



ANALYSIS

Title	2. Alternate members of Commission
1. Short Title	3. Disclosure of interests

1980, No. 125

An Act to amend the New Zealand Film Commission Act 1978
[13 January 1981]

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 New Zealand Film Commission Amendment Act 1980, and shall be read together with and deemed part of the New Zealand Film Commission Act 1978 (hereinafter referred to as the principal Act).

2. Alternate members of Commission—(1) The principal Act is hereby amended by inserting, after section 6, the following section:

“6A. (1) The Minister may from time to time appoint as alternate members of the Commission persons who may act as the alternate of an appointed member of the Commission during the appointed member’s incapacity to perform the duties of his office.

“(2) Every alternate member of the Commission shall hold office for such term as the Minister shall specify in his appointment, being a term not exceeding 3 years; and may from time to time be reappointed.

“(3) If the Chairman is satisfied that any appointed member of the Commission (other than the Chairman) is incapacitated by illness, absence, or other sufficient cause from performing the duties of his office, the Chairman may designate an alternate member to act in the place of the appointed member during his incapacity.

“(4) Any alternate member designated under subsection (3) of this section to act in the place of an appointed member shall, while he acts in the place of that appointed member, have the powers, functions, and privileges, and shall perform the duties, of the appointed member for whom he is acting.

“(5) No designation of an alternate member and no act done by him as such, and no act done by the Commission while any alternate member is acting in the place of an appointed member, shall in any proceedings be questioned on the ground that the occasion for his designation had not arisen or had ceased.”

(2) Section 5 of the principal Act is hereby consequentially amended by inserting, after the words “an appointed member” wherever they appear, the words “or alternate member”.

(3) Section 10 (2) (c) of the principal Act is hereby amended by inserting, after the word “member”, the words “or alternate member”.

(4) Section 14 of the principal Act is hereby amended by omitting the words “of the Commission, or of”, and substituting the words “or alternate member of the Commission, or a member of”.

3. Disclosure of interests—(1) The principal Act is hereby amended by inserting, after section 9, the following section:

“9A. (1) Any member of the Commission or any committee of the Commission who, otherwise than as such member, is directly or indirectly interested in the exercise of any power or function by the Commission, or who is directly or indirectly interested in any arrangement, agreement, or contract made or entered into, or proposed to be made or entered into, by the Commission shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Commission.

“(2) A disclosure under this section shall be recorded in the minutes of the Commission and, except as otherwise provided by resolution of the Commission, the member—

- “(a) Shall not take part after the disclosure in any deliberation or decision of the Commission relating to the exercise of the power or function by the Commission or to the arrangement, agreement, or contract; and
- “(b) Shall be disregarded for the purpose of forming a quorum of the Commission for any deliberation or decision.”

(2) The Local Authorities (Members' Interests) Act 1968 is hereby consequentially amended by repealing so much of Part II of the First Schedule (as amended by section 35 of the principal Act) as relates to the New Zealand Film Commission.

(3) The principal Act is hereby consequentially amended by repealing so much of the Schedule as relates to the Local Authorities (Members' Interests) Act 1968.

This Act is administered in the Department of Internal Affairs.
