



## ANALYSIS

Title	3. Persons subject to registration
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2. Liability for service	5. Savings

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1964, No. 25

**An Act to amend the National Military Service Act 1961**

[3 November 1964]

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 National Military Service Amendment Act 1964, and shall be read together with and deemed part of the National Military Service Act 1961 (hereinafter referred to as the principal Act).

**2. Liability for service**—Section 3 of the principal Act is hereby amended—

- (a) By repealing subsection (1):
- (b) By omitting from subsection (2) the words “while any such notice remains in force”:
- (c) By omitting from subsection (2) the words “belongs to the age group specified in that notice”, and substituting the words “attained or will attain the age of twenty years on or after the first day of July, nineteen hundred and sixty-four”.

**3. Persons subject to registration**—The principal Act is hereby amended by repealing section 8, and substituting the following section:

“8. (1) Every person who becomes liable to be called upon to serve in the Army in accordance with section 3 of this Act shall become subject to registration on the day on which he attains the age of twenty years, or (if he is then out of New Zealand) on the date of his return to New Zealand:

“Provided that any such person who attained the age of twenty years on or after the first day of July, nineteen hundred and sixty-four, and before the date of the commencement of this section shall become subject to registration on that date.

“(2) References in this Part to this Act to persons subject to registration shall be construed as references to all persons who become subject to registration by virtue of this section, including persons who have been registered in the military service register or in the register of conscientious objectors:

“Provided that a person shall cease to be subject to registration—

“(a) At the expiration of eighteen months from the date on which he applies for registration for service in the Army in accordance with section 9 of this Act; or

“(b) When he is sooner served with a calling-up notice, unless the notice is revoked before he presents himself for whole-time service.”

**4. Selection for service**—The principal Act is hereby amended by repealing section 10, and substituting the following section:

“10. (1) The Minister may from time to time cause to be selected by ballot, from the total number of birth dates which could occur in any period which he may specify, such number of birth dates as he in his sole discretion thinks fit. No such specified period shall commence more than twenty-one years six months before the date of the selection or end less than twenty years before that date.

“(2) The Minister shall, by notice in the *Gazette*, publish details of the birth dates so selected.

“(3) References in this Part of this Act to persons selected for service shall be construed as meaning all male persons who have at any time been subject to registration and whose birth dates are specified in a notice published by the Minister under subsection (2) of this section; and as including any male person who has become subject to registration and has failed to apply for registration for service in the Army before the date of any ballot under subsection (1) of this section that is conducted more than fourteen days after the date on which

the person became subject to registration, unless he satisfies the Secretary that his failure to apply for such registration was unavoidable.

“(4) Where any person subject to registration has applied for registration for service in the Army before notice of the selection of his birth date has been published in the *Gazette* as aforesaid, and the person has incorrectly specified his date of birth in the application, this section shall apply to that person as if his date of birth were the date which he specified in the application as his date of birth.

“(5) Any person who is subject to registration may, by notice in writing, volunteer to serve in the Army for the terms of service specified in section 3 of this Act, and that person shall thereafter be deemed to be a person selected for service, and shall be subject to the provisions of this Act accordingly, notwithstanding the date of his birth.”

**5. Savings**—The provisions of the principal Act, as amended by this Act, shall apply to all persons who became subject to registration or were selected for service before the commencement of this Act as if they had become subject to registration or selected for service, as the case may be, in accordance with the principal Act as amended by this Act.

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This Act is administered in the Department of Labour.

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