

2007-09-20
Niue Amendment Act (No 2) 1968

Public Act 1968 No 132
Date of assent 17 December 1968

Contents

	Page
Title	5
1 Short Title and commencement	5
2 Interpretation <i>[Repealed]</i>	5
Part 1	
Land tenure	
<i>[Repealed]</i>	
3 Classification of land in Niue <i>[Repealed]</i>	5
4 All land in Niue vested in the Crown <i>[Repealed]</i>	5
5 Foreshore and seabed vested in the Crown <i>[Repealed]</i>	5
6 Administration and tenure of land <i>[Repealed]</i>	6
7 Saving of existing interests in Niuean land <i>[Repealed]</i>	6
Part 2	
Crown land	
<i>[Repealed]</i>	
8 Grants of Crown land <i>[Repealed]</i>	6
9 Crown land may be declared Niuean land <i>[Repealed]</i>	6
10 Reserves of Crown land for public purposes <i>[Repealed]</i>	6
11 Taking of land for public purposes <i>[Repealed]</i>	6
12 Revocation of Warrant taking land <i>[Repealed]</i>	7
13 Compensation for land taken <i>[Repealed]</i>	7
14 Resumption of Crown land for public purposes <i>[Repealed]</i>	7
16 Acquisition of land for public purposes <i>[Repealed]</i>	7

17	Public purpose for which land held may be altered <i>[Repealed]</i>	7
18	Control of Crown land by Cabinet of Ministers <i>[Repealed]</i>	7
19	Saving of reserves under the Cook Islands Government Act 1908 <i>[Repealed]</i>	7
20	Power to revoke or amend existing Orders in Council <i>[Repealed]</i>	8

Part 3

Niuean land

[Repealed]

21	Ownership in Niuean land <i>[Repealed]</i>	8
22	Investigation of title to Niuean land <i>[Repealed]</i>	8
23	Niuean customs to be recognised <i>[Repealed]</i>	8
24	No alienation of Niuean land <i>[Repealed]</i>	8
25	For certain purposes Niuean land to be deemed Crown land <i>[Repealed]</i>	8

Part 4

Land for Church purposes

[Repealed]

26	Vesting of land for Church purposes <i>[Repealed]</i>	9
27	Land vested for Church purposes may be acquired by the Crown <i>[Repealed]</i>	9
28	Existing records and instruments <i>[Repealed]</i>	9

Part 5

The Land Court of Niue

[Repealed]

38	Registrar and Deputy Registrar of Land Court <i>[Repealed]</i>	10
39	Administrative officers <i>[Repealed]</i>	10
40	Records of Land Court <i>[Repealed]</i>	10
41	Registers <i>[Repealed]</i>	11
42	Seal of the Land Court <i>[Repealed]</i>	11
43	Rules of Court <i>[Repealed]</i>	11
44	Applications to Land Court <i>[Repealed]</i>	11
45	Rehearings <i>[Repealed]</i>	11
46	Sittings of Land Court <i>[Repealed]</i>	11

General jurisdiction of the Land Court

[Repealed]

47	Jurisdiction of Land Court <i>[Repealed]</i>	11
48	Order in Council may confer jurisdiction on Land Court <i>[Repealed]</i>	12
49	Powers of Judges <i>[Repealed]</i>	12

50	Proceedings in Land Court before different Judges <i>[Repealed]</i>	12
	<i>Orders of Land Court [Repealed]</i>	
51	Procedure with respect to the making of orders <i>[Repealed]</i>	12
52	Orders bind all persons interested <i>[Repealed]</i>	12
53	Validity of orders <i>[Repealed]</i>	12
54	Annulment of orders obtained by fraud <i>[Repealed]</i>	12
55	Enforcement of orders of Land Court by High Court <i>[Repealed]</i>	13
56	Enforcement of charges <i>[Repealed]</i>	13
57	Registration of orders affecting title to land <i>[Repealed]</i>	13
	<i>Contempt of the Land Court [Repealed]</i>	
58	Contempt of Court defined <i>[Repealed]</i>	13
59	Penalty for contempt <i>[Repealed]</i>	13
60	Jurisdiction in contempt <i>[Repealed]</i>	13
61	Contempt in face of the Court <i>[Repealed]</i>	13
62	Arrest on warrant <i>[Repealed]</i>	14
63	Conviction by Land Court <i>[Repealed]</i>	14
64	Enforcement of fine <i>[Repealed]</i>	14
65	Discharge of persons in contempt <i>[Repealed]</i>	14
66	Jurisdiction in contempt may be exercised at any time or place <i>[Repealed]</i>	14
	Part 6 The Land Appellate Court of Niue <i>[Repealed]</i>	
69	Proceedings may be continued before different Judges <i>[Repealed]</i>	15
70	Decision of majority to be decision of Court <i>[Repealed]</i>	15
71	Officers of Land Court to be officers of Land Appellate Court <i>[Repealed]</i>	15
72	Seal <i>[Repealed]</i>	15
73	Rules of Court <i>[Repealed]</i>	15
74	Sittings of Land Appellate Court <i>[Repealed]</i>	15
75	Appeals from Land Court <i>[Repealed]</i>	15
76	Appeals from provisional determinations as to title to Niuean land <i>[Repealed]</i>	16
77	Successive appeals in respect of same matter <i>[Repealed]</i>	16
78	Powers of Land Appellate Court on appeal <i>[Repealed]</i>	16
79	Dismissal of appeal for non-prosecution <i>[Repealed]</i>	16

80	Variation deemed part of original order <i>[Repealed]</i>	16
81	Orders of Land Appellate Court <i>[Repealed]</i>	16
82	Contempt <i>[Repealed]</i>	16
83	Land Appellate Court may order surveys <i>[Repealed]</i>	16
Part 7		
Roads		
<i>[Repealed]</i>		
84	Definition of road <i>[Repealed]</i>	17
85	Public rights over roads <i>[Repealed]</i>	17
86	Warrant declaring existing roads <i>[Repealed]</i>	17
87	Warrants declaring new roads <i>[Repealed]</i>	17
88	Warrants as to roads to be gazetted <i>[Repealed]</i>	17
89	Access to land <i>[Repealed]</i>	17
90	Closing of roads <i>[Repealed]</i>	17
Part 8		
Adoption		
91	Interpretation <i>[Repealed]</i>	18
92	Adoption by Niuean custom invalid <i>[Repealed]</i>	18
93	Adoption by Niuean custom before 1 April 1916 by parent dying before 5 December 1921 <i>[Repealed]</i>	18
94	Validity of adoption registered before 1 April 1916 <i>[Repealed]</i>	18
95	Court may make adoption orders <i>[Repealed]</i>	18
96	Prohibition of payments in consideration of adoption <i>[Repealed]</i>	18
97	Restrictions on making adoption orders <i>[Repealed]</i>	18
98	Consents to adoptions <i>[Repealed]</i>	19
99	Effect of adoption order	19
100	Adoption order may be varied or discharged	19
101	Adoption orders under Cook Islands Amendment Act 1921 <i>[Repealed]</i>	20
Part 9		
Miscellaneous provisions		
<i>[Repealed]</i>		
102	Consequential amendments <i>[Repealed]</i>	20
103	Repeals <i>[Repealed]</i>	20
Schedule		
Consequential amendments of principal Act		
<i>[Repealed]</i>		

An Act to amend the Niue Act 1966

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

1 Short Title and commencement

- (1) This Act may be cited as the Niue Amendment Act (No 2) 1968, and shall be read together with and deemed part of the Niue Act 1966 (hereinafter referred to as the principal Act).
- (2) This Act shall come into force on a date to be fixed for its commencement by the Governor-General, by Order in Council.

2 Interpretation

[Repealed]

Section 2: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

**Part 1
Land tenure**

[Repealed]

Part 1: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

3 Classification of land in Niue

[Repealed]

Section 3: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

4 All land in Niue vested in the Crown

[Repealed]

Section 4: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

5 Foreshore and seabed vested in the Crown

[Repealed]

Section 5: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

6 Administration and tenure of land*[Repealed]*

Section 6: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

7 Saving of existing interests in Niuean land*[Repealed]*

Section 7: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

**Part 2
Crown land***[Repealed]*

Part 2: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

8 Grants of Crown land*[Repealed]*

Section 8: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

9 Crown land may be declared Niuean land*[Repealed]*

Section 9: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

10 Reserves of Crown land for public purposes*[Repealed]*

Section 10: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

11 Taking of land for public purposes*[Repealed]*

Section 11: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

12 Revocation of Warrant taking land*[Repealed]*

Section 12: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

13 Compensation for land taken*[Repealed]*

Section 13: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

14 Resumption of Crown land for public purposes*[Repealed]*

Section 14: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

15

Section 15 was repealed, as from 19 August 1970, by section 15(2) Niue Amendment Act 1970 (1970 No 15).

16 Acquisition of land for public purposes*[Repealed]*

Section 16: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

17 Public purpose for which land held may be altered*[Repealed]*

Section 17: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

18 Control of Crown land by Cabinet of Ministers*[Repealed]*

Section 18: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

19 Saving of reserves under the Cook Islands Government Act 1908*[Repealed]*

Section 19: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

20 Power to revoke or amend existing Orders in Council*[Repealed]*

Section 20: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

**Part 3
Niuean land***[Repealed]*

Part 3: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

21 Ownership in Niuean land*[Repealed]*

Section 21: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

22 Investigation of title to Niuean land*[Repealed]*

Section 22: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

23 Niuean customs to be recognised*[Repealed]*

Section 23: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

24 No alienation of Niuean land*[Repealed]*

Section 24: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

25 For certain purposes Niuean land to be deemed Crown land*[Repealed]*

Section 25: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

Part 4

Land for Church purposes

[Repealed]

Part 4: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

26 Vesting of land for Church purposes

[Repealed]

Section 26: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

27 Land vested for Church purposes may be acquired by the Crown

[Repealed]

Section 27: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

28 Existing records and instruments

[Repealed]

Section 28: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

Part 5

The Land Court of Niue

[Repealed]

Part 5: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

29

Section 29 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

30

Section 30 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

31

Section 31 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

32

Section 32 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

33

Section 33 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

34

Section 34 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

35

Section 35 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

36

Section 36 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

37

Section 37 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

38 Registrar and Deputy Registrar of Land Court

[Repealed]

Section 38: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

39 Administrative officers

[Repealed]

Section 39: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

40 Records of Land Court

[Repealed]

Section 40: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

41 Registers*[Repealed]*

Section 41: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

42 Seal of the Land Court*[Repealed]*

Section 42: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

43 Rules of Court*[Repealed]*

Section 43: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

44 Applications to Land Court*[Repealed]*

Section 44: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

45 Rehearings*[Repealed]*

Section 45: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

46 Sittings of Land Court*[Repealed]*

Section 46: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

*General jurisdiction of the Land Court**[Repealed]*

Heading: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

47 Jurisdiction of Land Court*[Repealed]*

Section 47: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

48 Order in Council may confer jurisdiction on Land Court*[Repealed]*

Section 48: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

49 Powers of Judges*[Repealed]*

Section 49: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

50 Proceedings in Land Court before different Judges*[Repealed]*

Section 50: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

*Orders of Land Court**[Repealed]*

Heading: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

51 Procedure with respect to the making of orders*[Repealed]*

Section 51: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

52 Orders bind all persons interested*[Repealed]*

Section 52: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

53 Validity of orders*[Repealed]*

Section 53: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

54 Annulment of orders obtained by fraud*[Repealed]*

Section 54: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

55 Enforcement of orders of Land Court by High Court*[Repealed]*

Section 55: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

56 Enforcement of charges*[Repealed]*

Section 56: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

57 Registration of orders affecting title to land*[Repealed]*

Section 57: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

*Contempt of the Land Court**[Repealed]*

Heading: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

58 Contempt of Court defined*[Repealed]*

Section 58: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

59 Penalty for contempt*[Repealed]*

Section 59: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

60 Jurisdiction in contempt*[Repealed]*

Section 60: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

61 Contempt in face of the Court*[Repealed]*

Section 61: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

62 Arrest on warrant*[Repealed]*

Section 62: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

63 Conviction by Land Court*[Repealed]*

Section 63: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

64 Enforcement of fine*[Repealed]*

Section 64: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

65 Discharge of persons in contempt*[Repealed]*

Section 65: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

66 Jurisdiction in contempt may be exercised at any time or place*[Repealed]*

Section 66: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

Part 6**The Land Appellate Court of Niue***[Repealed]*

Part 6: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

67

Section 67 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

68

Section 68 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

69 Proceedings may be continued before different Judges*[Repealed]*

Section 69: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

70 Decision of majority to be decision of Court*[Repealed]*

Section 70: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

71 Officers of Land Court to be officers of Land Appellate Court*[Repealed]*

Section 71: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

72 Seal*[Repealed]*

Section 72: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

73 Rules of Court*[Repealed]*

Section 73: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

74 Sittings of Land Appellate Court*[Repealed]*

Section 74: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

75 Appeals from Land Court*[Repealed]*

Section 75: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

- 76 Appeals from provisional determinations as to title to Niuean land**
[Repealed]
Section 76: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).
- 77 Successive appeals in respect of same matter**
[Repealed]
Section 77: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).
- 78 Powers of Land Appellate Court on appeal**
[Repealed]
Section 78: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).
- 79 Dismissal of appeal for non-prosecution**
[Repealed]
Section 79: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).
- 80 Variation deemed part of original order**
[Repealed]
Section 80: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).
- 81 Orders of Land Appellate Court**
[Repealed]
Section 81: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).
- 82 Contempt**
[Repealed]
Section 82: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).
- 83 Land Appellate Court may order surveys**
[Repealed]
Section 83: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

Part 7 Roads

[Repealed]

Part 7: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

84 Definition of road

[Repealed]

Section 84: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

85 Public rights over roads

[Repealed]

Section 85: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

86 Warrant declaring existing roads

[Repealed]

Section 86: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

87 Warrants declaring new roads

[Repealed]

Section 87: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

88 Warrants as to roads to be gazetted

[Repealed]

Section 88: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

89 Access to land

[Repealed]

Section 89: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

90 Closing of roads

[Repealed]

Section 90: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

Part 8

Adoption

91 Interpretation

[Repealed]

Section 91: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

92 Adoption by Niuean custom invalid

[Repealed]

Section 92: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

93 Adoption by Niuean custom before 1 April 1916 by parent dying before 5 December 1921

[Repealed]

Section 93: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

94 Validity of adoption registered before 1 April 1916

[Repealed]

Section 94: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

95 Court may make adoption orders

[Repealed]

Section 95: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

96 Prohibition of payments in consideration of adoption

[Repealed]

Section 96: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

97 Restrictions on making adoption orders

[Repealed]

Section 97: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

98 Consents to adoptions

[Repealed]

Section 98: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

99 Effect of adoption order

Every adoption order shall have both in Niue and in New Zealand the same operation and effect as an adoption order made under the Adoption Act 1955 has in New Zealand by virtue of subsections (1) and (2) of section 16 of that Act.

Compare: 1966 No 38 ss 590, 598

This section was amended, as from 19 August 1970, by section 16(1) Niue Amendment Act 1970 (1970 No 15) by inserting the words “both in Niue and in New Zealand”.

100 Adoption order may be varied or discharged

- (1) The Land Court may, in its discretion, vary or discharge any adoption order subject to such terms and conditions as it thinks fit, on the application of any adoptive parent or of the adopted child.
- (2) The Land Court may, in its discretion and subject to such terms and conditions as it thinks fit, discharge any adoption made in any place outside Niue either before or after the commencement of this Act, if—
 - (a) The person adopted is living and is domiciled in Niue; and
 - (b) Every living adoptive parent is domiciled in Niue.
- (3) No application for discharge of any adoption shall be made without the prior approval of the Cabinet; and no adoption order or adoption shall be discharged unless the adoption order was made by mistake as to a material fact in consequence of a material misrepresentation to the Court or to any person concerned.
- (4) Where the Court discharges an adoption order or adoption as aforesaid, it may confer on the person to whom the order or adoption related such surname with such first or Christian name as the Court thinks fit; but, if it does not do so, the names of the person shall not be affected by the discharge of the order.

(5) The discharge of an adoption order shall have both in Niue and in New Zealand the same effect as the discharge of an adoption order under the Adoption Act 1955 has in New Zealand by virtue of subsection (6) of section 20 of that Act.

(6)

Compare: 1966 No 38 ss 589, 599

Subsection (3) was amended, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43) by substituting the word “Cabinet” for the word “Attorney-General”. See regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

Subsection (5) was amended, as from 19 August 1970, by section 2(1) Niue Amendment Act 1974 (1974 No 43) by substituting the words “both in Niue and in New Zealand” for the words “in Niue”.

Subsection (6) was repealed, as from 19 August 1970, by section 16(2)(b) Niue Amendment Act 1970 (1970 No 15).

101 Adoption orders under Cook Islands Amendment Act 1921

[Repealed]

Section 101: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

Part 9

Miscellaneous provisions

[Repealed]

Part 9: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

102 Consequential amendments

[Repealed]

Section 102: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

103 Repeals

[Repealed]

Section 103: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

104

Section 104 was repealed, as from 19 October 1974, by section 2(1) Niue Amendment Act 1974 (1974 No 43). *See* regulation 2 Niue Constitution Act Commencement Order 1974 (SR 1974/286).

Schedule
Consequential amendments of principal
Act

[Repealed]

Schedule: repealed, on 20 September 2007, by section 6 of the Niue Amendment Act 2007 (2007 No 71).

Contents

- 1 General
 - 2 About this eprint
 - 3 List of amendments incorporated in this eprint (most recent first)
-

Notes**1 General**

This is an eprint of the Niue Amendment Act (No 2) 1968. It incorporates all the amendments to the Niue Amendment Act (No 2) 1968 as at 20 September 2007. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about officialisation, please see "Making online legislation official" under "Status of legislation on this site" in the About section of this website.

3 List of amendments incorporated in this eprint (most recent first)

Niue Amendment Act 2007 (2007 No 71): section 6
