

ARMY BOARD BILL.

EXPLANATORY MEMORANDUM.

THE sole purpose of this Bill is to provide for the establishment of an Army Board, having (in relation to the Land Forces of the Dominion) functions corresponding to the functions of the Naval Board (in relation to the Naval Forces) and of the Air Board (in relation to the Air Forces).

Many of the existing provisions of the Defence Act are obsolete, but a general revision of the law cannot be undertaken until the Army Board has had an opportunity to review the present system and make recommendations for the reorganization of the Defence Forces, having regard to present-day requirements.

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

3rd November, 1937.

Hon. Mr. Jones.

ARMY BOARD.

ANALYSIS.

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A BILL INTITULED

AN ACT to constitute an Army Board and to define its functions. Title.

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

1. This Act may be cited as the Army Board Act, 1937, and shall be read together with and deemed part of the Defence Act, 1909 (hereinafter referred to as the principal Act). Short Title.
See Reprint of Statutes,
Vol. II, p. 575

2. In this Act—

“ Army ” means the Defence Forces established under the principal Act: Interpretation.

“ Board ” means the Army Board established under this Act:

“ Minister ” means the Minister of Defence.

3. (1) There shall from time to time be appointed, as an officer of the Public Service, a fit and proper person to be called the Army Secretary, who shall have such duties and functions in relation to the Army as the Board may from time to time determine, and such other functions (if any) as may from time to time be prescribed by regulations under the principal Act. Army
Secretary.

(2) The officer who at the commencement of this Act holds office as the Under-Secretary of Defence shall be deemed to have been duly appointed as the Army Secretary under this Act.

Repeal.

See Reprint
of Statutes,
Vol. II, p. 637

Establishment
of Army Board.

(3) Section thirty-four of the Finance Act, 1930 (No. 2), is hereby repealed. 5

4. (1) There is hereby established a Board, to be called the Army Board.

(2) The Board shall consist of—

(a) The Minister, who shall be the President of the Board: 10

(b) Not more than three other members (being officers of any of His Majesty's Land Forces), who shall from time to time be appointed as members of the Board by the Governor-General, and shall hold office as such during his pleasure: 15

(c) The Army Secretary.

(3) Three members of the Board shall form a quorum. 20

(4) The powers of the Board shall not be affected by any vacancy in the membership thereof.

Procedure of
Board.

5. The Governor-General may from time to time, by regulations under the principal Act, make provision with respect to the proceedings of the Board. In the absence of such regulations, or in so far as they do not extend, the Board may regulate its own procedure. 25

Functions of
Army Board.

6. The Board shall be charged with the administration of the Army and shall have such powers, duties, and functions in relation thereto as may from time to time be conferred on it by regulations under the principal Act and, subject to such regulations or in so far as they do not extend, shall have all such powers as are reasonably necessary for the effective performance of its functions and duties. 30

Consequential
amendments of
existing
legislation.

7. The enactments mentioned in the Schedule hereto are hereby amended in the manner indicated therein. 35

SCHEDULE.

Schedule.

ENACTMENTS AMENDED.

Title of Enactment.	Nature of Amendment.
<p>The Defence Act, 1909 (No. 28) (See Reprint of Statutes, Vol. II, p. 575)</p>	<p>Section 2 : By repealing the definition of the term "Commandant of the Defence Forces". By repealing the definition of the term "military orders". Section 5 : By repealing paragraph (b). Section 13 : By repealing this section. Section 16 : By omitting the words "and of the Commandant". Section 23 : By omitting from subsection (1) the words "for the Commandant". Section 24 : By omitting from subsection (1) all words after the words "appointed by the Governor-General", and by repealing subsection (2). Section 33 : By omitting references to the Commandant, and substituting references to the Army Board. Section 34 : By omitting the reference to Commandant, and substituting a reference to the Army Board. Section 38 : By repealing this section. Section 40 : By repealing subsection (6). Section 41 : By repealing subsection (3). Section 43 : By repealing subsection (2). Section 67 : By omitting from subsection (1) the words "The Commander-in-Chief or the Commandant in any case", and substituting the words "The Commander-in-Chief or any officer acting with his authority". Section 70 : By omitting all words after the words "reporting thereon". Section 90 : By omitting all words after the word "property", and substituting the words "of the Crown".</p>
<p>Defence Amendment Act, 1910, No. 21 (See Reprint of Statutes, Vol. II, p. 615)</p>	<p>Section 3 : By repealing this section.</p>

Title of Enactment.	Nature of Amendment.
<p>The Defence Amendment Act, 1912, No. 20 (See Reprint of Statutes, Vol. II, p. 616)</p>	<p>Section 8 : By omitting from subsection (1) the words "Commandant of the Defence Forces with the approval of the Minister", and substituting the words "Army Board".</p> <p>Section 13 : By omitting from subsection (2) all words after the word "means", and substituting the words "any officer acting with the authority of the Governor-General".</p> <p>Section 22 : By repealing subsection (3).</p> <p>Section 38 : By repealing this section.</p> <p>Section 73 : By repealing subsection (2).</p> <p>Section 77 : By omitting all words after the words "direction or authority", and substituting the words "of the Army Board".</p>