

[AS REPORTED FROM THE JUSTICE AND LAW REFORM
COMMITTEE]

House of Representatives, 11 September 1986.

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

Right Hon. Geoffrey Palmer

CONSTITUTION

Title	ANALYSIS
1. Short Title and commencement	<i>Parliament</i>
<p>PART I THE SOVEREIGN</p>	14. Parliament
2. Head of State	15. Power of Parliament to make laws
3. Exercise of royal powers by the Sovereign or the Governor-General	16. Royal assent to Bills
4. Regency	17. Term of Parliament
5. Demise of the Crown	18. Summoning, proroguing, and dissolution of Parliament
<p>PART II THE EXECUTIVE</p>	19. First meeting of Parliament after general election
6. Ministers of Crown to be members of Parliament	20. Carrying over of Parliamentary business
7. Power of member of Executive Council to exercise Minister's powers	<i>Parliament and Public Finance</i>
8. Appointment of Parliamentary Under-Secretaries	21. Bills appropriating public money
9. Functions of Parliamentary Under-Secretaries	22. Parliamentary control of public finance
<p>PART III THE LEGISLATURE <i>The House of Representatives</i></p>	<p>PART IV THE JUDICIARY</p>
10. House of Representatives	23. Protection of Judges against removal from office
11. Oath of allegiance to be taken by members of Parliament	24. Salaries of Judges not to be reduced
12. Election of Speaker	<p>PART V MISCELLANEOUS PROVISIONS</p>
13. Speaker to continue in office notwithstanding dissolution or expiration of Parliament	25. United Kingdom enactments ceasing to have effect as part of the law of New Zealand
	26. Consequential amendments to other enactments
	27. Repeals
	28. Transitional and consequential provisions relating to Parliament

No. 17—2

Price \$1.50
incl. GST \$1.65

PART VI AMENDMENTS TO OTHER ACTS	<i>Electoral</i>
<i>Acts Interpretation</i>	
29. Sections to be read with Acts Interpretation Act 1924	38. Sections to be read with Electoral Act 1956
30. Insertion of references to "Parliament of New Zealand"	39. Representation Commission
31. General interpretation of terms	40. New heading and section inserted
32. Requirement to lay instruments before Parliament	<i>Term of Office of Member of Parliament</i>
33. Repeals	31A. Term of office of member of Parliament
34. New sections substituted	41. Speaker's warrant for issue of writ
10. Insertion in Acts of Parliament of day of assent	42. Copy of writ to be forwarded to Clerk of the House
10A. Date of commencement	43. Method of questioning election
35. Provisions as to time, distances, appointments, powers, etc.	44. Rules of Court
36. Renumbering of sections	45. Restriction on amendment or repeal of certain provisions
37. Administrator's authority not to be questioned	46. Repeals Schedules

A BILL INTITULED

An Act to reform the constitutional law of New Zealand, to bring together into one enactment certain provisions of constitutional significance, and to provide that the New Zealand Constitution Act 1852 of the Parliament of the United Kingdom shall cease to have effect as part of the law of New Zealand 5

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows: 10

1. Short Title and commencement—(1) This Act may be cited as the Constitution Act 1986.

(2) This Act shall come into force on the 1st day of January 1987.

PART I 15

THE SOVEREIGN

2. Head of State—(1) The Sovereign in right of New Zealand is the head of State of New Zealand, and shall be known by the royal style and titles proclaimed from time to time. 20

(2) The Governor-General appointed by the Sovereign is the Sovereign's representative in New Zealand.

3. Exercise of royal powers by the Sovereign or the Governor-General—(1) Every power conferred on the Governor-General by or under any Act is a royal power which is exercisable by the Governor-General on behalf of the 25

Sovereign, and may accordingly be exercised either by the Sovereign in person or by the Governor-General.

(2) Every reference in any Act to the Governor-General in Council or any other like expression includes a reference to the Sovereign acting by and with the advice and consent of the Executive Council.

Cf. 1983, No. 20, s. 3

4. Regency—(1) Where, under the law of the United Kingdom, the royal functions are being performed in the name and on behalf of the Sovereign by a Regent, the royal functions of the Sovereign in right of New Zealand shall be performed in the name and on behalf of the Sovereign by that Regent.

(2) Nothing in **subsection (1)** of this section limits, in relation to any power of the Sovereign in right of New Zealand, the authority of the Governor-General to exercise that power.

Cf. 1983, No. 20, s. 4

5. Demise of the Crown—(1) The death of the Sovereign shall have the effect of transferring all the functions, duties, powers, authorities, rights, privileges, and dignities belonging to the Crown to the Sovereign's successor, as determined in accordance with the enactment of the Parliament of England intituled The Act of Settlement (12 & 13 Will. 3, c. 2) and any other law relating to the succession to the Throne, but shall otherwise have no effect in law for any purpose.

(2) Every reference to the Sovereign in any document or instrument in force on or after the commencement of this Act shall, unless the context otherwise requires, be deemed to include a reference to the Sovereign's heirs and successors.

Cf. 1908, No. 42

PART II

THE EXECUTIVE

6. Ministers of Crown to be members of Parliament—

(1) A person may be appointed and may hold office as a member of the Executive Council or as a Minister of the Crown only if that person is a member of Parliament.

(2) Notwithstanding **subsection (1)** of this section,—

(a) A person who is not a member of Parliament may be appointed and may hold office as a member of the Executive Council or as a Minister of the Crown if that person was a candidate for election at the

general election of members of the House of Representatives held immediately preceding that person's appointment as a member of the Executive Council or as a Minister of the Crown but shall vacate office at the expiration of the period of (40) 5
70 days beginning with the date of the appointment unless, within that period, that person becomes a member of Parliament; and

- (b) Where a person who holds office both as a member of Parliament and as a member of the Executive 10
Council or as a Minister of the Crown ceases to be a member of Parliament, that person may continue to hold office as a member of the Executive Council or as a Minister of the Crown until the expiration of the 28th day after the day on which that person ceases to 15
be a member of Parliament.

Cf. 1979, No. 33, s. 9

7. Power of member of Executive Council to exercise Minister's powers—Any function, duty, or power exercisable by or conferred on any Minister of the Crown (by whatever 20
designation that Minister is known) may, unless the context otherwise requires, be exercised or performed by any member of the Executive Council.

Cf. 1924, No. 11, s. 25 (e)

8. Appointment of Parliamentary Under-Secretaries— 25
(1) The Governor-General may from time to time, by warrant under the Governor-General's hand, appoint any member of Parliament to be a Parliamentary Under-Secretary in relation to such Ministerial office or offices as are specified in that behalf in the warrant of appointment. 30

(2) A Parliamentary Under-Secretary shall hold office as such during the pleasure of the Governor-General, but shall in every case vacate that office within 28 days of ceasing to be a member of Parliament.

Cf. 1979, No. 33, ss. 11, 12; 1985, No. 48, s. 5 35

9. Functions of Parliamentary Under-Secretaries—(1) A Parliamentary Under-Secretary holding office as such in respect of any Ministerial office shall have and may exercise or perform under the direction of the Minister concerned such of 40
the functions, duties, and powers of the Minister of the Crown for the time being holding that office as may from time to time

be assigned to the Parliamentary Under-Secretary by that Minister.

(2) Nothing in subsection (1) of this section limits the authority of any Minister of the Crown to exercise or perform personally
5 any function, duty, or power.

(3) The fact that any person holding office as a Parliamentary Under-Secretary in respect of any Ministerial office purports to exercise or perform any function, duty, or power of the Minister concerned shall be conclusive evidence
10 of that person's authority to do so.

Cf. 1979, No. 33, s. 14

PART III

THE LEGISLATURE

The House of Representatives

15 **10. House of Representatives**—(1) There shall continue to be a House of Representatives for New Zealand.

(2) The House of Representatives is the same body as the House of Representatives referred to in section 32 of the New Zealand Constitution Act 1852 of the Parliament of the United
20 Kingdom.

(3) The House of Representatives shall be regarded as always in existence, notwithstanding that Parliament has been dissolved or has expired.

(4) The House of Representatives shall have as its members
25 those persons who are elected from time to time in accordance with the provisions of the Electoral Act 1956, and who shall be known as "members of Parliament".

Cf. 1956, No. 107, ss. 11, 13; 1975, No. 28, s. 4

30 **11. Oath of allegiance to be taken by members of Parliament**—A member of Parliament shall not be permitted to sit or vote in the House of Representatives until that member has taken the Oath of Allegiance in the form prescribed in section 17 of the Oaths and Declarations Act 1957.

35 Cf. New Zealand Constitution Act 1852, s. 46 (U.K.); 1950, No. 3, s. 2 (4)

12. Election of Speaker—The House of Representatives shall, at its first meeting after any general election of its members, and immediately on its first meeting after any
40 vacancy occurs in the office of Speaker, choose one of its

members as its Speaker, and every such choice shall be effective on being confirmed by the Governor-General.

Cf. 1956, No. 107, s. 14

13. Speaker to continue in office notwithstanding dissolution or expiration of Parliament—A person who is in office as Speaker immediately before the dissolution or expiration of Parliament shall, notwithstanding that dissolution or expiration, continue in office until the close of polling day at the next general election unless that person sooner vacates office as Speaker.

Parliament

14. Parliament—(1) There shall be a Parliament of New Zealand, which shall consist of the Sovereign in right of New Zealand and the House of Representatives.

(2) The Parliament of New Zealand is the same body as that which before the commencement of this Act was called the General Assembly (as established by section 32 of the New Zealand Constitution Act 1852 of the Parliament of the United Kingdom) and which consisted of the Governor-General and the House of Representatives.

Cf. New Zealand Constitution Act 1852, s. 32 (U.K.); 1950, No. 3, s. 2 (2)

15. Power of Parliament to make laws—(1) The Parliament of New Zealand continues to have full power to make laws.

(2) No Act of the Parliament of the United Kingdom passed after the commencement of this Act shall extend to New Zealand as part of its law.

Cf. New Zealand Constitution Act 1852, s. 53 (U.K.); 1973, No. 114, s. 2; Canada Act 1982, s. 2 (U.K.); Australia Act 1986, s. 1 (Commonwealth)

16. Royal assent to Bills—A Bill passed by the House of Representatives shall become law when the Sovereign or the Governor-General assents to it and signs it in token of such assent.

Cf. New Zealand Constitution Act 1852, s. 56 (U.K.)

17. Term of Parliament—(1) The term of Parliament shall, unless Parliament is sooner dissolved, be 3 years from the day fixed for the return of the writs issued for the last preceding

general election of members of the House of Representatives, and no longer.

(2) Section 189 of the Electoral Act 1956 shall apply in respect of **subsection (1)** of this section.

5 Cf. 1956, No. 107, s. 12

18. Summoning, proroguing, and dissolution of Parliament—(1) The Governor-General may by Proclamation summon Parliament to meet at such place and time as may be appointed therein, notwithstanding that when the
10 Proclamation is signed or when it takes effect Parliament stands prorogued to a particular date.

(2) The Governor-General may by Proclamation prorogue or dissolve Parliament.

(3) A Proclamation summoning, proroguing, or dissolving
15 Parliament shall be effective—

(a) On being gazetted; or

(b) On being publicly read, by some person authorised to do so by the Governor-General, in the presence of the
20 Clerk of the House of Representatives and 2 other

persons,—
whichever occurs first.

(4) Every Proclamation that takes effect pursuant to **subsection (3) (b)** of this section shall be gazetted as soon as practicable after it is publicly read.

25 Cf. New Zealand Constitution Act 1852, ss. 44, 82 (U.K.)

19. First meeting of Parliament after general election—After any general election of members of the House of Representatives, Parliament shall meet not later than 6 weeks after the day fixed for the return of the writs for that election.

30 Cf. The Bill of Rights, Article 13 (U.K.); Constitution of Australia (1900), s. 5

20. Carrying over of Parliamentary business—Where the House of Representatives resolves that any Bill, petition, or other business before it or any of its committees be carried
35 over to the next session of Parliament (whether the same Parliament or not), that Bill, petition, or other business shall not lapse upon the prorogation or dissolution or expiration of the Parliament in being when that resolution is passed but shall be carried over accordingly.

40 Cf. 1977, No. 22, s. 2 (1)

Parliament and Public Finance

21. Bills appropriating public money—The House of Representatives shall not pass any Bill providing for the appropriation of public money or for the imposition of any charge upon the public revenue unless the making of that appropriation or the imposition of that charge has been recommended to the House of Representatives by the Crown. 5

Cf. New Zealand Constitution Act 1852, s. 54 (U.K.)

22. Parliamentary control of public finance—It shall not be lawful for the Crown, except by or under an Act of Parliament,— 10

(a) To levy a tax; or

(b) To raise a loan or to receive any money as a loan from any person; or

(c) To spend any public money.

Cf. The Bill of Rights, Article 4 (U.K.); 1977, No. 65, ss. 53 15
(1), 70

PART IV

THE JUDICIARY

23. Protection of Judges against removal from office—A Judge of the High Court shall not be removed from office 20 except by the Sovereign or the Governor-General, acting upon an address of the House of Representatives, which address may be moved only on the grounds of that Judge's misbehaviour or of that Judge's incapacity to discharge the functions of that Judge's office. 25

Cf. 1908, No. 89, ss. 7, 8, 9

24. Salaries of Judges not to be reduced—The salary of a Judge of the High Court shall not be reduced during the continuance of the Judge's commission.

Cf. 1908, No. 89, s. 10 30

PART V

MISCELLANEOUS PROVISIONS

New

24A. General Assembly Library to be known as the Parliamentary Library—(1) The library heretofore known as the General Assembly Library shall, as from the 35

New

commencement of this Act, be known as the Parliamentary Library.

(2) The officer heretofore known as the Chief Librarian of the General Assembly Library shall be known, as from the commencement of this Act, as the Parliamentary Librarian.

(3) Subject to **section 26** of this Act, all references to the General Assembly Library or to the Chief Librarian of the General Assembly Library in any other enactment or in any document whatsoever shall hereafter, unless the context otherwise requires, be read as references to the Parliamentary Library and to the Parliamentary Librarian respectively.

25. United Kingdom enactments ceasing to have effect as part of the law of New Zealand—(1) As from the commencement of this Act the following enactments of the Parliament of the United Kingdom, namely,—

(a) The New Zealand Constitution Act 1852 (15 and 16 Vict., c. 72); and

Struck Out

(b) Sections 2 to 6 of the Statute of Westminster 1931 (22 Geo. V, c. 4); and

New

(b) The Statute of Westminster 1931 (22 Geo. V, c. 4); and

(c) The New Zealand Constitution (Amendment) Act 1947 (11 Geo. VI, c. 4),—

shall cease to have effect as part of the law of New Zealand.

New

(2) The provisions of sections 20, 20A, and 21 of the Acts Interpretation Act 1924 shall apply with respect to the enactments specified in **subsection (1)** of this section as if they were Acts of the Parliament of New Zealand that had been repealed by that subsection.

(3) Without limiting the provisions of **subsection (2)** of this section, it is hereby declared that the effect of section 11 of the Statute of Westminster 1931 (22 Geo. V, c. 4) (which section declared that the expression “Colony” shall not, in any Act of the Parliament of the United Kingdom passed after the

New

commencement of the Statute of Westminster 1931, include a Dominion or any Province or State forming part of a Dominion) shall not be affected by virtue of the Statute of Westminster 1931 ceasing, by virtue of **subsection (1)** of this section, to have effect as part of the law of New Zealand. 5

26. Consequential amendments to other enactments— The enactments specified in the **First** Schedule to this Act are hereby amended in the manner indicated in that Schedule.

27. Repeals—(1) The enactments specified in the **Second** 10 Schedule to this Act are hereby repealed.

(2) The Regulations Amendment Act 1962 is hereby consequentially repealed.

(3) Section 2 (2) of the Primary Products Marketing Amendment Act 1977 is hereby consequentially repealed. 15

New

(4) Section 5 of the Civil List Amendment Act 1985 is hereby consequentially repealed.

28. Transitional and consequential provisions relating to Parliament—(1) The Parliament in being at the 20 commencement of this Act (before the commencement of this Act called the General Assembly) shall continue in accordance with and subject to the provisions of this Act.

(2) As from the commencement of this Act, every reference to the General Assembly or to the General Assembly of New 25 Zealand in any enactment passed before the date of commencement of this Act and in any document executed before that date shall, unless the context otherwise requires, be read as a reference to the Parliament of New Zealand.

(3) **Subsection (2)** of this section shall not apply in respect of 30 the Acts Interpretation Act 1924.

PART VI

AMENDMENTS TO OTHER ACTS

Acts Interpretation

29. Sections to be read with Acts Interpretation Act 35 **1924—**(1) This section and the **next 8 succeeding** sections shall be

read together with and deemed part of the Acts Interpretation Act 1924* (in those sections referred to as the principal Act).

(2) This section and the **next 8 succeeding** sections shall come into force on the 1st day of January 1987.

*R.S. Vol. 1, p. 7

Amendments: 1979, No. 71; 1979, No. 128; 1983, No. 22

5 **30. Insertion of references to “Parliament of New Zealand”**—The principal Act is hereby amended in the manner indicated in the **Third Schedule** to this Act.

31. General interpretation of terms—(1) Section 4 of the principal Act is hereby amended by repealing the definition of the term “Constitution Act”.

(2) Section 4 of the principal Act is hereby further amended by repealing the definition of the term “General Assembly”.

(3) Section 4 of the principal Act is hereby further amended by inserting, before the definition of the term “minor”, the following definition:

“ ‘Member of Parliament’ means a member of the House of Representatives.”

(4) Section 4 of the principal Act is hereby further amended by repealing the definition of the term “Parliament”, and substituting the following definition:

“ ‘Parliament’ means the Parliament of New Zealand.”

(5) Section 4 of the principal Act is hereby further amended by repealing the definition of the term “Proclamation”, and substituting the following definition:

“ ‘Proclamation’ means a Proclamation made by the Governor-General under the Governor-General’s hand and the Seal of New Zealand and—

“(a) Gazetted; or

“(b) In the case of a Proclamation summoning, proroguing, or dissolving Parliament, publicly read in accordance with **section 18 (3) (b)** of the Constitution Act 1986.”.

32. Requirement to lay instruments before Parliament—The principal Act is hereby amended by inserting, after section 4, the following section:

“4A. Any requirement imposed by or under any enactment to lay before or table in Parliament any Order in Council, regulation, notice, report, accounts, or other instrument shall

be deemed to be a requirement to lay such Order in Council, regulation, notice, report, accounts, or other instrument before the House of Representatives.”

33. Repeals—The principal Act is hereby amended by repealing sections 8 and 9. 5

34. New sections substituted—The principal Act is hereby amended by repealing section 10, and substituting the following sections:

“10. Insertion in Acts of Parliament of day of assent—
 (1) The Clerk of the House of Representatives shall insert in every Act of Parliament, immediately after the title thereof, the day, month, and year when the Act was assented to by the Sovereign or by the Governor-General. 10

“(2) Every date inserted in an Act of Parliament pursuant to subsection (1) of this section shall be taken to be a part of the Act. 15

“10A. Date of commencement—(1) The date of assent, as inserted in an Act of Parliament pursuant to section 10 (1) of this Act, shall be the date of the commencement of the Act, if no other date of commencement is therein provided. 20

“(2) Where an Act contains a provision that the Act or any portion thereof is to come into force on a day later than the date of assent to the Act, such provision shall be deemed to have come into force on the date of assent to the Act.

“(3) Where an Act provides that certain provisions thereof are to come or shall be deemed to have come into force on a day other than the date of assent to the Act, the remaining provisions of the Act shall be deemed to have come into force on the date of assent to the Act.” 25

35. Provisions as to time, distances, appointments, powers, etc.—Section 25 of the principal Act is hereby amended by repealing paragraph (e), and substituting the following paragraph: 30

“(e) Words directing or empowering the holder of any public office, other than a Minister of the Crown, to do any act or thing, or otherwise applying to that person by that person’s name of office, include that person’s successors in such office, and that person’s or those persons’ lawful deputy:” 35

36. Renumbering of sections—(1) The principal Act is hereby amended by renumbering section 25B (as inserted by section 4 of the Acts Interpretation Amendment Act 1983) as section 25C.

5 (2) The principal Act is hereby further amended by renumbering section 25C (as inserted by section 4 of the Acts Interpretation Amendment Act 1983) as section 25D.

(3) Section 6 (2) of the Acts Interpretation Amendment Act 1983 is hereby amended by omitting the words “Sections 25B
10 and 25C”, and substituting the words “Sections 25C and 25D”.

37. Administrator’s authority not to be questioned—

(1) The principal Act is hereby amended by inserting, after section 25D (as inserted by section 4 of the Acts Interpretation Amendment Act 1983 and as renumbered by **section 36** of this
15 Act), the following section:

“25E. The fact that the Administrator of the Government exercises or performs any function, duty, or power that may be exercised or performed by the Governor-General shall be conclusive evidence of the authority of the Administrator of
20 the Government to do so, and no person shall be concerned to inquire whether the occasion requiring or authorising the Administrator to do so has arisen or has ceased.”

(2) The Administrator’s Powers Act 1983 is hereby consequentially repealed.

25 (3) This section shall be in force in Tokelau.

Electoral

38. Sections to be read with Electoral Act 1956—(1) This section and the **next 8 succeeding** sections shall be read together with and deemed part of the Electoral Act 1956* (in those
30 sections referred to as the principal Act).

(2) This section and the **next 8 succeeding** sections shall come into force on the 1st day of January 1987.

*R.S. Vol 14, p. 57

Amendments: 1985, No. 149; 1985, No. 150

39. Representation Commission—(1) Section 15 (2) of the principal Act is hereby amended by omitting from
35 paragraph (b), and also from paragraph (c), the words “General Assembly”, and substituting in each case the words “House of Representatives”.

(2) Section 15 of the principal Act is hereby amended by omitting from the proviso to subsection (4) the words “the House of Representatives”, and substituting the word “Parliament”.

40. New heading and section inserted—The principal Act 5
is hereby amended by inserting, after section 31 (as substituted
by section 11 (1) of the Electoral Amendment Act 1981), the
following heading and section:

“Term of Office of Member of Parliament

“31A. **Term of office of member of Parliament**—Where 10
an election is held for any electoral district, the person whose
name is endorsed on the writ issued for that election as the
person declared to be elected shall, subject to this Act,—

“(a) Come into office as the member of Parliament for that
electoral district on the day after the day of the 15
return of that writ; and

“(b) Vacate that office at the close of polling day at the next
general election.”

41. Speaker’s warrant for issue of writ—(1) Section 72 of
the principal Act is hereby amended by repealing subsection 20
(1), and substituting the following subsection:

“(1) Where—

“(a) Parliament is not in session; or

“(b) The House of Representatives is adjourned and is not
due to meet again for more than 14 days,— 25

and it appears to the Speaker that the seat of any member has
become vacant, the Speaker shall forthwith cause a notice of
the vacancy and of the cause thereof to be published in the
Gazette.”

(2) Section 72 of the principal Act is hereby further amended 30
by adding the following subsection:

“(5) Nothing in **subsections (1) to (4)** of this section applies in
respect of any vacancy that occurs in the period between a
dissolution or expiration of Parliament and the close of polling
day at the next general election.” 35

**42. Copy of writ to be forwarded to Clerk of the
House**—The principal Act is hereby amended by repealing
section 120, and substituting the following section:

“120. As soon as conveniently may be after the return of the
writs the Clerk of the Writs shall forward to the Clerk of the 40
House of Representatives a list of the names of the members

elected, together with a copy of the writs endorsed as aforesaid.”

43. Method of questioning election—Section 155 (1) of the principal Act is hereby amended by omitting the word
5 “Parliament”, and substituting the words “House of Representatives”.

44. Rules of Court—Section 160 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

10 “(2) All rules made under this section shall be laid before the House of Representatives not later than the 16th sitting day of the House of Representatives after the day on which they are made.”

45. Restriction on amendment or repeal of certain provisions—Section 189 of the principal Act is hereby
15 amended by repealing subsection (1), and substituting the following subsection:

“(1) This section applies to the following provisions (hereinafter referred to as reserved provisions), namely:

20 “(a) **Section 17 (1)** of the Constitution Act **1986**, relating to the term of Parliament:

“(b) Section 15 of this Act, relating to the Representation Commission:

25 “(c) Section 16 of this Act, and the definition of the term “General electoral population” in subsection (1) of section 2 of this Act, relating to the division of New Zealand into General electoral districts after each census:

30 “(d) Section 17 of this Act, relating to the allowance for the adjustment of the quota:

“(e) Section 39 of this Act, and the definition of the term “adult” in subsection (1) of section 2 of this Act, and paragraph (e) of section 99 of this Act, so far as those provisions prescribe 18 years as the minimum
35 age for persons qualified to be registered as electors or to vote:

“(f) Section 106 of this Act, relating to the method of voting.”

46. Repeals—The following enactments are hereby
40 repealed, namely:

(a) Sections 11 to 14 of the principal Act:

- (b) Section 3 of the Electoral Amendment Act 1974:
 (c) Sections 4 and 6 (4) of the Electoral Amendment Act 1975:
 (d) Sections 3 (4) and 11 (2) of the Electoral Amendment Act 1980.

SCHEDULES

FIRST SCHEDULE
 CONSEQUENTIAL AMENDMENTS

Section 26

Title of Act	Amendment
1908, No. 89—The Judicature Act 1908 (1957 Reprint, Vol. 6, p. 699)	By repealing sections 7, 8, 9, and 10.
1932, No. 3—The Public Safety Conservation Act 1932 (R.S. Vol. 4, p. 233)	By omitting from section 2 (3) the word "Parliament", and substituting the words "the House of Representatives". By omitting from section 2 (5) (as substituted by section 2 of the Public Safety Conservation Amendment Act 1960) the word "Parliament" in the first and third places where it appears, and substituting in each case the words "the House of Representatives". By omitting from section 3 (3) the word "Parliament" in both places where it appears, and substituting in each case the words "the House of Representatives".
<i>Struck Out</i>	<i>Struck Out</i>
1934, No. 34—The Agriculture (Emergency Powers) Act 1934 (R.S. Vol. 1, p. 87)	By omitting from section 27 (5) (as substituted by section 2 of the Agriculture (Emergency Powers) Amendment Act 1979) the word "Parliament" in both places where it appears, and substituting in each case the words "the House of Representatives". By omitting from section 27 (6) (a) (as substituted by section 2 of the Agriculture (Emergency Powers) Amendment Act 1979) the word "Parliament", and substituting the words "the House of Representatives".

FIRST SCHEDULE—*continued*
 CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
	<p style="text-align: center;"><i>New</i></p> <div style="border: 1px solid black; padding: 5px;"> <p>By repealing subsections (5) and (6) of section 27 (as substituted by section 2 of the Agriculture (Emergency Powers) Amendment Act 1979), and substituting the following subsections:</p> <p>“(5) All regulations made under the authority of this section shall be laid before the House of Representatives not later than the 16th sitting day of the House of Representatives after the day on which they are made.</p> <p>“(6) Any regulations required by subsection (5) of this section to be laid before the House of Representatives shall—</p> <p>“(a) If not so laid, expire on the close of the 16th sitting day of the House of Representatives after the day on which the regulations are made; and</p> <p>“(b) If they are so laid, expire on the close of the last day of the session of Parliament during which they are so laid except so far as they are expressly validated and confirmed by an Act of Parliament passed during that session.”</p> </div> <p>1936, No. 17—The Regulations Act 1936 (R.S. Vol. 10, p. 723)</p> <p>By repealing section 8 (as substituted by section 2 (1) of the Regulations Amendment Act 1962), and substituting the following section:</p> <p>“8. Regulations to be laid before House of Representatives—All regulations made after the commencement of this section and printed and published pursuant to this Act shall be laid before the House of Representatives not later than the 16th sitting day of the House of Representatives after the day on which they are made.”</p> <p>1936, No. 58—The Statutes Amendment Act 1936 (R.S. Vol. 1, p. 31)</p> <p>By inserting in section 3, after the words “General Assembly of New Zealand”, the words “or of the Parliament of New Zealand”.</p>

FIRST SCHEDULE—*continued*
 CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
1948, No. 38—The Economic Stabilisation Act 1948 (R.S. Vol. 6, p. 227)	<p>By repealing subsection (4) of section 11, and substituting the following subsection: “(4) All regulations made under this Act shall be laid before the House of Representatives not later than the 16th sitting day of the House of Representatives after the day on which they are made.”</p> <p>By omitting from subsection (1) of section 13A (as inserted by section 6 of the Economic Stabilisation Amendment Act 1982) the word “Parliament” wherever it appears, and substituting in each case the words “the House of Representatives”.</p>
1953, No. 10—The Primary Products Marketing Act 1953 (R.S. Vol. 4, p. 201)	<p>By repealing subsection (6) of section 3 (as amended by section 2 (2) of the Primary Products Marketing Amendment Act 1977), and substituting the following subsection: “(6) All regulations made under this Act shall be laid before the House of Representatives not later than the 16th sitting day of the House of Representatives after the day on which they are made.”</p> <p>By omitting from section 4 (1) the words “Parliament in any session”, and substituting the words “the House of Representatives in any session of Parliament”.</p> <p>By omitting from section 11 (3) (as substituted by section 4 (2) of the Primary Products Marketing Amendment Act 1977) the word “Parliament”, and substituting the words “the House of Representatives”.</p>
1956, No. 47—The Government Superannuation Fund Act 1956 (R.S. Vol. 13, p. 97)	<p>By omitting from section 84 (1) (as amended by section 9 (1) of the Government Superannuation Fund Amendment Act 1961) the words “Houses of Representatives”, and substituting the word “Parliaments”.</p>
1957, No. 88—The Oaths and Declarations Act 1957 (R.S. Vol. 4, p. 1)	<p>By omitting from the Fourth Schedule the items relating to the New Zealand Constitution Act 1852 (U.K.) and the Demise of the Crown Act 1908.</p> <p>By adding to the Fourth Schedule the following item: “1986, No. 00—The Constitution Act 1986.”</p> <p>By omitting from the Fifth Schedule the item relating to the New Zealand Constitution Act 1852.</p>

FIRST SCHEDULE—*continued*
 CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
<i>New</i>	<i>New</i>
<div style="border: 1px solid black; padding: 2px;"> 1962, No. 33—The Copyright Act 1962 (R.S. Vol. 11, p. 1) </div>	<div style="border: 1px solid black; padding: 2px;"> By omitting from subsection (1) of section 64 (as amended by section 2(a) of the Copyright Amendment Act 1971) the words “Chief Librarian of the General Assembly Library” in both places where they appear, and substituting in each case the words “Parliamentary Librarian”. </div>
1966, No. 19—The Customs Act 1966 (R.S. Vol. 2, p. 57)	By omitting from section 131 (2) (as substituted by section 5 (1) of the Customs Amendment Act 1973, and as amended by section 26 (1) of the Customs Acts Amendment Act (No. 2) 1977) the words “Parliament in any session”, and substituting the words “the House of Representatives in any session of Parliament”. By omitting from section 131 (4) (as amended by section 26 (1) of the Customs Acts Amendment Act (No. 2) 1977) the word “Parliament” where it first appears, and substituting the words “the House of Representatives”. By omitting from section 133 (1) the words “been passed by Parliament”, and substituting the words “of Parliament been passed by the House of Representatives”.
<i>Struck Out</i>	<i>Struck Out</i>
<div style="border: 1px solid black; padding: 2px;"> 1974, No. 18—The Sales Tax Act 1974 (R.S. Vol. 14, p. 497) </div>	<div style="border: 1px solid black; padding: 2px;"> By omitting from section 18 (1) the words “been passed by Parliament”, and substituting the words “of Parliament been passed by the House of Representatives”. </div>
1975, No. 9—The Ombudsmen Act 1975	By omitting from section 15 (2) the word “Parliament”, and substituting the words “the House of Representatives”. By omitting from section 17 (1) (a) the word “Parliament”, and substituting the words “the House of Representatives”. By omitting from section 22 (4) the word “Parliament”, and substituting the words “the House of Representatives”.

FIRST SCHEDULE—*continued*
CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
<p>1975, No. 114—The Treaty of Waitangi Act 1975 (R.S. Vol. 8, p. 877)</p>	<p>By omitting from section 29 the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 7 (1) (c) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 8 (4) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By repealing section 9, and substituting the following section: “9. Right to petition House of Representatives unaffected—Nothing in this Act shall affect in any way the right of any person to petition the House of Representatives for the redress of any grievance, or the jurisdiction of any committee or other body set up by the House of Representatives to deal with a petition to the House of Representatives.”</p>
<p>1977, No. 65—The Public Finance Act 1977</p>	<p>By omitting from the definition of the term “estimates” in section 2 (1) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 33 (3) the word “Parliament” wherever it appears, and substituting in each case the words “the House of Representatives”.</p> <p>By omitting from section 35 (3) the word “Parliament” in both places where it appears, and substituting in each case the words “the House of Representatives”.</p> <p>By omitting from section 52A (10) (c) (as inserted by section 3 (1) of the Public Finance Amendment Act 1980) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 66 (2) the word “Parliament” in both places where it appears, and substituting in each case the words “the House of Representatives”.</p>

FIRST SCHEDULE—*continued*
 CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
	<i>Struck Out</i>
	By repealing paragraph (b) of section 94 (3), and substituting the following paragraph: “(b) Be laid before the House of Representatives not later than the 8th sitting day of the House of Representatives after the date of the report’s completion.”
	By omitting from section 97 (2) the word “Parliament”, and substituting the words “the House of Representatives”. By omitting from section 105 (9) the word “Parliament”, and substituting the words “the House of Representatives”. By repealing Part II.
1979, No. 33—The Civil List Act 1979	By repealing subsection (5) of section 4, and substituting the following subsection: “(5) All regulations made under this section shall be laid before the House of Representatives not later than the 16th sitting day of the House of Representatives after the day on which they are made.”
1981, No. 12—The Petroleum Demand Restraint Act 1981	By omitting from section 6 (1) the word “Parliament” in the first place where it appears, and substituting the words “the House of Representatives”. By omitting from section 7 (4) the word “Parliament”, and substituting the words “the House of Representatives”.
1982, No. 156—The Official Information Act 1982	By omitting from section 43 (1) the word “Parliament” wherever it appears, and substituting in each case the words “the House of Representatives”.
1983, No. 46—The Civil Defence Act 1983	By omitting from section 49 (1), and also from section 49 (3), the word “Parliament” wherever it appears, and substituting in each case the words “the House of Representatives”. By omitting from section 50 (2) the word “Parliament”, and substituting the words “the House of Representatives”.

FIRST SCHEDULE—*continued*
 CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
<p>1985, No. 128—The Parliamentary Service Act 1985</p>	<p>By repealing subsection (8) of section 79, and substituting the following subsection: “(8) Where— “(a) Any regulations made under this section have been laid before the House of Representatives in accordance with section 8 of the Regulations Act 1936; or “(b) Parliament has met in accordance with section 49 (2) of this Act or the House of Representatives has met in accordance with section 49 (3) of this Act or the House of Representatives is otherwise sitting, and any regulations made under this section are in force— the House of Representatives may, by resolution, amend or revoke any regulations made under this section.”</p> <p>By repealing paragraphs (b) and (c) of section 8 (1), and substituting the following paragraphs: “(b) If Parliament is dissolved or expires: “(c) If, before Parliament is dissolved or expires, that member ceases to be a member of the House of Representatives.”</p> <p>By repealing paragraphs (c) and (d) of section 8 (2), and substituting the following paragraphs: “(c) If Parliament is dissolved or expires: “(d) If, before Parliament is dissolved or expires, that member ceases to be a member of the House of Representatives.”</p> <p>By omitting from section 10 (1) the words “the General Assembly or expiration of the House of Representatives”, and substituting the words “Parliament or the expiration of Parliament”.</p> <p>By omitting from section 20 (4) the words “of the General Assembly or an expiration of the House of Representatives”, and substituting the words “or expiration of Parliament”.</p>

FIRST SCHEDULE—*continued*
 CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
	<p>By omitting from section 20 (5) the words “of the General Assembly or the expiration of the House of Representatives”, and substituting the words “or expiration of Parliament”.</p> <p style="text-align: center;"><i>New</i></p> <div style="border: 1px solid black; padding: 5px;"> <p>By repealing paragraph (c) of section 35 (1), and substituting the following paragraph: “(c) The Parliamentary Librarian.”</p> <p>By repealing section 49 and the heading above section 49, and substituting the following heading and section:</p> <p style="text-align: center;"><i>“Parliamentary Library</i></p> <p>“49. Parliamentary Library—The Parliamentary Library shall form part of the Parliamentary Service.”</p> <p>By omitting from section 50 the words “General Assembly Library” in both places where they appear, and substituting in each case the words “Parliamentary Library”.</p> <p>By repealing section 51, and substituting the following section: “51. Parliamentary Librarian—(1) The chief officer of the Parliamentary Library shall be an officer of the Parliamentary Service to be called the Parliamentary Librarian. “(2) The holder of the position of Parliamentary Librarian shall be responsible to the General Manager of the Parliamentary Service.”</p> </div> <p>By repealing section 65.</p>

Section 27 (1)**SECOND SCHEDULE
ENACTMENTS REPEALED**

- 1908, No. 42—The Demise of the Crown Act 1908. (R.S. Vol. 2, p. 323.)
1947, No. 38—The Statute of Westminster Adoption Act 1947. (R.S. Vol. 11, p. 393.)
1947, No. 44—The New Zealand Constitution Amendment (Request and Consent) Act 1947. (R.S. Vol. 10, p. 461.)
1970, No. 94—The New Zealand Constitution Amendment Act 1970. (R.S. Vol. 10, p. 463.)
1973, No. 114—The New Zealand Constitution Amendment Act 1973. (R.S. Vol. 10, p. 463.)
1977, No. 22—The Legislature Amendment Act 1977. (R.S. Vol. 6, p. 764.)
1983, No. 20—The Royal Powers Act 1983.
-

THIRD SCHEDULE
 AMENDMENTS TO ACTS INTERPRETATION ACT 1924

Section 30

Section Affected	Amendment
Section 2	By inserting, after the words "New Zealand", the words "or of the Parliament of New Zealand".
Section 4	By inserting, after the words "the General Assembly", where they first appear, the words "or of the Parliament of New Zealand".
	By inserting in the definition of the term "Act", after the words "the General Assembly", the words "or of the Parliament of New Zealand".
	By inserting in the definition of the term "Government Printer", after the words "the General Assembly", the words "and the statutes of the Parliament of New Zealand".
	By inserting in paragraph (iii) of the definition of the term "statutory declaration", after the words "General Assembly", the words "or the Parliament of New Zealand".
Section 5	By inserting, after the words "the General Assembly", wherever they appear, the words "or of the Parliament of New Zealand".
Section 13	By inserting, after the words "the General Assembly", the words "or of the Parliament of New Zealand".
Section 16	By inserting in paragraph (c) after the words "the General Assembly", the words "or of the Parliament of New Zealand".