



ANALYSIS

<p>Title</p> <p>1. Short Title</p> <p>2. Matters to be considered before determining application for licence</p> <p>3. New sections inserted</p>	<p>36A. Deputy of Air Services Licensing Appeal Authority</p> <p>36B. Remuneration of Appeal Authority and Deputy Appeal Authority</p>
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1972, No. 46

An Act to amend the Air Services Licensing Act 1951

[20 October 1972]

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 Air Services Licensing Amendment Act 1972, and shall be read together with and deemed part of the Air Services Licensing Act 1951 (hereinafter referred to as the principal Act).

2. Matters to be considered before determining application for licence—Section 18 of the principal Act is hereby amended by repealing paragraphs (b), (c), and (d) of subsection (2), and substituting the following paragraphs:

“(b) The likelihood of the applicant’s carrying on the proposed service satisfactorily, and, in the case of an existing service, the manner in which it is carried on:

“(c) The timetables or frequency of the proposed service:

“(d) The proposed fares and charges for the carriage of passengers or goods:”.

3. New sections inserted—The principal Act is hereby further amended by inserting, after section 36, the following new sections:

“36A. Deputy of Air Services Licensing Appeal Authority—
(1) The Governor-General may from time to time appoint a qualified person to be the Deputy Air Services Licensing Appeal Authority.

“(2) The Deputy Air Services Licensing Appeal Authority shall hold office during the pleasure of the Governor-General.

“(3) On the occurrence from any cause of a vacancy in the office of Appeal Authority (whether by reason of death, resignation or otherwise), and in the case of the absence from duty of the Appeal Authority (from whatever cause arising), and so long as such vacancy or absence continues, or where he considers it not proper or desirable that he should adjudicate on any appeal pending before him, his deputy shall have and may exercise all the powers, duties, and functions of the Appeal Authority either generally or, as the case may be, with respect to the appeal so pending.

“(4) The person so appointed shall, subject to any conditions or limitations and for the period of his appointment, have all the powers, duties, and functions of the Appeal Authority.

“(5) The fact that any person is acting as the Deputy Air Services Licensing Appeal Authority shall be conclusive evidence of his authority to do so, and no person shall be concerned to inquire whether the occasion for his appointment has arisen or ceased.

“(6) No person shall be appointed the Deputy Air Services Licensing Appeal Authority unless he is eligible for appointment as Appeal Authority.

“36B. Remuneration of Appeal Authority and Deputy Appeal Authority—There may be paid out of money appropriated by Parliament for the purpose to any person who is appointed Air Services Licensing Appeal Authority or Deputy Air Services Licensing Appeal Authority, and who is not for the time being the holder of any other judicial office, remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if the person holding either of those offices were a member of a statutory Board within the meaning of that Act.”

This Act is administered in the Ministry of Transport.
