

CIVIL LIST AMENDMENT

EXPLANATORY NOTE

THIS Bill amends the Civil List Act 1950.

Clause 1 relates to the Short Title.

Clause 2 makes provision for the payment of an annuity to a retired Governor-General who was domiciled in New Zealand at the time of his appointment. The annuity will be payable only where the retired Governor-General, on the vacation of his office, continues to reside, and be domiciled, in New Zealand.

The annuity is to be at the same rate as that paid to a former Prime Minister.

The widow of a Governor-General domiciled in New Zealand at the time of his appointment will also be entitled to an annuity at the same rate as the annuity paid to the widow of a Prime Minister.

If any person qualifies for more than one of these annuities, he is to be entitled to receive only the higher of the annuities payable.

Clause 3 substitutes a new subsection (1) in section 28 of the principal Act. The new subsection adds former Governors-General to the classes of persons to whom benefits and privileges may be granted under that subsection. The subsection is also amended to spell out with greater particularity the other classes of persons to whom benefits and privileges may be granted under that subsection.

Right Hon. Mr Muldoon

CIVIL LIST AMENDMENT

ANALYSIS

Title
1. Short Title

2. Annuity for former Governor-General and widow of former Governor-General
3. Appropriation of money for benefits and privileges

A BILL INTITULED

An Act to amend the Civil List Act 1950

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

1. **Short Title**—This Act may be cited as the Civil List Amendment Act 1977, and shall be read together with and deemed part of the Civil List Act 1950* (hereinafter referred to as the principal Act).

10 2. **Annuity for former Governor-General and widow of former Governor-General**—The principal Act is hereby amended by inserting, after section 3, the following section:

“3A. (1) Where a person who has vacated the office of Governor-General was domiciled in New Zealand at the time
15 of his appointment, there shall be paid—

“(a) To that person during his lifetime, subject to subsections (2) to (5) of this section, an annuity at the rate fixed for the time being for the purposes of section 7A (1) (a) of this Act:

*1957 Reprint, Vol. 2, p. 119
Amendments: 1970, No. 114; 1972, No. 50; 1973, No. 120; 1975, No. 131

“(b) To the widow of that person during her lifetime, subject to subsections (2) to (5) of this section, an annuity at the rate fixed for the time being for the purposes of section 7A (1) (b) of this Act.

“(2) No annuity shall be paid to any person under subsection (1) of this section— 5

(a) In respect of any period during which that person:

(i) Is not resident or is not domiciled in New Zealand; or

(ii) Holds an office for which a salary is payable under this Act; or 10

(iii) Is entitled to an annuity under section 7A of this Act which is equal to or greater than the annuity to which he is entitled under subsection (1) of this section; or 15

(b) In respect of any period for which a sum has been paid to that person pursuant to section 3 (3) of this Act.

“(3) For the purposes of subsection (2) (a) (i) of this section, a person entitled to an annuity under subsection (1) of this section shall be deemed not to have ceased to reside in New Zealand by reason only of his temporary absence from New Zealand occasioned by holiday or other temporary purpose. 20

“(4) Any person who would be entitled, but for the provisions of this subsection, to be paid both an annuity under subsection (1) of this section and an annuity under section 7A of this Act, being an annuity that is less than the annuity payable under subsection (1) of this section, shall be entitled to be paid only an annuity under subsection (1) of this section and not an annuity under section 7A of this Act. 30

“(5) Every annuity payable under subsection (1) of this section shall be paid by equal monthly instalments on the last day of each month, with a proportionate part for any fraction of a month.”

3. Appropriation of money for benefits and privileges— 35
Section 28 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) The appropriation by Parliament of money for the purpose of providing benefits or privileges of a specified kind for— 40

“(a) The Governor-General or a former Governor-General; or

- “(b) The Prime Minister or a former Prime Minister; or
 - “(c) Other Ministers of the Crown; or
 - “(d) Parliamentary Under-Secretaries; or
 - “(e) Members or former members of the General
5 Assembly; or
 - “(f) Members of the families (including a wife, husband,
widow, widower, or issue) of any of the persons
specified in paragraphs (a), (b), (c), (d), or (e)
of this subsection,—
- 10 shall be sufficient authority for the grant of such benefits or
privileges, and where money is so appropriated it shall not be
necessary as a condition for the lawful expenditure of any
money so appropriated that the appropriation be imple-
mented by any statutory authority other than this section.”