers and employees") shall be as follows:

Persons eligible  
for employment.

A person shall not be employed as an exempt officer or employee unless—

- (i) he is a natural born or naturalised British subject;
- (ii) he produces evidence to the satisfaction of the Minister or the Administrator as to—
  - (a) his health and physical fitness;
  - (b) date of birth; and
  - (c) good character; and
- (iii) he makes and subscribes an oath or affirmation in accordance with the form in the Second Schedule to the *Public Service Ordinance* 1922-1940.

Hours of work.

The hours of work of exempt officers and employees shall be the same as those of officers of the Public Service performing a similar class of work:

Provided that, where no similar work is performed by an officer of the Public Service, the hours of work shall be determined by the Administrator.

Rates of pay.

Exempt officers and employees shall be paid at rates corresponding to the salary prescribed for officers of the Public Service performing

Notices under Public Service Ordinance 1922-1940.

the same class of work and they shall be eligible for increments at the same rate and on the same conditions as those prescribed by the *Public Service Ordinance* and the Regulations thereunder for officers of the Public Service.

Except in the case of any person engaged for a specified period, the services of any exempt officer or employee may be terminated by the Administrator at any time. The services of a person engaged for a specified period may be terminated under the conditions set out in the official notification to him of his appointment.

Duration of engagement.

Exempt officers and employees may be granted leave of absence for recreation, sick leave, "long leave" and leave on account of physical injury sustained in the execution of duty at the same rates and on the same conditions as those prescribed for officers of the Public Service of the Territory:

Leave of absence.

Provided that "long leave" may be granted to an exempt officer or employee only where the Administrator thinks fit in any particular case.

An exempt officer or employee who resides outside the Territory at the time of his engagement may be granted a passage to the Territory on the same conditions as those prescribed for officers of the Public Service. An exempt officer or employee whose period of engagement extends or is extended beyond two years may be granted passages when proceeding from the Territory on approved recreation leave on the same conditions as prescribed by the *Public Service Regulations* for officers of the Public Service.

Passages to the Territory and passages on leave.

Exempt officers and employees shall be subject to conditions similar to those prescribed by the *Public Service Ordinance 1922-1940* and the Regulations thereunder for officers of the Public Service in relation to the payment of allowances, payment of cost of transfer, attendance, duties and obligations, overtime, travelling allowance, medical attention and engagement in duties not connected with their employment under the said Ordinance.

The determination dated 16th August, 1934, is hereby revoked.

Repeal.

J. M. FRASER,

Minister of State for External Territories.

Dated this twenty-ninth day of October, One thousand nine hundred and forty-one.<sup>(1)</sup>

(1) Published in *N.G. Gaz.* of 15.11.1941.

PUBLIC SERVICE—