



## ANALYSIS

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1968, No. 9

**An Act to amend the National Military Service Act 1961**  
*[21 September 1968]*

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 National Military Service Amendment Act 1968, and shall be read together with and deemed part of the National Military Service Act 1961 (hereinafter referred to as the principal Act).

**2. Liability for service**—(1) Section 3 of the principal Act (as amended by paragraph (c) of section 2 of the National Military Service Amendment Act 1964) is hereby further amended by omitting from subsection (2) the words “attained or will attain the age of twenty years on or after the first day of July, nineteen hundred and sixty-four”, and substituting the words “attained or will attain the age of nineteen years on or after the first day of July, nineteen hundred and sixty-eight”.

(2) Paragraph (c) of section 2 of the National Military Service Amendment Act 1964 is hereby consequentially repealed.

**3. Persons subject to registration**—(1) The principal Act, as amended by section 3 of the National Military Service Amendment Act 1964, is hereby further amended by repealing section 8, and substituting the following section:

“8. (1) Every person who becomes liable to be called upon to serve in the Army in accordance with section 3 of this Act shall become subject to registration on the day on which he attains the age of nineteen years or (if he is then out of New Zealand) on the date of his return to New Zealand:

“Provided that any person who is liable to be called upon to serve in the Army as aforesaid and who attains the age of twenty years between the commencement of this section and the date one year after the commencement of this section, shall become subject to registration on the date on which he attained that age.

“(2) References in this Part of this Act to persons subject to registration shall be construed as references to all persons who become subject to registration by virtue of this section, including persons who have been registered in the military service register or in the register of conscientious objectors.

“(3) A person shall cease to be subject to registration after two years from the date on which he applied for registration in accordance with section 9 or section 28 of this Act:

“Provided that, if after making application for registration as aforesaid he fails to comply with any provision of this Act, being a provision failure to comply with which amounts to an offence against this Act, the said period of two years shall be extended by a further period equal to the period from the date on which he fails to comply with the provision until the date on which he again complies or commences to comply with all such provisions of this Act:

“Provided also that, where a person has left New Zealand while subject to registration or has had his liability for service postponed after he has applied for registration as aforesaid, the said period of two years shall be extended by a further period equal to the period from the date of his departure to the date of his return to New Zealand or (as the case may be) from the date of the determination of the Secretary or the Military Service Postponement Committee until the expiry of the period for which his liability for service has been postponed.

“(4) Where any person who has been deemed to be enlisted in the Army under section 18 of this Act has not been served with a calling up notice before the expiration of the period

(including any further period) that would be applicable to that person in accordance with subsection (3) of this section, the provisions of that subsection shall apply to that person upon the expiration of that period as if he had not been deemed to be enlisted as aforesaid, and he shall thereupon cease to belong to the Army.”

(2) Section 3 of the National Military Service Amendment Act 1964 is hereby consequentially repealed.

**4. Selection for service**—Section 10 of the principal Act, as inserted by section 4 of the National Military Service Amendment Act 1964, is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) The Minister may from time to time cause to be selected by ballot, from the total number of birth dates which could occur in any period which he may specify, such number of birth dates as he in his sole discretion thinks fit. No such specified period shall commence more than twenty years six months before the date of the selection or end less than nineteen years before that date:

“Provided that the period which may be specified in relation to any ballot to be held between the commencement of this subsection and the date one year after the date of the commencement of this subsection shall not commence more than twenty-one years six months before the date of the selection or end less than nineteen years before that date.”

**5. Priority in bankruptcy**—(1) Section 70 of the principal Act is hereby amended by omitting from paragraph (a) of subsection (1) the words “under section 120 of the Bankruptcy Act 1908, are to be paid in the third priority”, and substituting the words “under section 104 of the Insolvency Act 1967, are to be paid in the fourth priority”.

(2) This section shall come into force on the date to be appointed for the commencement of the Insolvency Act 1967 by the Governor-General by Order in Council.