



ANALYSIS

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1957, No. 34

An Act to amend the Royal New Zealand Air Force Act 1950
[18 October 1957]

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 Royal New Zealand Air Force Amendment Act 1957, and shall be read together with and deemed part of the Royal New Zealand Air Force Act 1950 (hereinafter referred to as the principal Act).

2. Period of service in Regular Air Force—(1) The principal Act is hereby amended by repealing section eleven, and substituting the following section:

“11. (1) Every officer and airman of the Regular Air Force shall be liable to serve for the period of his appointment or engagement, subject to such conditions as may be prescribed by regulations:

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“Provided that, subject to the approval of the Air Board, any such officer or airman may obtain his discharge at any time during the period of his appointment or engagement on payment of such amount as may be prescribed by regulations, not exceeding,—

- “(a) In the case of an officer, two hundred pounds:
- “(b) In the case of an airman who, while a member of the Air Force, has undergone a course of training outside New Zealand, two hundred pounds:
- “(c) In the case of any other airman, one hundred pounds.
- “(2) Any amount payable by any officer or airman under subsection one of this section shall be in addition to any amount payable by him to the Crown under any bond, agreement, or contract for any special purpose.”

(2) Section five of the Royal New Zealand Air Force Amendment Act 1954 is hereby repealed.

3. Persons receiving pay but not duly attested—The principal Act is hereby amended by inserting, after section eleven, the following section:

“11A. Where a person has received pay (whether before or after the commencement of this section) as an airman of the Regular Air Force without having been duly attested for service in the Regular Air Force, then—

- “(a) He shall be deemed to be an airman of the Regular Air Force until discharged:
- “(b) He may claim his discharge at any time, and if he does so he shall be discharged with all convenient speed, and, notwithstanding anything in section eleven of this Act, without being under any liability to make any payment in respect of his discharge.”

4. Appointment of officers—The principal Act is hereby amended by repealing section fifteen, and substituting the following section:

“15. (1) The Governor-General may—

- “(a) In the name and on behalf of Her Majesty, by commission under the Public Seal of New Zealand, appoint to the Air Force or any portion thereof such officers as seem to him to be necessary:
- “(b) Promote any such officer to higher rank:

“(c) Cancel any such commission, or summarily dismiss any such officer, or annul or vary any such appointment, or discontinue the services of any such officer in any capacity wherein he is no longer required, or compulsorily transfer any such officer to the Air Force Reserve.

“(2) Notice of all appointments and other acts under this section shall be published in the *Gazette*. ”

5. Repealing provisions as to hard labour—Section sixty-four of the principal Act is hereby amended by repealing subsection six.

6. Mode of complaint by officer—The principal Act is hereby amended by repealing section one hundred and thirty-nine, and substituting the following section:

“139. (1) If an officer thinks himself wronged in any matter by a superior officer, or by a superior air force authority, or by the exercise by the Governor-General of any power under section fifteen of this Act, and on application to his commanding officer does not obtain the redress to which he thinks he is entitled, he may make a complaint with respect to that matter to the Air Board.

“(2) The Air Board shall inquire into every such complaint and grant such redress within its jurisdiction which it considers necessary, or (if so required by the officer) shall through the Minister make a report to the Governor-General in order to receive the directions of the Governor-General thereon.”

7. Enforcement by Magistrate’s Court of fines awarded by detachment and subordinate commanders—Section one hundred and fifty-six of the principal Act is hereby amended by inserting, after the words “commanding officer”, the words “or by an officer dealing with a charge under section eighty or section eighty-one of this Act”.
