

[AS REPORTED FROM THE LANDS AND AGRICULTURE
COMMITTEE]

House of Representatives, 26 November 1968.

Words struck out by the Committee are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line.

Hon. Mr MacIntyre

NATIONAL PARKS AMENDMENT

ANALYSIS

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A BILL INTITULED

An Act to amend the National Parks Act 1952

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 and commencement**—(1) This Act may be cited as the National Parks Amendment Act 1968, and shall be read together with and deemed part of the National Parks Act 1952* (hereinafter referred to as the principal Act).
- 10 (2) Sections 4 to 6 of this Act shall come into force on the first day of April, nineteen hundred and sixty-nine.
- (3) Except as provided in subsection (2) of this section or in section 7 of this Act, this Act shall come into force on the date of its passing.
- 15 **2. National Parks Authority**—Section 4 of the principal Act is hereby amended by omitting from paragraph (i) of subsection (1) the words “One person”, and substituting the words “Two persons”.

*1957 Reprint, Vol. 10, p. 735
Amendments 1958, No. 83; 1964, No. 102; 1965, No. 98; 1967, No. 98

3. Powers of Authority—The principal Act is hereby further amended by inserting, after section 6, the following section:

“6A. The Authority shall have all such powers as are reasonably necessary or expedient to enable it to carry out its duties, and in particular, and without limiting the generality of the powers of the Authority, it may become a member of or affiliate to any international body concerned with the promotion of national parks or the conservation of nature and natural resources.”

4. Board may appoint officers—Section 27 of the principal Act is hereby amended by omitting the words “park rangers and other officers and servants”, and substituting the words “other officers and servants (other than rangers)”.

5. Rangers—(1) The principal Act is hereby further amended by inserting, after section 27, the following section:

“27A. (1) There may from time to time be appointed under the provisions of the State Services Act 1962 suitable persons to be rangers for the purposes of this Act.

New

“(1A) The State Services Commission shall, under section 41 of the State Services Act 1962, prescribe an occupational class to meet the needs of rangers appointed under this section. Subject to this section, that Act shall apply with respect to the occupational class prescribed pursuant to this subsection as if it had been prescribed by the Commission in the exercise of the discretion conferred on it by the said section 41.

“(2) All persons who immediately before the commencement of this section were rangers employed by any Board or trainee rangers employed by the Authority shall, on the commencement of this section, be deemed to be officers or employees, as the case may require, of the Public Service within the meaning of the State Services Act 1962, and shall be deemed to have been appointed under that Act as rangers or trainee rangers, as the case may be, in the positions *(and at the salaries respectively held by them as employees of the Board or the Authority)* held by them as employees of the Board or the Authority and at salaries not less than the salaries they were receiving as such employees immediately before the commencement of this section.

“(3) Every person deemed to be appointed under subsection (2) of this section shall *(be classified and)* be deemed to have been appointed to the occupational class prescribed pursuant to subsection (1A) of this section, and shall be graded

5 in accordance with the provisions of the State Services Act 1962, but may be paid such allowance (if any) in addition to salary as the State Services Commission considers appropriate, having regard to the remuneration and emoluments received by the employee in respect of his employment by a
10 Board as a ranger or employment by the Authority as a trainee ranger.

“(4) Notwithstanding anything in the State Services Act 1962, no appeal shall lie against the first appointment of any
15 person under subsection (2) of this section, but every promotion of any such person after his first appointment as aforesaid shall be subject to appeal in accordance with Part IV of the State Services Act 1962.”

(2) The principal Act is hereby further amended—

20 (a) By omitting from paragraph (c) of subsection (1) of section 28 the words “the park rangers or other officers or servants of the Board”, and substituting the words “officers or servants of the Board or rangers”:

25 (b) By omitting from paragraph (d) of subsection (1) of section 28 the words “park ranger or other officer or servant of the Board”, and substituting the words “officer or servant of the Board or ranger”:

30 (c) By omitting from subsection (4) of section 52 (as substituted by section 2 of the National Parks Amendment Act 1965) the words “park ranger”, and substituting the word “ranger”:

(d) By omitting from subsection (5) of section 54 and also from subsection (9) the words “park ranger”, and substituting in each case the word “ranger”:

35 (e) By omitting from subsection (2) of section 57 the words “park ranger”, and substituting the word “ranger”.

6. Honorary rangers—The principal Act is hereby further amended by inserting, after section 27A (as inserted by section 5 (1) of this Act), the following section:

40 “27B. (1) A Board may appoint any suitable person to be a ranger in an honorary capacity for the purposes of this Act with respect to the Park under its control.

“(2) The following provisions shall apply with respect to every honorary ranger appointed under subsection (1) of this section:

“(a) He shall hold office for such term as the Board may appoint, or during the pleasure of the Board if no term is specified, and may in any event at any time be removed from office by the Board, or may at any time resign his office by writing addressed to the Secretary of the Board: 5

“(b) The Board shall supply to him a written warrant signed by the Secretary evidencing the appointment, and the production of the warrant shall be sufficient proof of the appointment: 10

“(c) He shall on the expiry of his appointment or on removal from office or resignation surrender to the Secretary his warrant of appointment and any badge of office that may have been issued to him: 15

“(d) He shall have, with respect to the Park under the control of the Board, the powers conferred on rangers by this Act as if he had been appointed under section 27A of this Act. 20

“(3) Every member of a Board shall by virtue of his office be deemed to be a ranger in an honorary capacity for the purposes of this Act during his period of membership of the Board, and with respect to every such member the following provisions shall apply: 25

“(a) He shall have, with respect to the Park under the control of the Board, the powers conferred on rangers by this Act as if he had been appointed under section 27A of this Act: 30

“(b) The Board shall supply to him a written warrant signed by the Secretary signifying that he is an honorary ranger, and production of that warrant shall be sufficient proof for all purposes that he is an honorary ranger for the purposes of this Act: 35

“(c) On the termination of his membership of the Board, he shall surrender to the Secretary the warrant issued to him pursuant to paragraph (b) of this subsection.”

7. Particular powers of Boards—Section 28 of the principal Act is hereby further amended as from its commencement by inserting in subsection (1), after paragraph (a), the following paragraph:

5 “(aa) With the prior consent of the Authority, from time to time set apart any part of the Park as a site for the purpose of establishing thereon by any person or department of State a station for the transmission, emission, or reception of any form of radio-electric communication (including the wireless transmission of writing, signs, signals, pictures, images, and sounds of all kinds by means of Hertzian waves), and permit the use thereof upon such terms and conditions as it thinks fit, and
10 revoke any such setting apart:”
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8. Park Board may raise loans—The principal Act is hereby further amended by inserting, after section 42, the following section:

20 “42A. (1) Notwithstanding anything to the contrary in any Act, advances by way of loan may from time to time be made, out of money appropriated by Parliament, to any Park Board for the purpose of improving or developing the Park under its control. Every advance under this section shall be made upon such terms and conditions as the Minister of Finance thinks
25 fit.

“(2) Where any Park Board borrows money pursuant to this section, it may use any of its funds in such manner and at such times as the Minister of Lands approves for the repayment of the money so borrowed and any interest payable
30 thereon.

Struck Out

35 “(3) Where in the opinion of the Minister there is good and sufficient reason for so doing, the Minister may postpone the repayment of instalments of principal, and may remit the interest portion of any such instalment in respect of any money borrowed by a Park Board under this section.”

New

40 “(3) Where in the opinion of the Minister of Lands there is good and sufficient reason for so doing, he may postpone or remit the payment of interest or principal or postpone the repayment of instalments of principal and may remit the interest portion of any such instalment in respect of any money borrowed by a Park Board under this section.”