

## HOUSE OF REPRESENTATIVES

## Supplementary Order Paper

Friday, 12 December 1986

## AIRPORT AUTHORITIES AMENDMENT BILL

*Proposed Amendments*

Hon. RICHARD PREBBLE, in Committee, to move the following amendments:

*Clause 4: New section 3A (1A):* To add (page 2, line 39) the words “or, on or after the 1st day of April 1987, the Airways Corporation of New Zealand Limited”.

*Clause 8:* To omit lines 5 to 7 on page 7, and substitute the following:

**8. Amendments to Civil Aviation Act 1964—**(1) Section 13 (1) of the Civil Aviation Act 1964 is hereby amended—

(a) By inserting, after the words “services under this Act”, the words “or for defraying the costs and expenses incurred by the Civil Aviation Division of the Department”;

(b) By adding the words “or as may be approved by the Minister where the Minister is authorised to do so by any such regulations”.

(1A) Section 13 of the Civil Aviation Act 1964 is hereby amended by inserting, after subsection (1), the following subsections:

*Clause 10:* To omit this clause, and substitute the following clause:

**10. Provisions relating to Auckland International Airport—**(1) In this section, the term “contributing authorities” means the parties to the final subsidiary agreement referred to in section 40 of the Auckland Regional Authority Act 1963.

(2) Notwithstanding any other enactment, rule of law, deed, or agreement, for the purposes of transferring any business or undertaking or any real or personal property pursuant to section 3A (4) of the principal Act the assets referred to in section 40 of the Auckland Regional Authority Act 1963 and any assets acquired by the Auckland Regional Authority since the 1st day of April 1964 for the purposes of the Auckland International Airport or for future use for the purposes of that airport shall be deemed to have been acquired and to be held

by the Auckland Regional Authority as the agent of the contributing authorities.

(3) The Auckland Regional Authority shall be deemed to be the agent of the contributing authorities in any negotiations to form an airport company under **section 3A** of the principal Act. For that purpose the decision of a majority of the number of contributing authorities in relation to such negotiations shall be the decision of all the contributing authorities.

(4) In the discharge of its responsibilities under **subsection (3)** of this section, the Auckland Regional Authority shall appoint not more than 3 persons (not being members of the Authority) nominated by a majority of the number of contributing authorities to take part in the negotiations.

(5) Nothing in this section shall affect the liability (if any) of the Auckland Regional Authority to pay to any other body or person any money withdrawn, pursuant to **section 13b (4)** of the Civil Aviation Act 1964, from the accounts of the Auckland International Airport.

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#### EXPLANATORY NOTE

*Clause 4: New section 3A (1A):* The amendment permits airport company equity securities to be sold or otherwise disposed of or allotted to the Airways Corporation of New Zealand Limited, on or after 1 April 1987.

*Clause 8:* The first proposed amendment authorises the charging of charges, fees, and dues for the purpose of defraying the costs and expenses incurred by the Civil Aviation Division of the Ministry of Transport.

The second proposed amendment empowers the Minister to approve the amount of civil aviation charges, fees, and dues where authorised to do so by any regulations made under the Civil Aviation Act 1964.

*Clause 10:* The proposed new clause provides that, for the purposes of transferring any business or undertaking or any real or personal property pursuant to the new section 3A (4) of the principal Act (as inserted by *clause 4*), the airport assets acquired by the Auckland Regional Authority on 1 April 1964 and any assets acquired by the Authority since the 1st day of April 1964 for the purposes of the Auckland International Airport or for future use for the purposes of that airport shall be deemed to have been acquired and to be held by the Auckland Regional Authority as the agent of the contributing authorities, being those authorities which were parties to the final subsidiary agreement relating to the airport.

The Auckland Regional Authority is also deemed to be the agent of the contributing authorities in any negotiations to form an airport company under the new section 3A. For that purpose the decision of a majority of the number of contributing authorities in relation to such negotiations shall be the decision of all the contributing authorities.

In the discharge of those responsibilities the Auckland Regional Authority is to appoint not more than 3 persons (not being members of the Authority) nominated by a majority of the number of contributing authorities to take part in the negotiations.

Nothing in the clause is to affect the liability (if any) of the Auckland Regional Authority to pay to any other body or person any money withdrawn, pursuant to section 13B (4) of the Civil Aviation Act 1964 (as added by *clause 8 (3)*).