

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE.]
House of Representatives, 1st September, 1938.

Hon. Mr. Barnard.

NAPIER AIRPORT AMENDMENT.

[LOCAL BILL.]

ANALYSIS.

Title.	2. Repeal and substitution of provisions for constitution of Board.
Preamble.	
1. Short Title.	3. Saving.

A BILL INTITULED

AN ACT to amend the Napier Airport Act, 1935. Title.

Struck out.

5 WHEREAS it is considered desirable to alter the constitution of the Napier Airport Board: Preamble.

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

New.

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

15 1. This Act may be cited as the Napier Airport Amendment Act, 1938, and shall be read together with and deemed part of the Napier Airport Act, 1935 (hereinafter referred to as the principal Act). Short Title.

New.

20 1A. (1) For the purposes of the principal Act, unless the context otherwise requires,— Interpretation.

“County Council” means the Hawke’s Bay County Council:

“Minister” means the Minister for the time being in charge of the Air Department.

New.

(2) The principal Act is hereby consequentially amended by omitting the words "of Defence" and the words "for the time being in charge of Civil Aviation" wherever they occur after the word "Minister". 5

Struck out.

Repeal and substitution of provisions for constitution of Board.

2. Section four of the principal Act is hereby repealed, and the following substituted therefor:—

"4. (1) Subject as hereinafter provided, the Board shall consist of nine members, who, except as hereinafter otherwise provided, shall be appointed in manner following:—

"(a) Three members shall be appointed by the Council: 15

"(b) Two members shall be appointed by the Club:

"(c) Two members shall be appointed by the Minister of Defence:

"(d) One member shall be appointed by the Hawke's Bay County Council: 20

"(e) One member shall be appointed by the Harbour Board.

"(2) The appointments of members of the Board made under section four of the principal Act and in force at the passing of this Act shall continue as if made pursuant to this section. 25

"(3) The first appointments of members of the Board by the Hawke's Bay County Council and the Harbour Board shall be made within a period of two months from the passing of this Act. 30

"(4) If and so long as from any cause whatever the Harbour Board being under a duty to appoint a member of the Board shall fail, neglect, or refuse to do so, the Board shall consist of eight members appointed as provided in paragraphs (a), (b), (c), and (d) of subsection one of this section." 35

New.

Constitution of Board.

2A. (1) The Board shall consist of seven members who, except as hereinafter otherwise provided, shall be appointed in the manner following:— 40

(a) Two members shall be appointed by the Council:

(b) Two members shall be appointed by the Club:

(c) One member shall be appointed by the Minister:

(d) One member shall be appointed by the County Council: 45

New.

(e) One member shall be appointed by the Harbour Board.

5 (2) The members of the Board in office on the passing of this Act shall continue in office and shall retire on the thirtieth day of June, nineteen hundred and forty-one:

10 Provided that on the first appointment of a member of the Board by the County Council such one of the present members of the Board appointed by the Council as the Council determines shall retire; and on the first appointment of a member of the Board by the Harbour Board such one of the present members of the Board appointed by the Minister as the Minister
15 determines shall retire.

(3) The first appointment of members of the Board by the County Council and by the Harbour Board shall be made within a period of two months from the passing of this Act, and the members so appointed
20 shall retire on the thirtieth day of June, nineteen hundred and forty-one.

(4) If from any cause any appointing authority being under a duty to appoint a member of the Board fails or neglects or refuses so to do, and such failure, neglect, or refusal continues for fourteen days after
25 notice in writing has been given by the Minister to the appointing authority requiring it to make the appointment, the Minister may appoint any person whomsoever being resident in the Borough of Napier or in the Hawke's Bay County to be a member of
30 the Board in lieu of the member who ought to have been so appointed by the appointing authority.

(5) This section is in substitution for section four *Repeals.* of the principal Act and subclauses one and two of clause three of the Second Schedule thereto, and that
35 section and those subclauses are hereby accordingly repealed.

3. The Board as a body corporate established *Saving.* under section three of the principal Act shall be
40 deemed to be and continue as the same body corporate, notwithstanding the alterations in the constitution thereof made by this Act.