



## ANALYSIS

Title  
1. Short Title

2. Deputy Chairman  
3. Constitution and functions of  
Appeal Authority

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1979, No. 70

**An Act to amend the Accident Compensation Act 1972**  
[13 December 1979]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Accident Compensation Amendment Act 1979, and shall be read together with and deemed part of the Accident Compensation Act 1972 (hereinafter referred to as the principal Act).

**2. Deputy Chairman**—(1) Section 6 (3) of the principal Act is hereby amended by adding the words “and one shall be so appointed as Deputy Chairman.”.

(2) Section 9 of the principal Act is hereby consequentially amended by repealing subsections (1) to (3), and substituting the following subsections:

“9. (1) During the absence or incapacity from any cause of the Chairman of the Commission or during any vacancy in his office, the Deputy Chairman shall have and may exercise all the functions, duties, and powers of the Chairman, and no act done by him or the Commission while he is acting as Chairman shall in any proceedings be questioned on the ground that the occasion for his acting as such had not arisen or had ceased.

“(2) The Governor-General may, from time to time, on the recommendation of the Minister—

“(a) Appoint a person to act as the deputy of any member other than the Chairman while that member is incapacitated by illness, absence, or other sufficient cause:

“(b) Appoint a person to act in place of the Deputy Chairman as a deputy member of the Commission while the Deputy Chairman is acting as Chairman.

“(3) Any deputy appointed under this section shall, while he acts as such, be deemed to be a member of the Commission.”

(3) Section 13 of the principal Act is hereby amended—

(a) By omitting from subsection (1) the words “his deputy”, and substituting the words “in the event of the absence or incapacity of the Chairman, the Deputy Chairman”:

(b) By omitting from subsections (2) and (4) the words “his deputy” in each place where they occur, and substituting in each place the words “the Deputy Chairman”.

### **3. Constitution and functions of Appeal Authority—**

(1) The principal Act is hereby amended by repealing sections 155 and 156, and substituting the following section:

“155. (1) There shall continue to be an Appeal Authority called as heretofore the Accident Compensation Appeal Authority, which shall be the same Authority as that existing under the same name immediately prior to the commencement of this Act.

“(2) The functions of the Appeal Authority shall be to sit as a judicial authority for the determination of any appeal that lies to that Authority in accordance with section 162 of the Act.

“(3) The Authority shall consist of one or more members, each of whom shall be a barrister and solicitor of the Supreme Court of not less than 7 years’ practice, whether or not he holds or has held any judicial office.

“(4) Each member of the Authority shall be appointed by the Governor-General on the recommendation of the Minister of Justice, and shall hold office for a term of 3 years, but may from time to time be re-appointed by the Governor-General.

“(5) Any member of the Authority sitting alone, or any 2 or more members sitting together, may exercise the powers of the Authority.

“(6) Proceedings may be continued before a member or members of the Authority other than the member or members before whom they were commenced.

“(7) Any member of the Authority may at any time be removed from office by the Governor-General for disability, bankruptcy, neglect of duty, or misconduct, proved to the satisfaction of the Governor-General, or may at any time resign his office by writing addressed to the Minister of Justice.

“(8) If a member of the Authority dies or is removed from office or resigns, the vacancy so created shall be filled by the appointment in the manner prescribed by subsection (4) of this section, of a person qualified for appointment to the office.”

(2) Section 157 of the principal Act is hereby consequentially amended by omitting the words “to the person who is the Authority” and substituting the words “to any member of the Authority”.

(3) The principal Act is hereby consequentially amended by repealing section 161.

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This Act is administered by the Accident Compensation Commission.

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