

1972/105

THE NAVY REGULATIONS 1958, AMENDMENT NO. 5

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 22nd day of May 1972

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Defence Act 1971, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—These regulations may be cited as the Navy Regulations 1958, Amendment No. 5, and shall be read together with and deemed part of the Navy Regulations 1958* (hereinafter referred to as the principal regulations).

2. Modification of the Naval Discipline Act 1957—(1) Regulation 5 of the principal regulations is hereby amended by adding, after subclause (2), the following subclause:

“(3) Without prejudice to the modifications made by subclauses (1) and (2) of this regulation, the Naval Discipline Act and the regulations made thereunder are hereby further modified in their application to the New Zealand Naval Forces in the following manner, namely, that no amendment made in the United Kingdom to that Act or those regulations on or after the 1st day of June 1972 shall apply to the New Zealand Naval Forces.”

(2) Part II of the said First Schedule to the principal regulations is hereby amended by revoking so much thereof as relates to section 53 of the Naval Discipline Act 1957, and substituting the following words: “Section 53—

“By inserting in subsection (1), after the words ‘of the Royal Navy’, the words ‘or of the Royal New Zealand Navy or of the Royal Australian Navy.’”

(3) So much of Part II of the said First Schedule to the principal regulations as relates to subsections (3) and (4) of section 88 of the Naval Discipline Act 1957 is hereby amended by omitting from paragraph (a) of the substituted subsection (3) the words “the Navy Act 1954”, and substituting the words “this Act”.

*S.R. 1958/3

Amendment No. 1: S.R. 1959/40
 Amendment No. 2: S.R. 1959/114
 Amendment No. 3: S.R. 1963/117
 Amendment No. 4: S.R. 1967/275

3. Stoppages of pay—Regulation 16 of the principal regulations is hereby amended by revoking subclause (4).

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

The main effect of these regulations is—

- (a) To provide that no amendments to the Naval Discipline Act 1957 (U.K.) on or after the 1st day of June 1972 will apply to the New Zealand Naval Forces;
- (b) To enable officers of the Royal Australian Navy to be authorised to order courts-martial for members of the New Zealand Naval Forces;
- (c) To revoke the provision in the principal regulations permitting stoppages of pay for absence through illness or disability caused by misconduct or neglect.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 25 May 1972.

These regulations are administered in the Ministry of Defence.