



Court Rules (Te Kāhui o Matariki Public Holiday) Amendment Rules 2022

Cindy Kiro, Governor-General

Order in Council

At Wellington this 23rd day of May 2022

Present:

The Right Hon Jacinda Ardern presiding in Council

These rules are made under section 148 of the Senior Courts Act 2016, section 26 of the Court Martial Appeals Act 1953, section 386 of the Criminal Procedure Act 2011, section 73 of the Bail Act 2000, and section 228 of the District Court Act 2016—

- (a) on the advice and with the consent of the Executive Council; and
- (b) in the case of Parts 1 to 3 and 5 of these rules, with the concurrence of the Right Honourable the Chief Justice and at least 2 other members of the Rules Committee continued under section 155 of the Senior Courts Act 2016 (of whom at least 1 was a Judge of the High Court); and
- (c) in the case of Part 4 of these rules, with the concurrence of the Chief District Court Judge and at least 2 other members of the Rules Committee continued under section 155 of the Senior Courts Act 2016 (of whom at least 1 was a District Court Judge).

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Rules

1 Title

These rules are the Court Rules (Te Kāhui o Matariki Public Holiday) Amendment Rules 2022.

2 Commencement

These rules come into force on 23 June 2022.

Part 1

Court of Appeal (Civil) Rules 2005

3 Principal rules

This Part amends the Court of Appeal (Civil) Rules 2005.

4 Rule 4A amended (Registry hours and Court holidays)

After rule 4A(2)(h), insert:

(ha) Te Rā Aro ki a Matariki/Matariki Observance Day:

Part 2**Court of Appeal (Criminal) Rules 2001****5 Principal rules**

This Part amends the Court of Appeal (Criminal) Rules 2001.

6 Rule 3 amended (Interpretation)

In rule 3(1), definition of **working day**, paragraph (a), after “Sovereign’s birthday,”, insert “Te Rā Aro ki a Matariki/Matariki Observance Day,”.

Part 3**Court Martial Appeal Court Rules 2008****7 Principal rules**

This Part amends the Court Martial Appeal Court Rules 2008.

8 Rule 3 amended (Interpretation)

In rule 3(1), definition of **working day**, paragraph (a), after “Sovereign’s birthday,”, insert “Te Rā Aro ki a Matariki/Matariki Observance Day,”.

Part 4**District Court Rules 2014****9 Principal rules**

This Part amends the District Court Rules 2014.

10 Rule 1.4 amended (Interpretation)

In rule 1.4(1), definition of **working day**, replace paragraph (a) with:

(a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign’s birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and

11 Rule 2.1 amended (Court holidays)

After rule 2.1(1)(g), insert:

(ga) Te Rā Aro ki a Matariki/Matariki Observance Day:

12 Schedule 2, form 35A amended

In Schedule 2, form 35A, memorandum, paragraph 7, definition of **working day**, replace paragraph (a) with:

- (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and

Part 5 High Court Rules 2016

13 Principal rules

This Part amends the High Court Rules 2016.

14 Rule 1.3 amended (Interpretation)

In rule 1.3(1), definition of **working day**, replace paragraph (a) with:

- (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and

15 Rule 3.2 amended (Court holidays)

After rule 3.2(1)(ga), insert:

- (gb) Te Rā Aro ki a Matariki/Matariki Observance Day:

16 Rule 31.9 amended (Advertisement of application)

Replace rule 31.9(2)(a) with:

- (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and

17 Schedule 1, form G 13 amended

In Schedule 1, form G 13, memorandum, paragraph 7, definition of **working day**, replace paragraph (a) with:

- (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and

18 Schedule 1, form C 15 amended

In Schedule 1, form C 15, note, definition of **working day**, replace paragraph (a) with:

- (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and

19 Schedule 1, form C 16 amended

In Schedule 1, form C 16, note, definition of **working day**, replace paragraph (a) with:

- (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign’s birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the rules, but is intended to indicate their general effect.

These rules, which come into force on 23 June 2022, amend the following rules of court so that the definitions of working day and court holidays in those rules include Te Rā Aro ki a Matariki/Matariki Observance Day:

- Court of Appeal (Civil) Rules 2005:
- Court of Appeal (Criminal) Rules 2001:
- Court Martial Appeal Court Rules 2008:
- District Court Rules 2014:
- High Court Rules 2016.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 26 May 2022.

These rules are administered by the Ministry of Justice.