



ANALYSIS

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1985, No. 48

An Act to amend the Civil List Act 1979

[8 March 1985]

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 and commencement—(1) This Act may be cited as the Civil List Amendment Act 1985, and shall be read together with and deemed part of the Civil List Act 1979 (hereinafter referred to as the principal Act).

(2) Except as provided in section 3 (3) of this Act, this Act shall come into force on the day on which it receives the Governor-General's assent.

2. Grants for civil purposes—Section 2 of the principal Act is hereby amended by inserting, after the words "specified in this Act", the words "and the several sums determined or fixed under this Act".

3. Salary and allowance of Governor-General—(1) Section 3 of the principal Act is hereby amended by repealing subsections (1) and (2), and substituting the following subsections:

“(1) There shall be paid to the Governor-General—

“(a) A salary at a rate determined from time to time by the Higher Salaries Commission, which salary shall be determined on the basis that it is and will remain exempt from income tax; and

“(b) An allowance, at a rate fixed from time to time by Order in Council, for expenses.

“(2) Any determination or Order in Council made under subsection (1) of this section shall come into force on a date to be specified therein, whether on or before or after the date of the making of the determination or order.”

(2) Section 3 of the principal Act is hereby amended by adding the following subsections:

“(5) The salary of a Governor-General shall not be reduced during the continuance of the Governor-General’s commission.

“(6) Every determination and every Order in Council made under this section shall be deemed to be a regulation for the purposes of the Regulations Act 1936.”

(3) This section shall come into force on the 1st day of April 1985.

4. Annuity for former Governor-General and spouse of former Governor-General—(1) Section 4 of the principal Act is hereby amended by repealing subsections (1) and (2), and substituting the following subsections:

“(1) Where a person who has held office as Governor-General (whether before or after the commencement of this Act) was, at the time of that person’s appointment, domiciled in New Zealand, there shall (as from the end of the period of 3 months specified in section 3 (4) of this Act, but subject to subsections (3) to (5) of this section) be paid to that person, until that person dies,—

“(a) If that person held office as Governor-General for a total period of less than 2 complete years, an annuity at a yearly rate determined from time to time by the Higher Salaries Commission:

“(b) If that person held office as Governor-General for a total period of 2 complete years or more, an annuity at a yearly rate, determined from time to time by the Higher Salaries Commission, for each complete year (not exceeding 5) of that total period.

“(2) Where a person who has held office as Governor-General (whether before or after the commencement of this Act) dies, being a person who was, at the time of that person’s appointment, domiciled in New Zealand, there shall, subject

to subsections (3) to (5) of this section, be paid to the widow or widower of that person, until that widow or widower dies or remarries,—

“(a) If that person held office as Governor-General for a total period of less than 2 complete years, an annuity at a yearly rate determined from time to time by the Higher Salaries Commission:

“(b) If that person held office as Governor-General for a total period of 2 complete years or more, an annuity at a yearly rate, determined from time to time by the Higher Salaries Commission, for each complete year (not exceeding 5) of that total period.”

(2) Section 4 of the principal Act is hereby amended by adding the following subsections:

“(6) Every determination under this section shall come into force on a day to be specified in the determination, whether on or before or after the date of the making of the determination.

“(7) Every determination under this section shall be deemed to be a regulation for the purposes of the Regulations Act 1936.”

5. Term of office—Section 12 (1) of the principal Act is hereby amended by inserting, after the words “that office”, the words “within 21 days”.

6. Salaries and allowances of members of Parliament—Section 18 (3) of the principal Act is hereby amended by inserting, after the words “Executive Council”, the words “or a Parliamentary Under-Secretary”.

7. Increases in salary of Governor-General—Notwithstanding anything in section 3 of the principal Act or in section 3 of this Act,—

(a) The salary payable to the Governor-General under section 3 (1) (a) of the principal Act shall be deemed to have been increased on the 6th day of November 1982 and to be and to have been payable in respect of the period beginning on that date and ending with the close of the 31st day of March 1985 at the rate of \$55,000 a year; and

(b) On and after the 1st day of April 1985, a salary at the rate of \$60,000 a year shall be payable to the Governor-General under section 3 (1) (a) of the

principal Act until that rate is superseded by a different rate determined after that date by the Higher Salaries Commission.

8. Validation of payment to Governor-General of advance on salary—The payment to the Honourable Sir David Stuart Beattie, the Governor-General, of \$20,000, on the 7th day of September 1984, as an advance on the salary payable to him under section 3 (1) (a) of the principal Act, is hereby validated and declared to have been lawfully made out of the Consolidated Account, and to have been lawfully charged to the Vote: Internal Affairs.

9. Increase in annuity for former Governor-General and spouse of former Governor-General—Notwithstanding anything in section 4 of the principal Act or in section 4 of this Act,—

- (a) The annuities payable under section 4 (1) of the principal Act shall be deemed to have been increased on the 6th day of November 1982 and to have become payable on that date as if, for the expression “\$3,000” in section 4 (1) (a) and section 4 (1) (b) of the principal Act, there had in each case been substituted on that date the expression “\$4,000”; and
- (b) The annuities payable under section 4 (2) of the principal Act shall be deemed to have been increased on the 6th day of November 1982 and to have become payable on that date as if, for the expression “\$1,500” in section 4 (2) (a) and section 4 (2) (b) of the principal Act, there had in each case been substituted on that date the expression “\$2,000”; and
- (c) Any annuity payable under section 4 of the principal Act shall continue to be payable at the rate prescribed by that section, as modified by paragraphs (a) and (b) of this section, until that rate is superseded by a different rate determined after the passing of this Act by the Higher Salaries Commission.