

## New Zealand.



### ANALYSIS.

<p style="text-align: center;">Title.</p> <p>1. Short Title and commencement.</p> <p>2. Interpretation.</p> <p>3. Establishment and functions of Air Department.</p> <p>4. Officers of the Air Department.</p>		<p>5. Saving of superannuation and other rights of teachers appointed to Department as education officers.</p> <p>6. Validation of payments in respect of Air Force and Air Department.</p> <p>7. Annual report. Schedule.</p>
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### 1937, No. 7.

Title.	<p>AN ACT to establish a Department of State to be called the Air Department, and to define its functions.</p> <p style="text-align: right;"><i>[6th November, 1937.]</i></p> <p>BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—</p>
Short Title and commencement.	<p><b>1.</b> This Act may be cited as the Air Department Act, 1937, and shall be deemed to have come into force on the first day of April, nineteen hundred and thirty-seven.</p>
Interpretation.	<p><b>2.</b> In this Act—</p> <p style="padding-left: 40px;">“ Air Force ” means the Royal New Zealand Air Force established under the Air Force Act, 1937:</p> <p style="padding-left: 40px;">“ Minister ” means the Minister of Defence.</p>

**3.** (1) There is hereby established a Department of State to be called the Air Department (hereinafter referred to as the Department) which, under the control of the Minister, shall be charged with the administration of the Acts specified in the Schedule hereto, and shall have such other functions as may from time to time be lawfully conferred upon it.

Establishment and functions of Air Department.

(2) It shall also be the duty of the Department to advise the Government on all matters affecting aviation that may from time to time be referred to it.

**4.** (1) The person for the time being holding office as Air Secretary under the Air Force Act, 1937, shall, in addition to his duties under that Act, be responsible to the Minister for the general administration of the Department:

Officers of the Air Department.

Provided that nothing herein shall be construed to extend the powers of the Air Secretary in relation to the Air Force beyond the powers conferred on him pursuant to the Air Force Act, 1937.

(2) For the purposes of the Air Navigation Act, 1931, there shall be an officer of the Department to be called the Controller of Civil Aviation who shall have such special duties and functions as may be conferred on him by regulations under that Act. The officer who, at the passing of this Act, holds office as the Controller of Civil Aviation shall, without further appointment, be deemed to have been duly appointed as the Controller of Civil Aviation under this Act.

See Reprint of Statutes, Vol. I, p. 424

(3) There shall also from time to time be appointed such other officers of the Department as may be deemed necessary. All officers appointed to the Department before the passing of this Act shall be deemed to have been duly appointed under this Act.

**5.** (1) In this section the term "teacher" has the same meaning as in the Education Act, 1914.

Saving of superannuation and other rights of teachers appointed to Department as education officers.

(2) If any teacher is appointed to the Department as an education officer in relation to the Royal New Zealand Air Force his service with the Department as an education officer shall be deemed to be "education service" for the purposes of Part IV of the Public Service Superannuation Act, 1927 (relating to teachers' superannuation), and shall not be deemed to be public service within the meaning of Part I of that Act, and shall also be deemed to be "education service" for the

*Ibid.*, Vol. II, p. 1010  
*Ibid.*, Vol. VII, p. 559

purposes of any regulations under the Education Act, 1914, relating to the classification and grading of teachers.

(3) A certificate under the hand of the Air Secretary as to the service of any person as an education officer of the Department shall for all purposes be conclusive evidence as to such service.

Validation of  
payments in  
respect of Air  
Force and Air  
Department.

6. The Air Secretary shall be deemed to have and to have had during the financial year ending on the thirty-first day of March, nineteen hundred and thirty-eight, the same powers to authorize payments in respect of the Royal New Zealand Air Force or in respect of the Air Department as are conferred on the Under-Secretary of Defence or the Army Secretary in respect of the Defence Forces by the Financial Instructions and Allowance Regulations for the New Zealand Military Forces:

Provided that nothing in this section shall be construed to render unlawful any payment that may be duly authorized otherwise than in the manner referred to in this section.

Annual report.

7. (1) The Minister shall, as soon as practicable after the close of each financial year, cause to be prepared a report on the operations of the Department during that financial year.

(2) Every such report shall be laid before Parliament within fourteen days after it has been received by the Minister if Parliament is then in session, and in every other case shall be laid before Parliament within fourteen days after the commencement of the next ensuing session.

Schedule.

#### SCHEDULE.

##### ENACTMENTS TO BE ADMINISTERED BY AIR DEPARTMENT.

1931, No. 26 .. .. .	..	The Air Navigation Act, 1931.
(Reprint of Statutes, Vol. I, p. 424)		
1937, No. 6 .. .. .	..	The Air Force Act, 1937.