



## ANALYSIS

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1. Short Title

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1960, No. 8

**An Act to consolidate and amend the Political Disabilities Removal Act 1936 and its amendments**

[2 September 1960]

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 Political Disabilities Removal Act 1960.

**2. Power of certain associations to apply funds in furtherance of political objects**—(1) Subject to the provisions of this section, the funds of any society may be applied in the furtherance of political objects if the members of the society so decide by a resolution for the time being in force, passed on a ballot of the members of the society taken in accordance with its rules.

(2) For the purposes of this section, a resolution shall be deemed to have been passed on a ballot of the members of the society if a majority of the total valid votes recorded at the ballot is in favour thereof.

(3) Any such resolution may be at any time revoked by a subsequent resolution passed in the same manner as the first-mentioned resolution was passed.

(4) The provisions of this section shall apply to any society notwithstanding that there is no provision in its rules authorising the use of its funds for the furtherance of political objects.

(5) For the purposes of this section, the term "society" means—

- (a) Any society of public servants consisting of not less than fifteen persons, and primarily associated for the purpose of protecting or furthering their interests in connection with their employment; or
- (b) Any industrial union registered under the Industrial Conciliation and Arbitration Act 1954; or
- (c) Any trade union registered under the Trade Unions Act 1908.

Cf. 1936, No. 23, s. 4; 1948, No. 77, s. 40

**3. Exemption of member from payment of levy for political purposes—**(1) Where any levy to be applied in the furtherance of political objects becomes lawfully payable by any member of any such society as aforesaid, he may, within fourteen days after the date on which he receives written notice that the levy is payable, give notice in writing to the secretary of the society that he objects to payment of the levy.

(2) On giving the notice as aforesaid, that member shall be exempt from payment of the levy.

(3) No member so exempt shall be excluded from any benefits of the society, or be placed in any respect, either directly or indirectly, under any disability or at any disadvantage as compared with other members of the society by reason of his being so exempt.

(4) If any such society, or any person being an officer or a member of any such society,—

- (a) Compels or attempts to directly or indirectly compel any member so exempt to pay any sum to which the exemption applies; or
- (b) Acts in contravention of or fails to comply in any respect with any of the provisions of subsection (3) of this section—

that society or person commits a breach of this Act and is liable to the same penalty, recoverable at the suit of an Inspector of Awards in the same manner, as if the breach were a breach of an award within the meaning of the Industrial Conciliation and Arbitration Act 1954 and the society or

person were a union under that Act, and all the provisions of that Act with respect to the enforcement of an award shall apply, so far as they are applicable and with the necessary modifications.

**4. Repeals and savings—**(1) The following enactments are hereby repealed, namely:

(a) The Political Disabilities Removal Act 1936:

(b) The Political Disabilities Removal Amendment Act 1950.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the repeal of any provision by this Act shall not affect any document made or any thing whatsoever done under the provision so repealed, and every such document or thing, so far as it is subsisting or in force at the time of the repeal and could have been made or done under this Act, shall continue and have effect as if it had been made or done under the corresponding provision of this Act, and as if that provision had been in force when the document was made or the thing was done.

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