

EXPLOSIVES AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Explosives Act 1957.

Clause 1 relates to the Short Title and commencement. *Clause 2* of the Bill (which transfers the administration of the principal Act from the Department of Internal Affairs to the Department of Labour) comes into force on a date to be appointed by Order in Council. The rest of the Bill comes into force on the day on which it receives the Governor-General's assent.

Clause 2 transfers the administration of the principal Act to the Department of Labour. This implements a recommendation from the Cabinet Committee on the State Services.

Clause 3: Section 47 (4) of the principal Act exempts safety ammunition and shop fireworks from the strict provisions of that section when those items are being shipped or landed over a wharf. This clause extends the exemption to display fireworks.

Clause 4 provides that the Explosive Substances Act, 1883, an Act of the Parliament of the United Kingdom, shall cease to have effect as part of the law of New Zealand. That enactment had been overlooked during previous consolidations of the Explosives Act.

No. 30—1

Price 10c

Hon. Mr Highet

EXPLOSIVES AMENDMENT

ANALYSIS

Title	3. Vessels carrying or loading explosives
1. Short Title and commencement	4. Imperial Act no longer to apply in New Zealand
2. Principal Act to be administered in Department of Labour	

A BILL INTITULED

An Act to amend the Explosives Act 1957

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 and commencement**—(1) This Act may be cited as the Explosives Amendment Act 1978, and shall be read together with and deemed part of the Explosives Act 1957* (hereinafter referred to as the principal Act).
- 10 (2) **Section 2** of this Act shall come into force on a date to be appointed by the Governor-General by Order in Council.
- (3) **Except** as provided in **subsection (2)** of this section, this Act shall come into force on the day on which it receives the Governor-General's assent.
- 15 **2. Principal Act to be administered in Department of Labour**—(1) Section 2 of the principal Act is hereby amended—

*1957 Reprint, Vol. 4, p. 731

Amendments: 1958, No. 66; 1962, No. 65; 1973, No. 45; 1975, No. 75

- (a) By omitting from the definition of the term "Minister" the words "Internal Affairs", and substituting the word "Labour":
- (b) By omitting from the definition of the term "Secretary" the words "for Internal Affairs", and substituting the words "of Labour". 5
- (2) Section 5 of the principal Act is hereby amended by omitting the words "for Internal Affairs".
- (3) Section 6 of the principal Act is hereby amended—
- (a) By omitting the words "Department of Internal Affairs", and substituting the words "Department of Labour": 10
- (b) By omitting the words "for Internal Affairs".
- (4) Section 8A (1) of the principal Act (as inserted by section 2 of the Explosives Amendment Act 1975) is hereby amended by omitting the words "Internal Affairs", and substituting the word "Labour". 15
- (5) All delegations made pursuant to section 8A of the principal Act which could not have been made pursuant to that section as amended by subsection (4) of this section are hereby revoked. 20
- (6) The First Schedule to the Labour Department Act 1954 (as substituted by section 3 (1) of the Labour Department Amendment Act 1970) is hereby amended by inserting, after the reference to the Equal Pay Act 1972 (as inserted by section 20 (1) of the Equal Pay Act 1972), the words "The Explosives Act 1957.". 25
- (7) Every act of authority done by the Minister of Internal Affairs or the Secretary for Internal Affairs or the Department of Internal Affairs pursuant to the Explosives Act 1957 or to any regulation, rule, order, notice, or other authority under that Act, and subsisting at the commencement of this section, shall continue and have effect after the commencement of this section as if, in the case of an act done by the Minister of Internal Affairs, it had been done by the Minister of Labour and, in the case of an act done by the Secretary for Internal Affairs or the Department of Internal Affairs, it had been done by the Secretary of Labour. 30 35
- (8) So much of the amount appropriated by any Appropriation Act to the services of Vote Internal Affairs for the year ending with the 31st day of March 1979 as relates to the administration of the Explosives Act 1957 for that year 40

and remains unexpended at the commencement of this section may be expended by the Department of Labour to defray the expenses of administering that Act.

3. Vessels carrying or loading explosives—Section 47 (4)
5 (b) of the principal Act is hereby amended by omitting the words “third division”, and substituting the words “second division or the third division”.

4. Imperial Act no longer to apply in New Zealand—As
10 from the commencement of this section, the enactment of the Parliament of the United Kingdom intituled the Explosive Substances Act, 1883, 46 and 47 Vict., c. 3, shall cease to have effect as part of the law of New Zealand.