



Defence Amendment Act 2003

Public Act 2003 No 69

Date of assent 21 October 2003

Commencement see section 2

Contents

1	Title	4	New section 51 substituted
2	Commencement	51	Persons receiving pay but not properly attested
3	Regulations fixing certain terms and conditions of service	5	Constitution of cadet forces
		6	Regulations

The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Defence Amendment Act 2003.
- (2) In this Act, the Defence Act 1990 is called “the principal Act”.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Regulations fixing certain terms and conditions of service

Section 46 of the principal Act is amended by repealing paragraph (a), and substituting the following paragraph:

- “(a) the making of grants in the amounts and circumstances prescribed by the regulations to—
“(i) discharged or retired members of the Armed Forces; or
“(ii) dependants of members of the Armed Forces; or
“(iii) dependants of deceased, discharged, or retired members of the Armed Forces; or
“(iv) the executors or administrators of the estates of deceased members of the Armed Forces (whether or not probate or letters of administration have been granted):”.

4 New section 51 substituted

The principal Act is amended by repealing section 51, and substituting the following section:

“51 Persons receiving pay but not properly attested

A person who, without having been properly attested, has accepted pay as a member of a component of the Armed Forces referred to in section 11(3) to (5)—

- “(a) is a member of that component until discharged; and
“(b) must be discharged without delay at any time before being properly attested, if he or she so requests.”

5 Constitution of cadet forces

Section 74(2) of the principal Act is amended by repealing paragraphs (a) and (b), and substituting the following paragraphs:

- “(a) determine the number of units comprising—
“(i) the Sea Cadet Corps; or
“(ii) the New Zealand Cadet Corps; or
“(iii) the Air Training Corps; or
“(iv) any combination of those corps; and
“(b) authorise and direct the formation of a unit that is a unit of any of those corps or any combination of them, and determine or approve the size of the unit’s membership; and”.

6 Regulations

Section 101(1) of the principal Act is amended by repealing paragraph (f), and substituting the following paragraph:

“(f) providing for the enlistment of forces under section 11(3)(e), (4)(d), or (5)(d), and providing for the terms and conditions of service of those forces:”.

Legislative history

16 October 2003	Divided from Statutes Amendment Bill (No 3), third reading
21 October 2003	Royal assent

This Act is administered in the Ministry of Defence.
