

## ROYAL NEW ZEALAND AIR FORCE AMENDMENT BILL

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### EXPLANATORY NOTE

THIS Bill amends the Royal New Zealand Air Force Act 1950.

*Clause 1* relates to the Short Title.

*Clause 2* amends the definitions of the terms "airman", "competent air force authority", "field officer", "non-commissioned officer", "superior air force military authority", and "warrant officer" in section 2 of the principal Act by including appropriate references to officers and ratings of the Naval Forces and officers and soldiers of the Army who are attached to the Air Force. The general purpose of these amendments is to facilitate the administration of air force law at any joint Service post that is under Air Force control.

*Clause 3* provides that an officer or airman of the Regular Air Force will continue to be liable to serve, notwithstanding that the period of his appointment or engagement has expired, until he is actually discharged or transferred to the Air Force Reserve or otherwise released, which must be effected with all convenient speed. When the period of appointment or engagement of an officer or airman of the Regular Air Force expires in time of war or other like emergency, he will continue to be liable to serve for such period during the continuance of the state of war or emergency as the Defence Council, or the Air Board acting under delegated powers, requires.

*Clause 4* amends section 35 of the principal Act, relating to the offence of absence without leave. The present section includes, *inter alia*, as constituting that offence failing to appear at the place of parade or rendezvous appointed by the accused's commanding officer, being found outside certain limits without a pass or written leave of his commanding officer, or absenting himself, without the leave of his commanding officer, from any school or class when duly ordered to attend.

This clause substitutes references to a superior officer for references to the commanding officer in the cases mentioned above.

*Hon. Mr Thomson*

## ROYAL NEW ZEALAND AIR FORCE AMENDMENT

### ANALYSIS

Title	3. Period of service in Regular Air Force
1. Short Title	4. Absence from duty without leave
2. Interpretation	

### A BILL INTITULED

**An Act to amend the Royal New Zealand Air Force 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 Royal New Zealand Air Force Amendment Act 1967, and shall be read together with and deemed part of the Royal New Zealand Air Force Act 1950\* (hereinafter referred to as the principal  
10 Act).

**2. Interpretation**—Section 2 of the principal Act is hereby amended—

(a) By inserting in the definition of the term “airman”,  
15 after the words “non-commissioned officer”, the words “and also includes a rating of the Naval Forces and a soldier of the Army duly attached or lent to or seconded for service with the Air Force”:

\*1957 Reprint, Vol. 13, p. 455  
Amendments: 1959, No. 27; 1960, No. 88; 1961, No. 97; 1962, No. 99;  
1963, No. 113; 1965, No. 55

- (b) By adding to the definition of the term “competent air force authority” the words “and also includes any officer of relative rank of the Naval Forces or the Army duly attached or lent to or seconded for service with the Air Force who is duly authorised by a superior air force authority”: 5
- (c) By adding to the definition of the term “field officer” the words “and includes an officer of relative rank of the Naval Forces or the Army duly attached or lent to or seconded for service with the Air Force”: 10
- (d) By adding to the definition of the term “non-commissioned officer” (as substituted by section 2 (2) of the Royal New Zealand Air Force Amendment Act 1961) the words “and also includes a rating of the Naval Forces below the rank of petty officer and a non-commissioned officer of the Army below the rank of warrant officer duly attached or lent to or seconded for service with the Air Force”: 15
- (e) By inserting in the definition of the term “superior air force authority”, after the words “group captain” wherever they occur, the words “or officer of relative rank of the Naval Forces or the Army duly attached or lent to or seconded for service with the Air Force”: 20
- (f) By inserting in the definition of the term “warrant officer” (as added by section 2 (1) of the Royal New Zealand Air Force Amendment Act 1961), after the words “master aircrew”, the words “and includes a chief petty officer or petty officer of the Naval Forces and a warrant officer of the Army duly attached or lent to or seconded for service with the Air Force”. 25 30

**3. Period of service in Regular Air Force**—Section 11 of the principal Act (as substituted by section 2 (1) of the Royal New Zealand Air Force Amendment Act 1957) is hereby amended by adding the following subsection: 35

“(3) Notwithstanding anything in the foregoing provisions of this section,—

- “(a) An officer or airman of the Regular Air Force whose period of appointment or engagement has expired shall be discharged or transferred to the Air Force Reserve or otherwise released from service with the Regular Air Force with all convenient speed, but shall be liable to continue to serve until that discharge or transfer or release is effected: 40 45

- 5 “(b) When the period of appointment or engagement of any officer or airman of the Regular Air Force expires in time of war or other like emergency, the officer or airman concerned shall be liable to continue to serve for such period as the Defence Council, or the Air Board acting pursuant to a delegation by the Council, may require during the continuance of a state of war or other like emergency.”
- 10 **4. Absence from duty without leave**—Section 35 of the principal Act is hereby amended by omitting from paragraph (b), and also from paragraphs (c) and (d), the words “his commanding officer”, and substituting in each case the words “a superior officer”.