

# STATUTORY RULES.

## No. 2 of 1923.

Made under *The Public Service Ordinance, of 1907* (No. 2 of 1907).

### PART I.—PRELIMINARY.

#### *Citation.*

1. These Regulations may be cited as the *Public Service Regulations, 1922.*

#### *Repeal.*

2. All Regulations heretofore made under the Ordinance are repealed.

#### *Interpretation.*

3. In these Regulations unless the contrary intention appears:—

“The Ordinance” means *The Public Service Ordinance of 1907.*

“Public Service” means the Public Service of the Territory of Papua.

“Officer” means any person in the Public Service other than a temporary employee.

“Permanent Officer” means any officer whose appointment has been approved by the Governor-General.

“Temporary Officer” means any officer other than a permanent officer.

“Temporary Employee” means and includes any person employed in the Public Service—

- (a) whose whole time (he not being a medical officer) is not required to be engaged in the Public Service ;
- (b) who is engaged under agreement for a specified period or for a specified temporary purpose ;
- (c) whose service by the terms of his appointment is expressed to be terminable by notice either on the part of the Government or of such person.

#### *Parts.*

These Regulations are divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Departments.

Part III.—Classification.

Part IV.—Allowances.

Part V.—Leave of Absence.

Part VI.—Suspension of Officers.

Part VII.—General.

#### *Non-application of Regulations.*

5. These Regulations shall not apply to:—

(a) The Lieutenant-Governor ;

(b) A Judge of the Central Court (except so far as he is expressly referred to therein) ;

- (c) Any officer remunerated by fees, allowances or commission only ;
- (d) Temporary Employees (except so far as they are expressly referred to therein) ;
- (e) Any Native Crown Servant or other native ; or
- (f) Any officer or class of officers to whom or to which the Lieutenant-Governor by notice in the *Gazette* declares that these Regulations shall not apply.

## PART II.—DEPARTMENTS.

### *Departments.*

6. The Departments of the Public Service shall be as set out in the Schedule to this Part and to each are allotted the duties in connexion with the several matters set out under its name.

### *Heads of Departments.*

7. The Heads of the respective Departments shall be the officer specified in the Schedule under the name of the Department.

## SCHEDULE.

### DEPARTMENT OF THE GOVERNMENT SECRETARY.

HEAD OF DEPARTMENT—The Government Secretary.

- |   |  |
|---|--|
| 1. Magistracy.                              | 7. Records, etc., relating to Government Officers. |
| 2. Armed Constabulary ; Village Constables. | 8. Official Vessel.                                |
| 3. Statistics and Census.                   | 9. Purchase of Land and Government Land Buyers.    |
| 4. Gaols and Prisoners.                     | 10. Official Library.                              |
| 5. Education and Missions.                  | 11. Miscellaneous.                                 |
| 6. Native Taxation.                         |  |

### DEPARTMENT OF THE COMMISSIONER FOR LANDS AND SURVEYS AND DIRECTOR OF MINES AND AGRICULTURE.

HEAD OF DEPARTMENT—The Commissioner for Lands.

- |                                |                             |
|--------------------------------|-----------------------------|
| 1. Lands.                      | 7. Horticulture and Botany. |
| 2. Surveys.                    | 8. Agriculture.             |
| 3. Forestry.                   | 9. Geology and Mineralogy   |
| 4. Mining.                     | 10. Economic Museum.        |
| 5. Pastoral, Stock and Brands. | 11. Meteorology.            |
| 6. Resources and Settlement.   | 12. Handbook of Papua.      |

### DEPARTMENT OF THE TREASURER.

HEAD OF DEPARTMENT—The Treasurer.

- |                                 |                                |
|---------------------------------|--------------------------------|
| 1. H.M. Customs.                | 5. Post and Telegraphs.        |
| 2. General Revenue and Finance. | 6. Government Printing Office. |
| 3. Shipping and Navigation.     | 7. Immigration.                |
| 4. Government Stores.           | 8. Fisheries.                  |

### MEDICAL DEPARTMENT.

HEAD OF DEPARTMENT—The Chief Medical Officer.

- |                   |                          |
|-------------------|--------------------------|
| 1. Quarantine.    | 3. Government Hospitals. |
| 2. Public Health. |                          |

### DEPARTMENT OF THE COMMISSIONER FOR NATIVE AFFAIRS.

HEAD OF DEPARTMENT—The Commissioner for Native Affairs.

- |   |                        |
|---|------------------------|
| 1. Relations between Europeans and Natives. | 2. Papuan Antiquities. |
|---|------------------------|

## PART III.—CLASSIFICATION.

### *Divisions of the Service.*

8. The Public Service of the Territory shall consist of two Divisions, namely :
- (a) The Professional and Clerical ; and
  - (b) General.

*Professional and Clerical Division.*

9. (1) The Professional and Clerical Division shall include all officers whose offices are classified in that Division.

*General Division.*

(2) The General Division shall include all officers in the Public Service not included in the Professional and Clerical Division.

*Classification of existing offices.*

10. The offices in the Public Service existing at the time of the making of these Regulations shall be and be deemed to be classified within the respective Divisions and in accordance with the groups within which those offices were classified by the Lieutenant-Governor on the 12th day of November, 1920, and published in the *Gazette* of that date, but subject to any variations made therein by the Lieutenant-Governor and published in the *Gazette* on the 4th day of May, 1921.

*Classification of future offices.*

11. All offices hereafter created shall be classified by the Lieutenant-Governor on their creation in accordance with the groups set out in Schedule A or Schedule B to this Part of these Regulations as the case may require and in accordance with the importance and character of the work to be performed.

*Re-classification of offices.*

12. The Lieutenant-Governor may from time to time re-classify any office in the Public Service.

*Classification etc., to be published.*

13. A notification of each classification of an office hereafter created or re-classification of any office shall be published in the *Gazette*.

*Classification of officers.*

14. An officer shall be deemed to be classified within the group set out in Schedule A or Schedule B (as the case may be) to this Part under which the office held by him is for the time being classified.

*Advancement to higher group.*

15. The advancement of an officer from one group to a higher group shall be by promotion only.

*Conditions of advancement.*

16. No promotion from group to group shall be allowed unless the Lieutenant-Governor is satisfied that the officer is entitled by his efficiency, seniority and good conduct to receive it.

*Minimum salary—Adult males.*

17. The minimum salary for male officers of not less than twenty-one years of age shall be £285 per annum.

*Minimum salary—Adult females.*

18. (1) The minimum salary for female officers of not less than twenty-one years of age shall be £285 per annum.

(2) This Regulation shall not apply to hospital matrons or nurses.

*Minimum Salary—Adult males after four years adult service.*

19. The minimum salary of a male officer of not less than twenty-five years of age, who has served continuously for four years in the Public Service, shall be £400 per annum.

*Proof of age.*

20. Where the amount of a minimum salary is dependent upon age the officer concerned, if so required, shall, before he is entitled to receive such minimum salary, furnish proof to the satisfaction of the Government Secretary of such age.

**SCHEDULE A.**  
**LIST OF GROUPS AND ANNUAL INCREMENTS.**  
**PROFESSIONAL AND CLERICAL DIVISION.**

GROUP.		ANNUAL INCREMENTS.				
Min.	Max.	1st.	2nd.	3rd.	4th.	5th.
£	£	£	£	£	£	£
800 to 900	...	} Officers in these Groups, such increments as the Lieutenant-Governor may deem desirable.				
700 to 900	...					
700 to 800	...					
675 to 800	...	25	25	25	25	25
650 to 775	...	25	25	25	25	25
625 to 750	...	25	25	25	25	25
600 to 725	...	25	25	25	25	25
575 to 700	...	25	25	25	25	25
550 to 650	...	20	20	20	20	20
530 to 630	...	20	20	20	20	20
510 to 610	...	20	20	20	20	20
490 to 565	...	15	15	15	15	15
470 to 545	...	15	15	15	15	15
450 to 525	...	15	15	15	15	15
430 to 505	...	15	15	15	15	15
410 to 485	...	15	15	15	15	15
390 to 465	...	15	15	15	15	15
370 to 445	...	15	15	15	15	15
350 to 425	...	15	15	15	15	15
335 to 410	...	15	15	15	20	10
300 to 400	...	25	25	25	25	...
285 to 400	...	25	30	30	30	...
285 to 315	{ Female } { Clerks }	10	10	10	...	...
100 to 250	Cadets ...	(18th year) 35	(19th year) 35	(20th year) 40	(21st year) 40	...

**SCHEDULE B.**  
**LIST OF GROUPS AND ANNUAL INCREMENTS.**  
**GENERAL DIVISION.**

OFFICE.	GROUP.		ANNUAL INCREMENTS.			
	Min.	Max.	1st.	2nd.	3rd.	4th.
	£	£	£	£	£	£
Blacksmith	370	410	10	10	10	10
Boatbuilder	370	410	10	10	10	10
Carpenter	370	410	10	10	10	10
Compositor	320	400	20	20	20	20
Engineer and Mechanic	400	448	12	12	12	12
Engineer and Mechanic	380	428	12	12	12	12
Foreman (Printing Office)	360	420	15	15	15	15
Machinist (Printing Office)	340	400	15	15	15	15
Matron	180	210 <sup>(a)</sup>	10	10	10	...
Medical Assistant	336	400	16	16	16	16
Nurse	140	170 <sup>(a)</sup>	10	10	10	...
Overseer	336	400	16	16	16	16
Plantation Assistant	336	400	16	16	16	16
Plumber and Ironworker	370	410	10	10	10	10
Reader and Compositor	320	400	20	20	20	20
Road Ganger	336	400	16	16	16	16
Storeman	312	400	22	22	22	22

(a) with £20 allowance in addition to salary.

*Annual increments.*

21. (1) Subject to these Regulations officers shall be entitled to the annual increments set down for the respective groups in which they are classified under

Schedule A or Schedule B, unless the Head of their Department reports previously in writing that the officers' conduct, diligence or efficiency is unsatisfactory and the Lieutenant-Governor decides in consequence that any increment shall be withheld. If any increment is so withheld the officer shall be entitled on his request to have his case reconsidered by the Lieutenant-Governor.

(2) Increments shall be payable as from the first day of January, 1921, as regards those officers who on the first day of January, 1920, were filling the office in which they are classified. In the case of officers appointed subsequently to the first day of January, 1920, to the office in which they are classified, increments shall commence to be payable twelve months after the date of their appointment to such offices.

Provided that in the case of those officers in groups having increments fixed to enable the minimum salary of £400 to be reached after four years' service, increments shall be given at yearly intervals from the date of their entry into the service.

(3) In cases where the proposed salary of an officer under any classification is shown as £400 his first increment shall amount to such sum as will make his salary equal to the next incremental step, if any, in the group in which he is classified.

(4) Where an officer is promoted to a higher group and his salary before promotion is less than the minimum salary of the group to which he is promoted, his salary from the date of his promotion shall be the minimum salary of the group to which he is promoted. Subsequent increments in his new group shall become payable at yearly intervals from the date of his promotion to such group.

(5) Where an officer is promoted to a higher group and his salary before promotion is not less than the minimum salary of the group to which he is promoted, he shall (subject to the next following Regulation) continue to draw his former rate of salary in his new group until one year from the date on which he received his last increment, when he shall receive an increment of such amount as will bring his salary to an incremental step in his new group: Provided that such first increment in his new group shall not be less than any increment he would have become entitled to had he not been promoted, but less than the amount of two increments of the new group.

Subsequent increments shall become payable at yearly intervals from the date he received such first increment in the new group.

(6) Where an officer who had reached the maximum of his group before promotion, and in consequence had received no increment during the year preceding his promotion, is promoted to a higher group and his salary before promotion is not less than the minimum salary of the group to which he is promoted, such officer shall receive an increment as from the date of his promotion of such amount as will bring his salary to the next incremental step in his new group. Subsequent increments shall become payable at yearly intervals from the date of his promotion to such group.

#### PART IV.—ALLOWANCES.

##### *Travelling allowances.*

22. (1) Officers travelling on duty shall receive travelling allowances according to the following scale—

RANK OF OFFICER.				DAILY ALLOWANCE.			DAILY RATE.
				£	s.	d.	
Lieutenant-Governor	...	...	...	1	0	0	One twenty-fourth of daily rate for each hour when officer is absent for more than half a day.
Official Secretary	...	...	...	1	0	0	
Judges of the Central Court	...	...	...	1	0	0	
Commissioner for Lands	...	...	...	1	0	0	
Government Secretary	...	...	...	1	0	0	
Treasurer	...	...	...	1	0	0	
Chief Medical Officer	...	...	...	1	0	0	
Commissioner for Native Affairs	...	...	...	1	0	0	

(2) No officers other than the foregoing, nor temporary employees shall be entitled to travelling allowances unless approved and in circumstances approved by the Lieutenant-Governor. The rate of allowance to any approved officer or temporary employee shall be fifteen shillings per day for officers or employees in receipt of a salary of £600 or over and 10s per day to others.

(3) Until the Lieutenant-Governor approves of the officers to whom travelling allowances shall be paid under paragraph (2) hereof allowances at the rate therein mentioned shall be paid to officers heretofore entitled to travelling allowances.

*Allowance when maintenance provided.*

23. Travelling allowances at quarter of the above rates only shall be payable to any officer or employee when travelling on any vessel when the cost of transport paid by the Government includes maintenance.

*Allowance in special circumstances.*

24. Any officer or temporary employee may, under special circumstances, have an allowance granted to him by the Lieutenant-Governor.

*Allowance on transfer.*

25. Any travelling allowance payable to an officer who is transferred from one part of the Territory to another shall be calculated only according to the time properly and necessarily taken in travelling between those parts.

*Allowance to cover pecuniary loss.*

26. Should any officer be under any pecuniary loss while filling an acting appointment owing to the cost of living being higher, or from any other cause, he may be granted an amount to cover the extra expense.

*Vouchers.*

27. Vouchers for travelling expenses must clearly show the dates and hours of arrival and departure, the names of vessels (if any) by which the claimant travelled and the nature of the duty on which he was engaged.

*Actual expenses only in certain cases.*

28. For journeys occupying less than one-fourth of a day actual expenses only will be paid.

*Allowance additional to cost of conveyance.*

29. All travelling allowances shall be in addition to the cost of conveyance.

*Performance of higher duties.*

30. Where an officer of one Department has performed the duties in another Department of a position of a higher grade than his own classification for one month continuously he shall be granted for the period for which he continues to perform the duties of such higher position payment in addition to his own salary at a rate equal to the difference between his salary and the minimum salary of the grade of the higher position.

*Special allowance to medical officers.*

31. A Government Medical Officer shall be entitled to an allowance of £2 2s for each post-mortem examination performed by him by direction of a Coroner.

*No allowance unless authorized.*

32. Except as provided for in or granted under the provisions of these Regulations, or as expressly provided for in the gazetted classification of his office, no officer and no temporary employee shall be entitled to any allowance whatsoever.

## PART V.—LEAVE OF ABSENCE.

### *Applications for leave.*

33. Every application for leave of absence shall be made to the Lieutenant-Governor, through the Head of the Department in which the applicant is employed, and the Head of the Department shall report whether the leave can be granted without detriment to the work of the Department.

### *Vacation leave.*

34. Subject to the necessities of the service, vacation leave, or leave of absence on full pay, for the purpose of relaxation from business may be granted to officers as follows :—

- (a) Six weeks in a period of one year ;
- (b) Three months in a period of two years ;
- (c) Four and a-half months in a period of three years ;
- (d) Six months in a period of four years or upwards :

Provided that in the absence of exceptional circumstances vacation leave will not be granted during the first year of service.

### *Sick leave and leave on account of urgent private affairs.*

35. Leave of absence may be granted to officers in cases of serious indisposition or of urgent private affairs.

In case of serious indisposition the state of the officer's health must be certified by his medical attendant.

In cases of urgent private affairs the nature of the private affairs must be stated to the Lieutenant-Governor.

Such leave of absence may be for any period not exceeding twelve months and either on full pay, or on half pay, or without pay as the Lieutenant-Governor, with the advice of the Executive Council, shall approve.

### *Long leave.*

36. (1) Leave of absence on half pay (hereinafter referred to as "long leave") may be granted after six years' service without any special grounds. Long leave must never exceed twelve months. If long leave and vacation leave are granted at the same time the total leave must never exceed twelve months.

(2) Instead of leave of absence on half pay which an officer may be granted as long leave under paragraph (1) of this Regulation leave of absence for half the period permissible under that paragraph may, at the option of the officer (to be expressed when the application for leave is made), be granted on full pay.

### *Furlough.*

37. When an officer has continued in the Public Service for at least fifteen years and has not been reduced or otherwise punished for misconduct the Lieutenant-Governor may with the advice of the Executive Council grant him leave of absence for a period not exceeding twelve months on half pay or six months on full pay.

### *Leave without pay.*

38. The Lieutenant-Governor with the advice of the Executive Council may grant leave of absence without pay to any officer for any period not exceeding twelve months but the period of such leave shall not for any purpose be included as part of such officers period of service.

### *Extension of leave.*

39. Officers absent on leave who wish to obtain an extension of leave on the ground of ill-health must be examined by one of the Commonwealth Medical Officers

and obtain from him a certificate as to the state of the officers health. The certificate is to be transmitted by the first opportunity to the Government Secretary.

A fee of half a guinea where the officer attends at the doctors rooms and one guinea if the doctor has to attend at the officers residence has to be paid.

*Leave on retirement.*

40. To officers of meritorious service prior to their retirement on account of age who are not entitled to furlough hereinbefore described the Lieutenant-Governor with the advice of the Executive Council may grant leave of absence with full pay as follows—

Service of 12 years and under 15 years	...	...	...	5 months
Service of 8 " " " 12 "	...	...	...	4 "
Service of 4 " " " 8 "	...	...	...	3 "
Service of 2 " " " 4 "	...	...	...	2 "
Service of less " " " 2 "	...	...	...	1 month

*Notification by officers on leave.*

41. (1) An officer to whom leave of absence has been granted shall on relinquishing duty furnish the Government Secretary through the Head of his Department with a written notification of the date of such relinquishment and on his resuming duty the date of such resumption.

(2) When an officer on leave remains within the Territory or returns thereto before his leave expires he shall notify the Government Secretary of his address and of any change thereof.

(3) An officer on leave on arriving in Australia shall notify his arrival by letter to the Secretary, Prime Minister's Department, Melbourne, giving his address and he shall similarly notify any change of address.

(4) If an officer on leave departs from the Territory and does not visit Australia he shall before his departure from the Territory notify the Government Secretary in writing of his intended destination and address and shall likewise notify any change of address.

*Leave subject to the exigencies of the Service.*

42. All applications for leave of any kind are subject to the exigencies of the Public Service.

*Payment of leave value on death.*

43. Upon the death of an officer there shall be paid to his dependents a sum equal to the money value of any leave then due to such officer at the time of his death.

*Extension of this Part.*

44. The provisions of this Part of these regulations shall also apply to the Judges of the Central Court.

PART VI—SUSPENSION OF OFFICERS.

45. (1) No officer shall be suspended unless he has first been relieved from duty, and the question of his suspension has been brought before the Executive Council.

(2) The Lieutenant-Governor shall have power to relieve any officer in the Public Service from duty for any grave offence against the good order of the Service; and the head of a department shall have similar powers with regard to any officer of his department. An officer relieved from duty is entitled to half salary.

(3) If an officer is relieved from duty by the head of a department, the head of the department shall, at the earliest opportunity, report the fact and the whole circumstances of the case to the Lieutenant-Governor, and the Lieutenant-Governor shall—



- (a) If he disapprove the action of the head of the department reinstate the officer who has been relieved from duty, in which case the officer shall be entitled to the half salary withheld from him under Rule 4;
- (b) If he do not disapprove, forward to the officer a written notice, calling upon him to state in writing, before a certain date, any facts upon which he relies as matters of defence or excuse. The date fixed must allow a reasonable interval for the purpose.

The same procedure as is laid down in Clause (b) shall be followed in the case where an officer is relieved from duty by the Lieutenant-Governor.

(4) If the officer does not furnish such statement within the time fixed by the Lieutenant-Governor, or if he fails to exculpate himself to the satisfaction of the Lieutenant-Governor, the Lieutenant-Governor shall apprise the officer that on a day (to be specified) the question of his suspension will be brought before the Executive Council, and that he will be allowed, and, if the Council so determine, required to appear before the Council and defend himself orally.

(5) If any witnesses are examined by the Council, the officer must be allowed the opportunity of being present, and of putting questions on his own behalf. The officer must also be given a copy of any documentary evidence that is to be used against him, and that has not been already furnished to him.

(6) If, in the course of the enquiry, further grounds for suspension are disclosed, the Lieutenant-Governor, if he thinks fit to proceed upon such grounds, shall furnish the officer with a written statement thereof, and shall take the same steps as are above prescribed in respect of the original grounds of suspension.

(7) If the officer is suspended the Lieutenant-Governor shall, without loss of time, report the matter to the Governor-General for approval and confirmation, transmitting the minutes of Council, the written statements, and all material documents relating to the case.

(8) If after full enquiry before the Executive Council the Lieutenant-Governor decides not to suspend the officer, or if the suspension of an officer is not approved and confirmed by the Governor-General, and no other punishment is awarded, the officer will be entitled to the full amount of salary which he would have received if he had not been relieved from duty or suspended, even though the officer discharging the functions of the office in the meanwhile has been allowed to receive some portion of the salary of the office.

(9) If the suspension is approved and confirmed by the Governor-General, all salary will cease from the day of suspension, and although the officer should be subsequently reinstated (as an act of indulgence), he will not be entitled to any portion of salary during the period of his suspension. Pending the decision of the Governor-General, the Lieutenant-Governor, with the advice of the Executive Council, may grant a small alimentary allowance to an officer who has been suspended, and who appears urgently to need such assistance.

(10) If criminal proceedings are instituted against a Public Officer, proceedings for his suspension upon any grounds involved in the criminal charge shall not be taken pending the criminal proceedings except that of relieving him from duty.

(11) If an officer is convicted on a criminal charge the Lieutenant-Governor may cause the proceedings of the Criminal Court on such charge to be laid before the Executive Council, and if the Council are of opinion that the officer should be suspended on account of the offence of which he has been convicted, he may thereupon be suspended without taking any of the proceedings above prescribed, but his suspension must be reported to the Governor-General for approval and confirmation.

(12) An officer acquitted of a criminal charge is not thereby rendered exempt from suspension on account of his conduct in the matter, and the Lieutenant-Governor, if he thinks fit, may take the usual proceedings for the purpose.

(13) An officer who is under suspension may not leave the Territory without the leave of the Lieutenant-Governor. If he absents himself from the Territory without leave, he shall, unless he satisfies the Lieutenant-Governor that he had good cause for his action, be held to have vacated his office. If granted leave of absence the officer will not be entitled to any more salary than if he had remained in the Territory.

(14) If upon full enquiry the Executive Council are of opinion that the officer deserves punishment, but not the full penalty of suspension, the Lieutenant-Governor may remove the officer to an office of lower rank in the Service, or may require him to serve in his original office at a reduced salary, either permanently or for a stated period, or may deduct a portion of salary due or about to become due to the officer, or may inflict any other punishment allowed by the Rules.

(15) Members of the Executive Council may be suspended by the Lieutenant-Governor, following, as far as the nature of the case will allow, the procedure laid down as to the suspension of officers.

#### PART VII.—GENERAL.

##### *Work outside the Public Service.*

46. (1.) Except with the express permission of the Lieutenant-Governor no officer shall—

- (a) Accept or continue to hold an office in or under the Government of any State, or in or under any public or municipal corporation; or
- (b) Accept or continue to hold or discharge the duties of or be employed in a paid office in connection with any banking, insurance, agricultural, mining, mercantile, or other commercial business, whether the same be carried on by any corporation, company, firm, or individual; or
- (c) Engage in or undertake any such business whether as principal or agent; or
- (d) Engage or continue in the private practice of any profession; or
- (e) Accept or engage in any employment other than in connection with the duties of his office or offices under the Government of the Territory.

(2.) Nothing herein contained shall be deemed to prevent an officer from becoming a member or shareholder only of any incorporated company, or of any company or society of persons registered under any Act in any State or elsewhere, provided however that the Regulation hereinafter contained restricting the holding of shares in public companies operating in the Territory must be observed by the officer.

##### *Working land for profit.*

47. Officers desirous of taking up land for the purpose of working it by cultivation or otherwise for profit, or officers desiring to join in syndicates or partnerships whose object is to acquire or hold land for the purpose of working it for profit, may not do so without the express permission of the Lieutenant-Governor, in writing. Applications for such permission shall give full particulars of the undertaking and shall state the extent of the interest the applicant will hold."

The Lieutenant-Governor may grant or refuse such applications at his discretion, and shall not be bound to give any reasons to the applicant for his decision.

The applicant may appeal to the Minister by a communication forwarded through the Lieutenant-Governor.

Provided always that the Lieutenant-Governor shall not grant the application—

- (a) If, in his opinion, the performance by the applicant of his ordinary official duties would be interfered with;
- (b) If the land to be worked is in a district in which the applicant holds the position of Resident Magistrate or Assistant Resident Magistrate, or any other position which gives him authority to control or in any way interfere with either whites or natives;

(c) If the applicant is to manage or personally direct the enterprise.

Applications will be treated by the Lieutenant-Governor as strictly confidential, and will be transmitted by him to the Department of External Affairs for the confidential information of the Minister without delay, accompanied by any observations he may desire to submit.

*Restriction as to holding shares in companies operating in the Territory.*

48. Officers will be permitted to hold shares in public companies operating in the Territory providing that—

- (a) They hold no position of authority in the district where operations are conducted ;
- (b) The extent of their holdings is communicated to the Lieutenant-Governor ;
- (c) That they do not hold the position of manager or director or otherwise take direct part in the conduct of the company's affairs ;
- (d) The extent of their interest is not sufficient to enable them to control the conduct of the company's business.

Information acquired by the Lieutenant-Governor under (b) above will be treated as confidential, and reported to the Department without delay.

*Newspaper correspondence &c.*

49. A Government officer is forbidden—

- (a) to be the editor of a newspaper or to take any active part in the management of a newspaper ;
- (b) to make any communication to a newspaper, whether by way of interview or otherwise, in which measures of the Government are discussed, or the policy of the Government criticized, or the official proceedings of Government officers questioned.

Any Government officer who offends against this regulation is liable to suspension and subsequent dismissal.

*Information not to be given.*

50. Except in the course of official duty no information concerning public business or any matter of which an officer has knowledge officially shall be given directly or indirectly by an officer without the express direction or permission of the Head of his Department.

*Unauthorised expenditure.*

51. No officer unless duly authorised in that behalf shall incur any liability or enter into any contract on behalf of the Government or alter the terms or conditions of any approved contract.

*Age on retirement.*

52. (1) If any officer continues in the Public Service after he has attained the age of sixty years he may at any time before he attains the age of sixty-five years be called upon by the Lieutenant-Governor—to retire from the Public Service, and every such officer so called upon to retire shall retire accordingly.

(2) Every officer shall retire from the Public Service on attaining the age of sixty-five years unless he is required to continue to perform his duty in the Public Service, as hereinafter provided, and is able and willing so to do.

(3) Notwithstanding that an officer has attained the age of sixty-five years, if it appears to the Governor-General that in the interests of the Public Service it is desirable that such officer should continue in the performance of the duties of his office, or of any office in the Public Service to which he may be appointed, and that such officer is able and willing to do so, the Governor-General may direct such officer to continue in the Public Service for such fixed time not exceeding twelve months as the Governor-General from time to time in each case directs, or during pleasure.

*Quarters;*

53. An officer acting on behalf of another to whom leave of absence has been granted for a period exceeding one month shall unless other sufficient and convenient quarters are already provided for him be entitled to occupy any quarters allowed by the Government to the officer on whose behalf he is acting; and that officer shall forthwith vacate the quarters unless invited by him to remain.

*Rent for quarters:*

54 (1) If an officer occupies for the purpose of residence the whole or part of a building belonging to or in the disposal of the Territory such officer shall be charged a rental not exceeding Ten per centum on the salary of such officer.

(2) Officers who occupy Government buildings are prohibited from subletting any portion thereof without the consent in writing of the Lieutenant-Governor.

*Medical examination of officers.*

55. (1) Any officer or Temporary Employee shall when called upon so to do by the Lieutenant-Governor or by the Head of his Department submit himself for medical examination by a Government Medical Officer.

(2) The Government Medical Officer who may be required to do so shall make such examination and shall report thereon to the Lieutenant-Governor.

(3) The fee for the examination and report shall be paid by the Government.

*Holidays.*

56. The following days shall be observed as holidays in the Public Offices, namely,—

The first day of January (New Years Day).

The twenty-fifth day of April (Anzac Day).

Good Friday.

The day after Good Friday.

Easter Monday.

The twenty-fourth day of May (Empire Day).

The Anniversary of the Birthday of the Sovereign.

The Anniversary of the Birthday of the Prince of Wales.

The fourth day of September (the Anniversary of the foundation of the Possession of British New Guinea).

Christmas Day.

The day after Christmas Day.

When any of the above days falls upon a Sunday the next following Monday shall be a holiday.

Whenever the twenty-sixth day of December falls on a Monday the day following shall be a holiday.

Whenever any of the following days that is to say: Empire Day The Anniversary of the Birthday of the Sovereign the Anniversary of the Birthday of the Prince of Wales or the fourth day of September falls on any day of the week other than Monday that day shall not be a holiday but the following Monday shall be a holiday instead thereof unless otherwise notified by the Lieutenant-Governor in the *Gazette*.

*Fine for breach of duty.*

57. Any officer who in the opinion of the Executive Council is guilty of a breach of duty shall be liable to a fine not exceeding Five Pounds to be levied by deduction from his salary.

*Supplies to Travelling Officers.*

58. The following articles and none other without special leave of the Lieutenant-Governor will be supplied to travelling officers.

1 Fly	1 Medicine Chest
1 Tent	2 Officers Swag-bags
1 Hammock	2 Tucker Boxes
1 Mosquito net (Cheese-cloth)	Kerosene
1 Lantern	

*Insobriety; alcohol in office hours.*

59. If an officer observes any officer under him incapacitated from excessive use of alcohol from satisfactorily performing his duties or indulging in alcohol in office hours the first mentioned officer shall report the matter to the Head of his Department or if the first mentioned officer is such Head, to the Lieutenant-Governor. Failure to report will be regarded as evidence of incompetence.

*Applications by officers, how made.*

60. The application of any officer upon any matter affecting his position in the Service shall be made by the applicant himself to the Lieutenant-Governor through the Head of his Department, and shall be forwarded by the Head of Department through the Government Secretary for transmission to the Lieutenant-Governor with any remarks considered necessary.

*Subordination.*

61. Every officer shall obey promptly all instructions given to him by the officer under whose immediate supervision or control he is placed. If any officer has ground of complaint arising out of such instructions or from any other cause whatsoever he may appeal in regard thereto through his immediate superior who shall forward such appeal to the Head of the Department for decision, or, if his were the instructions appealed against, for transmission to the Government Secretary to be laid before the Lieutenant-Governor, but the officer shall nevertheless carry out any instructions which may be given to him until the same are duly countermanded.

*Government property.*

62. All officers shall be held responsible for the careful use and preservation of all Government property in their possession custody or care. Officers in charge of public buildings or boats shall in the event of repairs being required report in writing to the Head of the Department and shall not allow the buildings or boats to fall into decay or to become permanently injured for the want of timely requisition for such repairs.

*Transfer of officers.*

63. No officer shall refuse compliance with an order of the Lieutenant-Governor directing his transfer from one position to another to another of similar or higher classification in the same or any other part of the Territory.

*Cost of Transfer to be borne by Officer in certain cases.*

64. Officers who are transferred from one locality to another solely at their request or by exchange mutually desired and approved must bear the whole cost of their removal. When transferred on account of misconduct the cost must also be borne by the officer in default unless otherwise decided by the Lieutenant-Governor prior to removal.

When officers are transferred under any other circumstances the actual cost of conveyance of such officers and that of their wives and children shall be paid by the Government.



*Removal of furniture.*

65. (1) Where houses are furnished or partly furnished no allowance will be given for such articles of furniture as are supplied by the Government. Where houses are unfurnished the cost of removal of furniture will be allowed to the maximum cost of five tons.

(2) In providing for the cost of removal only necessary household furniture and effects will be taken into consideration.

(3) Where exceptional circumstances can be shown to exist a reasonable amount in excess of the maximum cost above mentioned may be allowed by the Lieutenant-Governor.

(4) An officer shall not be entitled to any compensation from the Government for losses or damages arising from removal.

*Duty after usual hours.*

66. Officers will be required to perform public duty after the usual hours whenever it is necessary to bring up arrears of work or to meet any temporary pressure of business. Where found essential the staff dealing with such work or at the discretion of the Departmental Head or of the officer in charge the whole staff may be retained beyond the ordinary official hours. Every officer shall when required by the Departmental Head or the officer in charge remain after the usual hours to complete work considered necessary to be done the same day.

*Payment for overtime.*

67. (1) Overtime shall be recorded and paid for only subject to the provisions and conditions of this regulation.

(2) No overtime shall be recorded and paid for unless:—

(a) The Departmental Head shall first report in writing to the Lieutenant-Governor through the Government Secretary the circumstances giving rise to the need for the working of overtime, the officer or officers to be employed, and the probable duration of the overtime: and

(b) the Lieutenant-Governor, or in his absence the Government Secretary shall sanction the same in writing.

(3) The sanction of the Lieutenant-Governor for the recording of and payment or overtime shall cover only the particular case reported to and sanctioned by him unless it is expressly stated therein that such sanction shall apply to similar cases which may in future arise.

(4) In the case of officers who perform clerical duties only and have fixed hours of attendance, and who work ordinarily for seven hours a day or less, overtime shall for the purposes of this and the next following regulation, mean time worked in excess of seven hours a day with the sanction aforesaid. In the case of all other officers overtime shall for the same purposes mean time worked in excess of eight hours a day with the like sanction.

(5) Officers—

(a) in receipt of salary in excess of £500 per annum; or

(b) not working under direct supervision; or

(c) whose work is of an intermittent character; or

(d) whose hours of duty cannot be accurately determined,

shall not be entitled to overtime.

(6) At the end of each calendar month the Departmental Heads shall furnish the Lieutenant-Governor with a return of overtime worked during the month together with a statement of the amounts payable to each officer for overtime. Payments will be subject to the approval of the Lieutenant-Governor or, in his absence, of the Government Secretary.

*Rate of payment for overtime.*

68. (1) Overtime in the case of officers performing clerical duties shall be at the rate of time and a half after seven hours and double time after midnight.

(2) In the case of other officers overtime shall be at the rate of time and a half after eight hours and double time after midnight.

(3) The minimum rate of payment in any case shall be one shilling per hour. A fraction of a penny in the hourly rate shall not be regarded in computing overtime payment unless it exceeds a half penny. When one penny shall be allowed in lieu of the fraction. Overtime shall be calculated to the nearest quarter of an hour in the total amount of time to be claimed.

Made in Executive Council the eighth day of December One thousand nine hundred and twenty-two.

Executive Council Minute,  
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H. L. MURRAY,  
Clerk of Executive Council

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