

[AS REPORTED FROM THE INTERNAL AFFAIRS AND LOCAL  
GOVERNMENT COMMITTEE]

*House of Representatives, 3 March 1992.*

**Words struck out are shown in italics within bold round brackets; words inserted are shown in roman underlined with a single rule.**

*Hon. John Banks*

**SPORT, FITNESS, AND LEISURE AMENDMENT**

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A BILL INTITULED

**An Act to amend the Recreation and Sport Act 1987**

5 **1. Short Title and commencement**—(1) This Act may be cited as the Sport, Fitness, and Leisure Amendment Act 1991, and shall be read together with and deemed part of the Act heretofore cited as the Recreation and Sport Act 1987\* (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the (*1st day of January 1991*) 1st day of July 1992.

10 **2. Change of name**—(1) The principal Act may hereafter be cited as the Sport, Fitness, and Leisure Act 1987.

15 (2) The Short Title of the principal Act and the Short Title of the Recreation and Sport Amendment Act 1987 are hereby consequentially amended by omitting the words “Recreation and Sport”, and substituting the words “Sport, Fitness, and Leisure”.

\*1987, No. 13  
Amendment: 1987, No. 154

No. 96—2

Price  
incl. GST \$2.30

(3) The Title of the principal Act is hereby consequentially amended—

(a) By omitting the words “**recreation and sport**”, and substituting the words “**sport, fitness, and leisure**”:

(b) By omitting the words “**Recreation and Sport**”, and substituting the words “**Sport, Fitness, and Leisure**”.

(4) The Title of the Recreation and Sport Amendment Act 1987 is hereby consequentially amended by omitting the words “**Recreation and Sport**”, and substituting the words “**Sport, Fitness, and Leisure**”.

(5) Every reference in any enactment to the Short Title of either of the said Acts is hereby consequentially amended by omitting the words “Recreation and Sport”, and substituting the words “Sport, Fitness, and Leisure”.

**3. Interpretation**—The principal Act is hereby amended by repealing section 2, and substituting the following section:

“2. In this Act, unless the context otherwise requires,—

“‘Commission’ means the Hillary Commission for Sport, Fitness, and Leisure: 20

“‘Fitness’ means physical wellbeing resulting from participation in sport and leisure activities:

“‘Leisure’ means physical activities or physical pastimes engaged in in New Zealand for the purpose of relaxation or enjoyment; and includes such physical activities or physical pastimes engaged in overseas by New Zealanders: 25

“‘Minister’ means the Minister for Sport, Fitness, and Leisure:

“‘New Zealander’ means a New Zealand citizen; and includes any person resident in New Zealand, whether or not the person is a New Zealand citizen: 30

“‘Sport’ means sport played, formally and informally, in New Zealand; and includes the participation by New Zealanders in sport overseas.” 35

**4. Hillary Commission for Sport, Fitness, and Leisure**—(1) Section 3 of the principal Act is hereby amended by omitting from subsection (1) the words “Recreation and Sport”, and substituting the words “Sport, Fitness, and Leisure”.

(2) The said section 3 is hereby further amended by adding the following subsection: 40

“**(3)** The Commission shall be a Crown agency for the purposes of the Public Finance Act 1989, and, notwithstanding anything in section 1 (3A) of that Act, Part V of that Act shall apply to the Commission as if that Part of the Act had come into force on the commencement of this subsection.”

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**(3)** The Hillary Commission for Sport, Fitness, and Leisure is hereby declared to be the same body corporate as that which was constituted under the principal Act and immediately before the commencement of this subsection was known as the Hillary Commission for Recreation and Sport.

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**(4)** Every reference to the Hillary Commission for Recreation and Sport in any enactment, certificate of title, agreement, deed, instrument, or other document shall hereafter be read as a reference to the Hillary Commission for Sport, Fitness, and Leisure.

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**5. Membership of Commission**—**(1)** The principal Act is hereby amended by repealing section 4, and substituting the following section:

“4. The Commission shall consist of—

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“**(a)** Eight persons to be appointed by the Minister on the basis of having special skills, knowledge, or background appropriate to the functions and powers of the Commission:

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“**(b)** A person to be appointed by the Minister on the nomination of the Minister of Internal Affairs.”

**(2)** Every person who, immediately before the commencement of this subsection, held office as a member of the Hillary Commission for Recreation and Sport shall, on the commencement of this subsection, be deemed to have relinquished his or her office as such a member.

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**(3)** No member of the Hillary Commission for Recreation and Sport shall be entitled to any money or other benefit by way of compensation, or to a claim for loss of remuneration or for reimbursement of expected allowances, arising out of his or her relinquishment of office under **subsection (2)** of this section.

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**6. Quorum**—Section 9 of the principal Act is hereby amended by repealing subsection **(6)**, and substituting the following subsection:

“**(6)** At any meeting of the Commission the quorum shall be 5 members.”

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**7. Functions of Commission**—(1) Section 14 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) The principal functions of the Commission shall be to develop and encourage sport, fitness, and leisure.”

(2) Section 14 (2) (e) of the principal Act is hereby amended by omitting the words “and recreation”, and substituting the words “, fitness, and leisure”.

(3) Section 14 (2) (f) of the principal Act is hereby amended—

(a) By omitting the words “group recreation”, and substituting the words “group fitness and leisure activities”:

(b) By omitting the words “and recreation”, and substituting the words “, fitness, and leisure”.

**8. Amendments consequential to change of name, etc.**—(1) The principal Act is hereby amended by omitting from sections 15 (b), 16 (1), and 17 (2) (a), (c), (d), (e), and (f) the words “recreation and sport”, and substituting in each case the words “sport, fitness, and leisure”.

(2) Section 17 (2) (e) of the principal Act is hereby amended by omitting the words “recreational purposes”, and substituting the words “the purposes of sport, fitness, and leisure”.

(3) Section 18 of the principal Act is hereby amended by omitting the words “recreational or sporting organisation”, and substituting the words “sport, fitness, or leisure organisation”.

(4) Section 34 of the principal Act is hereby amended—

(a) By omitting from subsection (1) (a) the words “Recreation and Sport”, and substituting the words “Sport, Fitness, and Leisure”:

(b) By omitting from subsection (2) (a) the words “Recreation and Sport”, and substituting the words “Sport, Fitness, and Leisure”.

**9. Repeal of redundant provisions**—Sections 30 and 31 of the principal Act are hereby repealed.

**10. Annual report**—The principal Act is hereby amended by repealing section 32, and substituting the following section:

“32. (1) The Commission shall in each year furnish to the Minister a report with respect to the operation of this Act.

“(2) The Commission shall include in every annual report of the Commission the financial statements prepared by the Commission, in accordance with Part V of the Public Finance

Act 1989, in respect of the financial year to which the report relates, together with the audit report and the management statement relating to those financial statements.

5 “(3) A copy of every annual report of the Commission shall be tabled in the House of Representatives in accordance with section 44 of the Public Finance Act 1989.”