

Right Hon. Sir J. G. Ward.

DEFENCE AMENDMENT.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Section 5 of principal Act amended.</p> <p>3. Repeal : Commandant substituted for Council of Defence.</p> <p>4. Section 23 of principal Act amended.</p> <p>5. Section 25 of principal Act amended.</p> <p>6. Section 35 of principal Act amended.</p> | <p>7. Scout Cadets. Repeal.</p> <p>8. Section 40 of principal Act amended.</p> <p>9. Section 41 of principal Act amended.</p> <p>10. Board of Appeal on dismissals.</p> <p>11. Capitation allowance.</p> <p>12. Corps' accounts. Audit.</p> <p>13. Consequential amendments. Schedule.</p> |
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A BILL INTITULED

AN ACT to amend the Defence Act, 1909.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

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| <p>1. This Act may be cited as the Defence Amendment Act, 1910, and shall form part of and be read together with the Defence Act, 1909 (hereinafter called the principal Act.)</p> <p>2. Section five of the principal Act is hereby amended by omitting all the words of paragraph (b) after the word "responsible," and substituting the words "for the organization, discipline, training, and efficiency of the Forces; and may also appoint such staff as may be necessary to assist the Commandant."</p> <p>3. Section twelve of the principal Act is hereby repealed, and all references in that Act to the Council of Defence shall hereafter, except as specially provided by this Act be deemed to be references to the Commandant, or, if there is no Commandant, then to the officer appointed to act for him.</p> <p>4. Section twenty-three of the principal Act is hereby amended by omitting the words "either by ballot or" in subsection two.</p> <p>5. Subsection three of section twenty-five of the principal Act is hereby repealed, and the following substituted in lieu thereof:—<br/>       "(3.) Every member of the Territorial Force shall, on attaining the age of twenty-five years, be drafted in the prescribed manner into the Reserve :<br/>       "Provided that on application any officer, warrant officer, or sergeant may, if approved, be permitted to continue in the Territorial Force, but not beyond the age for retirement prescribed for the rank for the time being held by him."</p> | <p>Short Title.</p> <p>Section 5 of principal Act amended.</p> <p>Repeal : Commandant substituted for Council of Defence.</p> <p>Section 23 of principal Act amended.</p> <p>Section 25 of principal Act amended.</p> |
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Section 35 of  
principal Act  
amended.

6. Section thirty-five of the principal Act is hereby amended by omitting paragraphs (c) and (d), and substituting the following:—

“(c.) From eighteen years of age, or from any later date no which they cease to attend a secondary school as aforesaid, to twenty-five years of age, in the General Training Section, or the Territorial Force in the case of their transfer to that Force; and

“(d.) From twenty-five years to thirty years of age, in the Reserve.”

Scout Cadets.

7. (1.) The Minister of Education may, at the request of the controlling authority, take over the control of the Boy Scouts or any of them who are not Junior Cadets, and when so taken over they shall form a separate branch of the Junior Cadets and be known as the “Scout Cadets,” and be subject to the provisions of the principal Act so far as they relate to the Junior Cadets, except that the restrictions as to age-limit contained in subsection one of section thirty-seven thereof shall not apply to Scout Cadets, and Scout Cadets may continue as such until they attain the age of eighteen years or cease to attend a secondary school, whichever is the later.

(2.) The amount of training of the Scout Cadets shall be equivalent to that fixed for the Senior Cadets, and shall be as prescribed by regulations.

(3.) All Scout Cadets, on attaining the age of eighteen years, or on any later date on which they cease to attend a secondary school, shall be drafted in the manner prescribed into the General Training Section.

Repeal.

(4.) This section is in substitution for section thirty-nine of the principal Act; and that section is hereby accordingly repealed.

Section 40 of  
principal Act  
amended.

8. Section forty of the principal Act is hereby amended by repealing subsection two, and substituting the following:—

“(2.) The compulsory training in the Senior Cadets in any year ending on the last day of February shall not exceed sixty-four hours.”

Section 41 of  
principal Act  
amended.

9. Section forty-one of the principal Act is hereby amended as follows:—

(a.) As to subsection one, by inserting, after the words “Senior Cadets,” the words “or Scout Cadets”;

(b.) As to subsection two, by omitting the words “in each year ending the last day of February,” and substituting the words “in the case of each person liable to be trained therein during the first year of his training,” and by adding at the end of the subsection the words “and during every subsequent year until he attains the age of twenty-five shall be as prescribed”; and

(c.) As to subsection five, by omitting the words “who has been classified as efficient for three years,” and substituting the words “on his attaining the age of twenty-five years.”

Board of Appeal on  
dismissals.

10. (1.) When, except in time of war, any officer or non-commissioned officer is dismissed he shall have a right of appeal to a Board of Appeal as hereinafter mentioned.

(2.) The Board shall consist of—

The Chief Justice, or some other Judge of the Supreme Court appointed by the Chief Justice, who shall be President of the Board; and

5 Two officers of a rank not lower than that of Colonel.

(3.) The Board in the case of every appeal shall be deemed to be a Commission within the meaning of section thirteen of the Commissions of Inquiry Act, 1908.

10 (4.) The Governor may from time to time, by Order in Council gazetted, make regulations prescribing the procedure for bringing an appeal before the Board.

(5.) This section shall extend and apply to all dismissals made during the twelve months preceding the passing of this Act, as well as to subsequent dismissals.

15 11. Section fifty-nine of the Defence Act, 1908, is hereby amended by repealing subsection two, and substituting the following:—

Capitation allowance.

20 “(2.) The capitation allowance in respect of each member shall be paid to the officer commanding the corps to which the member belongs, and shall be held by that officer as the property of the corps and applied in defraying such incidental expenses of the corps as are authorised by regulations.”

25 12. (1.) The officer commanding each corps shall cause accounts to be kept of the income and expenditure and the assets and liabilities of the corps, and shall during the month of April in each year cause such accounts to be balanced to the thirty-first day of March of that year.

Corps' accounts.

(2.) All such accounts shall from time to time be audited by the Audit Office.

Audit.

30 13. The principal Act is hereby further amended in the manner and to the extent indicated in the Schedule hereto.

Consequential amendments.

SCHEDULE.

Schedule.

CONSEQUENTIAL AMENDMENTS OF THE DEFENCE ACT, 1909.

Number of Section affected.	Nature and Extent of Amendment.
Section 13 (2)	By omitting the words “to review generally and to report to the Council on the results of the policy of the Council, and for that purpose.”
Section 24 (1)	By omitting the words “Council of Defence,” and substituting the words “Commandant with the approval of the Minister.”
Section 40 (5)	By omitting the words “Council of Defence,” and substituting the word “Governor.”
Section 67 (1)	By omitting the words “the Council of Defence.”