

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Section 13 of principal Act amended. 3. Sections 15 and 16 of principal Act severally amended. 4. Offences against principal Act to be punishable on summary conviction. Repeal. | <ol style="list-style-type: none"> 5. Section 53 of principal Act amended. 6. Completed or pending proceedings not affected by this Act. 7. Section 49 of Justices of the Peace Act not to apply to prosecutions under this Act. 8. Extension of authority for payment of bonus under section 7 of Expeditionary Forces Amendment Act, 1918. |
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1920, No. 25.

AN ACT to amend the Military Service Act, 1916.

Title.

[28th October, 1920.]

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

1. This Act may be cited as the Military Service Amendment Act, 1920, and shall be read together with and deemed part of the Military Service Act, 1916 (hereinafter referred to as the principal Act). Short Title.

2. Section thirteen of the principal Act is hereby amended by omitting the words "may be tried and punished under the Army Act for the offence of desertion or of absenting himself without leave, as the case may be," and substituting the words "shall be deemed to have committed an offence against this Act." Section 13 of principal Act amended.

3. Sections fifteen and sixteen of the principal Act are hereby severally amended by omitting from each of the said sections the words "guilty of desertion from that Force, and shall be liable under the Army Act and this Act accordingly," and substituting in lieu thereof of the words "to have committed an offence against this Act." Sections 15 and 16 of principal Act severally amended.

4. (1.) Every person who has committed an offence against the principal Act, either before or after the passing of this Act, for which no penalty is provided otherwise than by this section is liable on summary conviction to imprisonment for one year. Offences against principal Act to be punishable on summary conviction.

(2.) No proceedings shall be taken under this section in respect of any offence for which proceedings have already been taken under the principal Act.

(3.) Section seventeen of the principal Act is hereby repealed. Repeal.

Section 53 of principal Act amended.

5. Section fifty-three of the principal Act is hereby amended by omitting from subsection three all words after the words "prescribed by regulations under this section," and substituting the words "shall be deemed to have committed an offence against this Act."

Completed or pending proceedings not affected by this Act.

6. Nothing in this Act shall be construed as affecting or relating to any proceeding by or before a Court-martial heretofore completed or now pending under the provisions of the principal Act.

Section 49 of Justices of the Peace Act not to apply to prosecutions under this Act.

7. Section forty-nine of the Justices of the Peace Act, 1908, shall have no application to prosecutions under this Act for offences against the principal Act.

Extension of authority for payment of bonus under section 7 of Expeditionary Forces Amendment Act, 1918.

8. (1.) Where any person eligible to receive a bonus under section seven of the Expeditionary Forces Amendment Act, 1918, has died after the passing of that Act, and such bonus has not been paid, and there is no person living to whom the bonus may lawfully be paid, the Minister of Defence may, in his discretion, pay such bonus to the personal representatives of the person who was so eligible, to be distributed as if it formed part of his or her personal estate.

(2.) Notwithstanding anything in the said section seven, where application for payment of the bonus therein provided for is made in respect of the military or naval services of any person deceased by any relative of the deceased (not being a person to whom payment can be made under that section), or by any person who during the infancy or any period of the infancy of the deceased had been in fact, whether legally or not, charged with his maintenance, care, and control, the Minister may refer the application to the War Pensions Board constituted under the War Pensions Act, 1915, for consideration and report, and may, on the recommendation of that Board, make such payment to the applicant as he thinks fit, as if the applicant were a person eligible to receive payment of the bonus under the said section seven in respect of the services of the deceased person.