

AIR SERVICES LICENSING AMENDMENT BILL

EXPLANATORY NOTE

Clause 1 relates to the Short Title.

Clause 2 amends section 26A of the principal Act relating to standard terms and conditions applicable to air service licences.

The amendment is intended to make it clear that any standard terms and conditions apply in respect of a class or classes of air service and not a class or classes of licence. (There are only 2 classes of licence, temporary and continuous, whereas licences may be granted in respect of several classes of air services.)

Clause 3 amends section 52 of the principal Act relating to the making of regulations.

The amendment will enable regulations to be made to classify air transport services and aerial work services. As at present worded the section only empowers the making of regulations to classify transport services.

Hon. Dr Finlay

AIR SERVICES LICENSING AMENDMENT

ANALYSIS

Title
1. Short Title

2. General conditions
3. Regulations

A BILL INTITULED

An Act to amend the Air Services Licensing Act 1951

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 Air Services Licensing Amendment Act 1973, and shall be read together with and deemed part of the Air Services Licensing Act 1951* (hereinafter referred to as the principal Act).

2. General conditions—(1) Section 26A of the principal Act (as inserted by section 5 of the Air Services Licensing Amendment Act 1958) is hereby amended by repealing subsections (1) and (2), and substituting the following subsections:

“(1) The Licensing Authority, on application made in that behalf by the Minister, or by any licensee or licensees, or by any organisation representing the licensed operators of any class or classes of air services, or by any incorporated body not less than 25 members of which are adult persons regularly using any air service or class of air service, or on its own motion, may hold a public inquiry under this section.

*Reprinted 1967, Vol. 3, p. 1613

“(2) The purpose of any inquiry under this section shall be to ascertain whether or not standard terms or conditions applicable to licences to carry on air services or to licences to carry on any class or classes of air services should be prescribed by the Authority.”

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(2) The said section 26A (as so inserted) is hereby further amended by repealing subsection (8), and substituting the following subsection:

“(8) At the conclusion of any inquiry under this section the Licensing Authority may, if in its opinion it is in the public interest to do so, make an order prescribing terms or conditions applicable to all licences or to licences to carry on such class or classes of air services as may be specified in the order.”

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(3) The said section 26A (as so inserted) is hereby further amended by repealing subsection (10), and substituting the following subsection:

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“(10) Any order made under this section relating to licences to carry on any class or classes of air services shall apply with respect to every licence at any time granted in respect of the class, whether the licence has been granted before or after the date of the order, and every such order shall have effect according to its tenor.”

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3. Regulations—Section 52 of the principal Act is hereby amended by omitting from paragraph (f) of subsection (2) the words “air services for the carriage of passengers or goods”, and substituting the words “air transport services and aerial work services”.

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