

NEW ZEALAND NATIONAL AIRWAYS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill makes miscellaneous amendments to the New Zealand National Airways Act 1945.

Clause 2 provides a new definition of the term Minister. The appropriate Minister to administer the Act is the Minister in Charge of Civil Aviation.

Clause 3 authorises the Corporation, with the prior approval of the Minister, to make loans or advances or give guarantees of loans or advances to any person for or in connection with the establishment or operation of an air service or any service ancillary to an air service.

Clause 4: The effect of this clause is to ensure that any other enactment limiting the liabilities of any person (whether as a common carrier or otherwise) shall apply for the benefit of the Corporation.

Clause 5 rewrites the provisions of the principal Act relating to the borrowing powers of the Corporation. The powers are made somewhat wider and enable the Minister of Finance to guarantee loans raised by the Corporation.

Clause 6 provides that reserves may be established for the purpose of the replacement or acquisition of assets.

Hon. Mr Shand

**NEW ZEALAND NATIONAL AIRWAYS
AMENDMENT**

ANALYSIS

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A BILL INTITULED

An Act to amend the New Zealand National Airways Act
1945

BE IT ENACTED by the General Assembly of New Zealand
5 in Parliament assembled, and by the authority of the same,
as follows:

1. **Short Title**—This Act may be cited as the New Zealand
National Airways Amendment Act 1957, and shall be read
together with and deemed part of the New Zealand National
10 Airways Act 1945 (hereinafter referred to as the principal
Act).

2. **Interpretation**—Section two of the principal Act is here-
by amended by repealing the definition of the term “Minis-
ter”, and substituting the following definition:
15 “‘Minister’ means the Minister in Charge of Civil
Aviation”.

3. Loans and advances by Corporation—(1) Subsection one of section fifteen of the principal Act is hereby amended by adding the following paragraph:

“(c) With the prior approval of the Minister, make loans or advances or give guarantees in respect of loans or advances to any person for or in connection with the establishment, maintenance, or operation within New Zealand of an air service or any service ancillary to an air service.” 5

(2) Section fifteen of the principal Act is hereby amended by repealing subsection two, and substituting the following subsection: 10

“(2) The Corporation shall not, without the prior approval of the Minister, acquire by purchase any land, including improvements existing on the land, the cost of acquisition of which exceeds the sum of five thousand pounds, or enter into any lease of land for a term exceeding twenty-one years.” 15

4. Liability of Corporation as carrier—Section seventeen of the principal Act is hereby amended by inserting after the word “thereunder”, the words, “or of any other enactment limiting the liability of any person, whether as a common carrier or otherwise,”. 20

5. Borrowing powers—(1) The principal Act is hereby amended by repealing section twenty-four, and substituting the following section: 25

“24. (1) The Corporation may from time to time, with the consent of the Minister of Finance and on and subject to such terms and conditions as he thinks fit, borrow money and issue debentures or mortgage or charge any of its real or personal property. 30

“(2) The Minister of Finance may from time to time, on behalf of Her Majesty the Queen,—

“(a) Advance money to the Corporation; and

“(b) Give in respect of any advances made to the Corporation by any other person any guarantee, indemnity, or security,— 35

on or subject to such terms and conditions as that Minister thinks fit.”

(2) The New Zealand National Airways Amendment Act 1956 is hereby repealed. 40

6. Reserves—Subsection one of section twenty-seven of the principal Act is hereby amended by omitting the words “depreciation of assets”, and substituting the words “depreciation, replacement, or acquisition of assets”.