

Serial Number 1949/163

**THE NEW ZEALAND NATIONAL AIRWAYS CORPORATION
(EXTENSION OF POWERS) REGULATIONS 1949**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 26th day of
October, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Carriage by Air Act, 1940, and the New Zealand National Airways Act, 1945, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the New Zealand National Airways Corporation (Extension of Powers) Regulations 1949.

2. (1) Pursuant to section 14 of the New Zealand National Airways Act, 1945, approval is hereby given to the Corporation having and exercising, in relation to air services between any territory where the Corporation may carry on an air service without approval being expressly given under the said section 14, and Norfolk Island, New Caledonia, Fiji, Tonga, or the Society Islands, or between any two or more of any of the aforesaid territories or places, and in relation to air services between New Zealand and the Philippine Islands and points on the route between New Zealand and the Philippine Islands, the like powers as it has in relation to air services within New Zealand.

(2) Approval is hereby given to the New Zealand National Airways Corporation, with a view to facilitating the establishment, maintenance, and operation of air services between New Zealand and Fiji, and places beyond Fiji, entering into and carrying out any agreements with any organizations concerned with the operation of air services whereby the Corporation agrees to provide and operate in Fiji facilities for the maintenance of aircraft belonging to any of those organizations.

(3) Approval is hereby given for the Corporation to enter into any contract for carriage by air with any organization carrying on an air service outside New Zealand whereby the Corporation agrees to undertake any carriage by air on behalf of any such organization or whereby any such organization agrees to undertake any carriage by air on behalf of the Corporation. Any such contract shall be made only in respect of carriage by air to which the First Schedule to the Carriage by Air Act, 1940, from time to time applies.

3. (1) The provisions of the First Schedule to the Carriage by Air Act, 1940 shall apply to any carriage by air undertaken by the New Zealand National Airways Corporation as part of an air service carried on by the Corporation under the authority of section 14 of the New Zealand National Airways Act, 1945 (including any air service carried on by the Corporation pursuant to a contract authorized by Regulation 2 hereof), or as part of an air service carried on between New Zealand, the Cook Islands, Western Samoa, the Tokelau Islands, and any other territory subject to the protection, trusteeship, or authority of the Government of New Zealand, or between any two or more of any of the territories to which this regulation relates.

(2) Where the Corporation carries on an air service to which this regulation relates (including any air service carried on by the Corporation pursuant to a contract authorized by Regulation 2 hereof) it may apply in respect of any such service, as far as they are applicable and with the necessary modifications, the conditions of carriage relating to the carriage of passengers and baggage or relating to the carriage of goods adopted by resolutions of the International Air Transport Association (Resolutions Nos. 275 and 540 of the International Air Transport Association), and may, without further authority than this regulation, apply in like manner any modifications of any such conditions from time to time adopted by the International Air Transport Association :

Provided that no such conditions or modifications thereof applied by the Corporation shall have any force or effect in so far as they conflict with any of the provisions of the Convention set out in the First Schedule to the Carriage by Air Act, 1940.

(3) The provisions of the New Zealand National Airways Regulations 1947* and of the New Zealand National Airways Corporation By-laws† shall have no application in respect of any carriage by air to which the First Schedule to the Carriage by Air Act, 1940 applies.

4. The New Zealand National Airways Corporation Extension of Powers Order 1947‡ is hereby revoked.

T. J. SHERRARD,
Clerk of the Executive Council.

* Statutory Regulations 1947, Serial number 1947/18, page 39.

† *Gazette*, 1947, Vol. I, page 345.

‡ *Gazette*, 1947, Vol. II, page 1043.