

PUBLIC SERVICE BOARD OF APPEAL.

The Public Service Act, 1912, as amended by the Public Service Amendment Act, 1927, provides for the setting-up of a Public Service Board of Appeal constituted as follows :—

“(a) Two persons, of whom at least one shall be an officer of the Public Service, to be appointed by the Governor-General, and to hold office for a term not exceeding three years :

“(b) Two persons, being officers of the Public Service employed in different Departments, to be elected by the officers of the Public Service in the manner hereinafter prescribed.

“One of the members appointed by the Governor-General pursuant to paragraph (a) of the last preceding subsection shall be appointed by him as the Chairman of the Board.

“The persons elected in accordance with the provisions of paragraph (b) of the last preceding subsection shall not be entitled to sit as members of the Board of Appeal at the same time, and shall mutually agree as to which of them shall act as a member of the said Board in any particular appeal. In default of such agreement the person so to act shall be determined in the manner prescribed by regulations.”

The present members of the Board are—

Under paragraph (a) : Colonel J. J. Esson, C.M.G., V.D. (Chairman) and Mr. J. H. Jerram, General Manager, State Fire and Accident Insurance Department.

Under paragraph (b) : Messrs. A. S. Houston (Department of Agriculture) and J. H. McKay (Stamp Duties Department).

Every officer has a right of appeal against—

“(a) Any determination of the Commissioner made pursuant to section seventeen of the principal Act fixing the maximum salary payable in respect of any position in the Professional or Clerical Division, or relating to the grading of any officer of any other division ; or

“(b) Any determination of the Commissioner in respect of an application made by such officer for promotion by means of appointment to any office or position for which applications have been called ; or

“(c) Any appointment made by the Commissioner pursuant to subsection three of section eight hereof without having notified the vacancy or called for applications to fill the same if his appointment to fill such vacancy would have involved the promotion of the appellant ; or

“(d) Any determination of the Commissioner in respect of a charge made against such officer of having committed any offence in relation to his official duties ; or

“(e) Any penalty imposed on such officer by the Commissioner in respect of any offence as aforesaid, except in cases where it is expressly provided that the decision of the Commissioner shall be final ; or

“(f) Any other determination in respect of which a right of appeal is expressly conferred by the principal Act or any other Act.”

The following is a summary of appeals dealt with during the period 1st April, 1934, to 31st March, 1935 :—

Decisions recorded.					Classification.	Non- appointment.	Dismissal.	Total.
Allowed	..	..	..	..	..	1	..	1
Not allowed	..	..	..	..	..	57	..	57
Do not lie	..	..	..	..	2	2	..	4
Withdrawn	..	..	..	..	..	8	..	8
					2	68	..	70

It is significant that the number of appeals upheld by the Board has on the whole been relatively small. This is as it should be in a well-regulated Service. Promotions are not made in a haphazard method, but only after very careful consideration of the merits of the applicants for promotion. It is stated, on the other hand, that the system of appeal is not efficient in that only a small number of appeals are allowed. I feel sure, however, that the real reason lies in the fact that not only is the Commissioner solicitous to appoint the applicant best qualified by “merit,” but also that departmental Heads realize that the old idea of promotion by seniority has been abandoned, and they have considerably assisted the Commissioner in the selection of the best-qualified applicant, and have had the courage of their convictions in stating their views and the reasons for these views before the Appeal Board.