

ANZAC DAY BILL

EXPLANATORY NOTE

THIS Bill varies the provisions governing the observance of Anzac Day.

Clause 1 relates to the Short Title to the Bill.

Clause 2 provides that in commemoration of the part taken by New Zealand servicemen and servicewomen in the First and Second World Wars and in the South African War, and in memory of those who have given their lives for New Zealand and the British Empire or Commonwealth of Nations, the 25th day of April in each year (being the anniversary of the first landing of troops from the United Kingdom, Australia, and New Zealand on Gallipoli) shall be known as Anzac Day, and shall be a day of commemoration.

Clause 3 provides that where Anzac Day falls on a Sunday it shall be observed as a Sunday; and where it does not fall on a Sunday, it shall be observed up to one o'clock in the afternoon as if it were a Sunday, and after that hour on that day such activities shall be permitted as may lawfully take place after noon on a Saturday.

Clause 4: Subclause (1) provides that the terms of employment of any worker, contained in any Act, award, or industrial agreement, shall include or be deemed to include provision for the observance of Anzac Day as if it were a holiday. *Subclauses (2) and (3)* repeat section 3 of the Anzac Day Act 1949, and prohibit the transfer of the holiday to any other day.

Clause 5 empowers the New Zealand Returned Services' Association (Incorporated) or any local Returned Services' Association affiliated with it, either itself or acting in conjunction with other organisations, to take steps to set up a trust and to appoint trustees to receive donations and grants from time to time for such specified charitable purposes as are publicly notified by them before Anzac Day in any year as the purposes for which donations and grants to them in that year will be applied.

The clause contemplates donations and grants from persons, companies, and societies carrying out activities on Anzac Day at a profit, and from other persons and public bodies.

All money and property received by any such trustee as aforesaid must be applied for the specified charitable purposes for which they were received by the trustees.

Clause 6 repeals the Anzac Day Act 1949.

Hon. Mr Seath

ANZAC DAY

ANALYSIS

Title	
1. Short Title	4. Application to awards and industrial agreements
2. Anzac Day to be a day of commemoration	5. Anzac Day trusts
3. Observance of Anzac Day	6. Repeal

A BILL INTITULED

An Act to make provision regarding the observance of Anzac Day

5 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 Anzac Day Act 1966.

10 2. **Anzac Day to be a day of commemoration**—In commemoration of the part taken by New Zealand servicemen and servicewomen in the First and Second World Wars and in the South African War, and in memory of those who at any time have given their lives for New Zealand and the British Empire or Commonwealth of Nations, the twenty-fifth
15 day of April in each year (being the anniversary of the first landing of troops from the United Kingdom, Australia, and New Zealand on Gallipoli) shall be known as Anzac Day, and shall be a day of commemoration.

Cf. 1949, No. 15, s. 2

3. Observance of Anzac Day—(1) Where Anzac Day falls on a Sunday it shall be observed as a Sunday.

(2) Where Anzac Day does not fall on a Sunday, it shall be observed up to one o'clock in the afternoon as if it were a Sunday, and after that hour on that day such activities shall be permitted as may lawfully take place after noon on a Saturday. 5

Cf. 1949, No. 15, s. 2

4. Application to awards and industrial agreements—

(1) The terms of employment of any worker, contained in any Act, award, or industrial agreement, shall include or be deemed to include provision for the observance of Anzac Day as if it were a holiday. 10

(2) Where in any Act, award, or industrial agreement provision is made for the transfer of the granting of a holiday, or of the observance of certain hours of labour, or of the payment of certain rates of wages on Anzac Day to any other day instead of Anzac Day, that provision shall be void and of no effect: 15

Provided that nothing in this section shall affect any provision permitting or requiring an employer to grant a holiday on any other day instead of Anzac Day where the worker is required to work on Anzac Day at ordinary rates of wages. 20

(3) In this section,—

“Act” includes any regulation, rule, or order made under any Act: 25

“Award or industrial agreement” includes any instrument or contract relating to the terms of employment of any worker.

Cf. 1949, No. 15, s. 3 30

5. Anzac Day trusts—(1) The New Zealand Returned Services' Association (Incorporated) may, either itself or acting in conjunction with any organisation not prohibited from so doing, take steps to set up a trust in accordance with this section, and may appoint trustees to receive donations and grants from time to time for such specified charitable purposes as are publicly notified by the trustees before Anzac Day in any year as the purposes for which donations and grants to them in that year will be applied. 35

(2) Any local Returned Services' Association affiliated with the New Zealand Returned Services' Association (Incorporated) may, either itself or acting in conjunction with any organisation not prohibited from so doing, take steps to set
5 up a trust in accordance with this section, and may appoint trustees to receive donations and grants from time to time for such specified charitable purposes as are publicly notified by the trustees before Anzac Day in any year as the purposes
10 for which donations and grants to them in that year will be applied.

(3) Any such trustees may receive donations and grants from persons, companies, and societies, whether incorporated or not, carrying out activities on Anzac Day at a profit, and from other persons and public bodies.

15 (4) Subject to the provisions of subsection (5) of this section, in any case where steps are taken under this section to set up a trust, the body or bodies taking the steps may execute an instrument appointing trustees of all donations and grants made to the trustees under this section and
20 providing for the administration of the money and property to be held by the trustees and for their powers in respect thereof.

(5) All money and property held by any trustees who are appointed as aforesaid shall be applied at the discretion of
25 the trustees for the specified charitable purposes for which they were received as aforesaid by the trustees.

6. Repeal—The Anzac Day Act 1949 is hereby consequentially repealed.