

**(3) New Zealand Air Force**

**THE VISITING FORCES (ROYAL NEW ZEALAND AIR FORCE)  
ORDER, 1940.(a)**

**1940 No. 2199**

At the Court at Buckingham Palace, the 19th day of December, 1940.

PRESENT,

The King's Most Excellent Majesty in Council.

23 Geo. 5. c. 6. Whereas under Section 4 of the Visiting Forces (British Commonwealth) Act, 1933, the Air Council may attach temporarily to a home force any member of the air force of His Majesty raised in the Dominion of New Zealand who is placed at their disposal for the purpose by the Service Authorities of that Dominion, and any such member so attached is subject to the Air Force Act as an officer or airman, in like manner, and is treated and has the like powers of command and punishment over members of the home force to which he is attached, as if he were a member of that force of relative rank: And His Majesty may by Order in Council direct that in relation to such members the Air Force Act shall apply with such exceptions and subject to such adaptations and modifications as may be specified in the Order:

And whereas it is deemed expedient that in relation to members of the Royal New Zealand Air Force who by virtue of the said section are attached temporarily to the Royal Air Force the application of the Air Force Act shall be subject to such exception adaptation and modification as is hereinafter in this Order specified:

56 & 57 Vict. c. 66. And whereas the provisions of the Rules Publication Act, 1893, have been complied with:

Now, therefore, His Majesty by virtue and in exercise of the power so vested in Him is pleased, by and with the advice of His Privy Council, to make the following Order:

1. Notwithstanding any provision in the Air Force Act, no member of the Royal New Zealand Air Force who by virtue of Section 4 of the Visiting Forces (British Commonwealth) Act, 1933, is attached temporarily to the Royal Air Force shall, on conviction by court martial, be liable to suffer death unless the infliction of that punishment is approved by the Governor-General of the Dominion of New Zealand in Council.

2. This Order may be cited as the Visiting Forces (Royal New Zealand Air Force) Order, 1940.

*Rupert B. Howorth.*

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(a) This Order supersedes the Visiting Forces (Royal New Zealand Air Force) (Provisional) Order, 1940.