



# Defence Amendment Act 2001

Public Act 2001 No 62  
Date of assent 26 September 2001  
Commencement see section 2

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## The Parliament of New Zealand enacts as follows:

### 1 Title

- (1) This Act is the Defence Amendment Act 2001.
- (2) In this Act, the Defence Act 1990 is called “the principal Act”.

### 2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

### 3 New section 33 substituted

The principal Act is amended by repealing section 33, and substituting the following section:

#### “33 Appointment, enlistment, and engagement

- “(1) No person who is under 17 years may be appointed to, or enlisted or engaged in, the Navy, the Army, or the Air Force.
- “(2) Subject to subsection (1), section 36, and Defence Force Orders, the following persons may, in the prescribed manner, be appointed to, or enlisted or engaged in, the Navy, the Army, or the Air Force:

- “(a) a New Zealand citizen or a citizen of any other Commonwealth country:  
 “(b) any other person with the prior consent of the Chief of Defence Force.”

#### **4 Enlistment of minors**

Section 36(4) of the principal Act is amended by repealing paragraph (b), and substituting the following paragraph:

- “(b) a written acknowledgment by the person giving the consent that he or she is aware that the person enlisting will be liable for active service at any time after that person attains the age of 18 years.”

#### **5 New section 37 substituted**

The principal Act is amended by repealing section 37, and substituting the following section:

##### **“37 Liability of minors for active service**

No person serving in the Armed Forces who is under 18 years is liable for active service.”

#### **6 New section 90A inserted**

The principal Act is amended by inserting in Part VIII, before section 91, the following section:

##### **“90A Locally employed civilians**

The Chief of Defence Force may employ persons who are outside New Zealand to undertake work for the Defence Force outside New Zealand on terms and conditions specified or prescribed by the Chief of Defence Force.”

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### **Legislative history**

20 September 2001	Divided from Statutes Amendment Bill (Bill 97–2), third reading
26 September 2001	Royal assent

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This Act is administered in the New Zealand Defence Force.

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