

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE ON THE
STATUTES AMENDMENT BILL]

House of Representatives, 24 October 1956

Hon. Mr McAlpine

SHIPPING AND SEAMEN AMENDMENT

ANALYSIS

Title		1. Short Title 2. Delegation of Minister's powers
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A BILL INTITULED

An Act to amend the Shipping and Seamen 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—This Act may be cited as the Shipping and Seamen Amendment Act 1956, and shall be read together with and deemed part of the Shipping and Seamen Act 1952 (hereinafter referred to as the principal Act).

2. Delegation of Minister's powers—(1) The principal Act is hereby amended by inserting, after section nine, the following section:

No. 128—1

“9A. (1) The Minister may from time to time, by writing under his hand, delegate to the Secretary for Marine or to any other officer or officers of the Department any of his powers under this Act or under any regulations made under this Act.

“(2) The officer or officers referred to in subsection one of this section may be an officer or officers referred to by name, or the officer or officers who for the time being hold any specified position or positions in the Department.

“(3) Subject to any general or special conditions attached by the Minister, the person to whom any powers are delegated under this section may exercise those powers in the same manner and with the same effect as if they had been conferred on him directly by this section and not by delegation.

“(4) Every person purporting to act pursuant to any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

“(5) Every delegation under this section shall be revocable in writing at will, and no such delegation shall prevent the exercise of any power by the Minister.

“(6) Every delegation made under this section shall, until it is revoked, continue in force according to its tenor, notwithstanding that the Minister may have ceased to hold office, and shall continue to have effect as if made by his successor in office.

“(7) Where under this section the Minister delegates to the Secretary for Marine or to any other officer of the Department any power which the Minister is authorised to exercise by notice in the *Gazette*, the Secretary for Marine or, as the case may be, that other officer shall exercise that power by notice in the *Gazette*.

“(8) Every reference to the Minister in any Act, regulation, order, application, notice, licence, or document whatsoever shall, in relation to any power that the Minister has delegated to the Secretary for Marine or to any other officer of the Department under this section, be read as a reference to the Secretary for Marine or to that other officer, as the case may be.”