

## DEPARTMENT OF JUSTICE (RESTRUCTURING) BILL

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### EXPLANATORY NOTE

THIS Bill provides for the restructuring of the Department of Justice.

That Department is to be replaced by—

- (a) A Ministry of Justice (which is to be established on 1 October 1995);
- (b) A Department for Courts (which is to be established on 1 July 1995);
- (c) A Department of Corrections (which is to be established on 1 October 1995).

In addition a large number of Acts presently administered by the Department of Justice are to be administered by the Ministry of Commerce.

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*Hon. D. A. M. Graham*

## DEPARTMENT OF JUSTICE (RESTRUCTURING)

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### ANALYSIS

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1. Short Title and commencement	6. Abolition of Department of Justice
2. Interpretation	7. Application of collective employment contracts
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### A BILL INTITULED

#### **An Act to restructure the Department of Justice**

BE IT ENACTED by the Parliament of New Zealand as follows:

5     **1. Short Title and commencement**—(1) This Act may be cited as the Department of Justice (Restructuring) Act 1995.

(2) Except as provided in **sections 5 (5), 6 (4), and 9 (5)** of this Act, this Act shall come into force on the 1st day of July 1995.

**2. Interpretation**—In this Act, unless the context otherwise requires,—

10     “Document”—

(a) Includes a contract, deed, or conveyance; but

(b) Does not include an enactment or any instrument appointing a person to a statutory office:

15     “Minister” means the Minister of the Crown, who, under the authority of any warrant or with the authority of the Prime Minister is for the time being responsible for the administration of this Act:

“Proceedings” includes—

20     (a) An application to a court, tribunal, statutory board, or local authority; or

(b) The exercise of a statutory function or power pursuant to an enactment:

“Responsible department”, in relation to any proceedings or to any document, means any department of State that under an enactment or with the authority of the Prime Minister is for the time being responsible for a function or matter to which the proceedings or the relevant provisions in the document relate: 5

“Responsible Minister”, in relation to any proceedings or to any document, means any Minister of the Crown who, under an enactment or under the authority of any warrant or with the authority of the Prime Minister is for the time being responsible for a function or matter to which the proceedings or the relevant provisions in the document relate. 10

**3. Amendments to references in documents to Minister of Justice, Secretary for Justice, and Department of Justice**—(1) Unless in any case the context otherwise requires, and subject to the provisions of this Act,— 15

(a) Every reference in any document made before the 1st day of October 1995 to the Minister of Justice shall be read as a reference to the responsible Minister: 20

(b) Every reference in any document made before the 1st day of October 1995 to the Secretary for Justice or to the chief executive of the Department of Justice shall be read as a reference to the chief executive of the responsible department: 25

(c) Every reference in any document to the Department of Justice shall be read as a reference to the responsible department.

(2) The Minister may, from time to time, for the purpose of providing guidance in relation to the provisions of any document or of any class of documents, make a statement indicating the identity of a responsible Minister or of a responsible department. 30

(3) Any document to which a statement under **subsection (2)** of this section relates, shall, in the absence of proof to the contrary, be read in accordance with that statement. 35

**4. Benefits of licences**—(1) Notwithstanding any provision or rule of law, where a right or licence has been granted or assigned to the Crown for the purposes of the Department of Justice, the right or licence, may, for the balance of the term, if any, of the right or licence be exercised for the purposes of any department of State or of any division of a department of State, if the functions of that department or division consist 40

principally of functions which, at the date of the grant or assignment of the right or licence, were the responsibility of the Department of Justice.

5 (2) Notwithstanding any provision or rule of law, where a right or licence has been granted or assigned to the Crown for the purposes of a division of the Department of Justice, the right or licence, may, for the balance of the term, if any, of the right or licence be exercised for the purposes of any department of State or of any division of a department of State, if the functions of that department or division consist 10 principally of functions which, at the date of the grant or assignment of the right or licence, were the responsibility of that division of the Department of Justice.

**5. Establishment of Ministry of Justice**—(1) The State 15 Sector Act 1988 is hereby amended by inserting in the First Schedule (as substituted by section 28 (1) of the State Sector Amendment Act (No. 2) 1989), in its appropriate alphabetical order, the words “Ministry of Justice”.

20 (2) The Ombudsmen Act 1975 is hereby amended by inserting in Part I of the First Schedule, in its appropriate alphabetical order, the words “Ministry of Justice”.

(3) The chief executive of the Ministry of Justice shall be known as the Secretary for Justice.

25 (4) Notwithstanding section 35 of the State Sector Act 1988, but subject to **section 6** of this Act, the person employed, at the commencement of this section, as the Chief Executive of the Department of Justice shall by virtue of this section be employed as the Chief Executive of the Ministry of Justice as if the person’s contract of employment as Chief Executive of the 30 Department of Justice required the person to hold, for the term of the contract, both the position of Chief Executive of the Department of Justice and the position of Chief Executive of the Ministry of Justice.

35 (5) This section shall come into force on the 1st day of October 1995.

**6. Abolition of Department of Justice**—(1) The Department of Justice is hereby abolished.

40 (2) The State Sector Act 1988 is hereby amended by omitting from the First Schedule (as substituted by section 28 (1) of the State Sector Amendment Act (No. 2) 1989) the words “Department of Justice”.

(3) The Ombudsmen Act 1975 is hereby amended by omitting from the First Schedule the words "Department of Justice".

(4) This section shall come into force on a date to be appointed by Order in Council.

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**7. Application of collective employment contracts—**

Where any employees of the Department of Justice whose conditions of employment are governed by an unexpired collective employment contract are transferred (in circumstances to which section 61B of the State Sector Act 1988 applies) to any Department specified in the First Schedule to the State Sector Act 1988, the unexpired collective employment contract shall be deemed, as from the date of the transfer of those employees, to continue to apply on the same terms (including the period of the contract and any terms relating to new employees)—

(a) As if it were a contract that had been made in respect of the department to which those employees are transferred; and

(b) As if it were binding on both those employees and on the chief executive of the department to which those employees are transferred.

**8. Continuation of existing proceedings—**(1) Where, before the commencement of this Act, the Minister of Justice has, in his capacity as Minister of Justice, initiated or become a party to any proceedings, the proceedings may be continued, completed, and enforced by or against the responsible Minister.

(2) Where, before the commencement of this Act, the Secretary for Justice has, in his capacity as Secretary for Justice, initiated or become a party to any proceedings, the proceedings may be continued, completed, and enforced by or against the Chief Executive of the responsible department.

**9. Consequential amendments and repeals—**(1) The enactments specified in the **First Schedule** to this Act are hereby amended in the manner indicated in that Schedule.

(2) Section 3 of the District Courts Amendment Act 1991 is hereby consequentially repealed.

(3) The enactments specified in the **Second Schedule** to this Act are hereby amended in the manner indicated in that Schedule.

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(4) The enactments specified in the **Third Schedule** to this Act are hereby consequentially repealed.

(5) **Subsections (3) and (4)** of this section shall come into force on the 1st day of October 1995.

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## SCHEDULES

## Section 9 (1)

## FIRST SCHEDULE

## ENACTMENTS AMENDED

*(as from the commencement of 1 July 1995)*

Enactment	Amendment
1908, No. 89—The Judicature Act 1908 (R.S. Vol. 22, p. 107)	By omitting from section 23A (3) (as inserted by section 2 (1) of the Judicature Amendment Act 1952) the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department for Courts”.
1947, No. 16—The District Courts Act 1947 (R.S. Vol. 28, p. 57)	By omitting from section 51B (1) (d) (as enacted by section 4 of the Judicature Amendment Act (No. 2) 1985), and also from section 99A (2) (as substituted by section 11 (1) of the Judicature Amendment Act (No. 2) 1985) the words “Secretary for Justice”, and substituting in each case the words “chief executive of the Department for Courts”. By inserting in section 5 (3) (b) (as substituted by section 6 (1) of the District Courts Amendment Act 1979), after the words “Department of Justice”, the words “or the Department for Courts”. By omitting from section 13 (1) (as amended by section 3 of the District Courts Amendment Act 1991) the words “by the Secretary for Justice”, and substituting the words “by the chief executive of the Department for Courts”. By omitting from section 70 (1) the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department for Courts”.
1961, No. 43—The Crimes Act 1961 (R.S. Vol. 1, p. 635)	By omitting from section 327 the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department for Courts”.
1962, No. 135—The Transport Act 1962 (R.S. Vol. 16, p. 659)	By omitting from section 42A (11) (as amended by section 129 (1) of the Privacy Act 1993) the words “Department of Justice”, and substituting the words “Department for Courts”.

FIRST SCHEDULE—continued

ENACTMENTS AMENDED

(as from the commencement of 1 July 1995)—continued

Enactment	Amendment
1964, No. 136—The Social Security Act 1964 (R.S. Vol. 32, p. 625)	<p>By repealing section 12G (as inserted by section 4 of the Social Security Amendment Act 1973) and substituting the following section:</p> <p>“12G. <b>Services for Appeal Authority</b>—The chief executive of the Department for Courts shall designate an officer of the Department for Courts to be secretary to the Appeal Authority, and shall provide such secretarial, recording, and clerical services as may be necessary to enable the Appeal Authority to discharge its functions.”</p>
1967, No. 129—The Costs in Criminal Cases Act 1967 (R.S. Vol. 18, p. 77)	<p>By omitting from section 7 (1) (a) the words “Secretary for Justice”, and substituting the words “chief executive of the Department for Courts”.</p>
1968, No. 63—The Guardianship Act 1968 (R.S. Vol. 9, p. 147)	<p>By repealing the definition of the term “Secretary” in section 2, and substituting the following definition:</p> <p>“‘Secretary’ means the chief executive of the Department for Courts.”</p> <p>By omitting from section 29A (6) (as substituted by section 2 of the Guardianship Amendment Act 1994), and also from section 30 (4) (as substituted by section 3 (1) of the Guardianship Amendment Act 1994), the words “Bank Account”, and substituting in each case the words “Bank Account operated by the Department for Courts”.</p>
1974, No. 48—The Private Investigators and Security Guards Act 1974 (R.S. Vol. 24, p. 633)	<p>By omitting from sections 12 and 19 (3) (a) and (b) the words “Secretary for Justice” wherever they appear, and substituting in each case the words “chief executive of the Department for Courts”.</p>
1975, No. 9—The Ombudsmen Act 1975 (R.S. Vol. 21, p. 657)	<p>By inserting in Part I of the First Schedule, after the item relating to the Customs Department, the following item:</p> <p>“The Department for Courts.”</p>
1975, No. 114—The Treaty of Waitangi Act 1975 (R.S. Vol. 8, p. 877)	<p>By omitting from section 4 (5) (as amended by section 2 of the Treaty of Waitangi Amendment Act 1977) the words “of Justice”, and substituting the words “for Courts”.</p>



FIRST SCHEDULE—*continued*

## ENACTMENTS AMENDED

*(as from the commencement of 1 July 1995)—continued*

Enactment	Amendment
1975, No. 127—The Motor Vehicle Dealers Act 1975 (R.S. Vol. 5, p. 749)	By omitting from section 97 (4), and also from section 99 (8), the words “Secretary for Justice”, and substituting in each case the words “chief executive of the Department for Courts”.
1976, No. 166—The Matrimonial Property Act 1976 (R.S. Vol. 26, p. 491)	By omitting from section 26 (3) (b) (as substituted by section 3 of the Matrimonial Property Amendment Act 1994), and also from section 38 (4) (b) (as substituted by section 4 of the Matrimonial Property Amendment Act 1994), the words “Bank Account”, and substituting in each case the words “Bank Account operated by the Department for Courts”.
1977, No. 111—The Wild Animal Control Act 1977	By omitting from section 24 (7) (as substituted by section 9 (3) of the Wild Animal Control Amendment Act 1979) the words “Secretary for Justice”, and substituting the words “chief executive of the Department for Courts”.
1977, No. 112—The Contraception, Sterilisation, and Abortion Act 1977 (R.S. Vol. 28, p. 1)	By omitting from the definition of the term “Secretary” in section 2 the words “Department of Justice”, and substituting the words “Department for Courts”.
1980, No. 94—The Family Proceedings Act 1980 (R.S. Vol. 28, p. 545)	<p>By omitting from section 17 (2) the words “Secretary for Justice”, and substituting the words “chief executive of the Department for Courts”.</p> <p>By omitting from the definition of the term “approved marriage guidance organisation or counselling organisation” in section 2 the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department for Courts”.</p> <p>By inserting in section 2, after the definition of the term “salary” (as inserted by section 2 (2) of the Family Proceedings Amendment Act 1986), the following definition:</p> <p>“ ‘Secretary’ means the chief executive of the Department for Courts.”.</p> <p>By omitting from section 5 (1) the words “Minister of Justice”, and substituting the</p>

FIRST SCHEDULE—*continued*

ENACTMENTS AMENDED

(as from the commencement of 1 July 1995)—*continued*

Enactment	Amendment
<p>1980, No. 94—The Family Proceedings Act 1980 (R.S. Vol. 28, p. 545)—<i>continued</i></p>	<p>words “Minister of the Crown who is responsible for the Department for Courts”.</p> <p>By omitting from section 12<sup>B</sup> (b) (as inserted by section 4 of the Family Proceedings Amendment Act 1994) the words “Bank Account”, and substituting the words “Bank Account operated by the Department for Courts”.</p> <p>By omitting from section 135 the words “Minister of Justice” in both places where they appear, and substituting in each case the words “Minister of the Crown who is responsible for the Department for Courts”.</p> <p>By omitting from section 138 (2), section 139 (2), section 143, section 145 (as substituted by section 21 of the Family Proceedings Amendment Act 1991), section 145<sup>A</sup> (as substituted by section 21 of the Family Proceedings Amendment Act 1991), section 145<sup>J</sup> (3) (as substituted by section 21 of the Family Proceedings Amendment Act 1991), section 146 (as substituted by section 21 of the Family Proceedings Amendment Act 1991), section 147 (6), section 148 (5), section 149, and section 150 (2) the words “for Justice” wherever they occur.</p> <p>By omitting from section 162 (3) (b) (as substituted by section 13 of the Family Proceedings Amendment Act 1994) the words “Bank Account”, and substituting the words “Bank Account operated by the Department for Courts”.</p>
<p>1980, No. 161—The Family Courts Act 1980 (R.S. Vol. 28, p. 537)</p>	<p>By omitting from section 8 (1) the words “Department of Justice”, and substituting the words “Department for Courts”.</p> <p>By omitting from section 8 (1) the words “Secretary for Justice”, and substituting the words “chief executive of the Department for Courts”.</p>

FIRST SCHEDULE—*continued*

## ENACTMENTS AMENDED

*(as from the commencement of 1 July 1995)—continued*

Enactment	Amendment
1982, No. 120—The Domestic Protection Act 1982 (R.S. Vol. 28, p. 175)	By omitting from sections 37D(b) (as substituted by section 2 of the Domestic Protection Amendment Act 1994) the words “Bank Account”, and substituting the words “Bank Account operated by the Department for Courts”.
1982, No. 123—The Law Practitioners Act 1982	By omitting from section 96(5) the words “Department of Justice”, and substituting the words “Department for Courts”.
1986, No. 120—The Residential Tenancies Act 1986	By omitting from the definition of the term “officer of the Tribunal” in section 2 (as amended by section 2(4) of the Residential Tenancies Amendment Act 1992) the words “Department of Justice”, and substituting the words “Department for Courts”.
	By omitting from section 72(1) the words “Department of Justice”, and substituting the words “Department for Courts”.
	By omitting from sections 72(1), 72(2)(a), and 73(2) the words “Secretary for Justice” wherever they appear, and substituting in each case the words “chief executive of the Department for Courts”.
1987, No. 74—The Immigration Act 1987	By omitting from section 103(5), and also from clause 1 of the Third Schedule, the words “Secretary for Justice”, and substituting in each case the words “chief executive of the Department for Courts”.
	By omitting from section 104(5), and also from clauses 1 and 2 of the Third Schedule, the words “Department of Justice” wherever they appear, and substituting in each case the words “Department for Courts”.
1988, No. 4—The Protection of Personal and Property Rights Act 1988	By omitting from section 51 the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department for Courts”.
	By omitting from section 51 the words “Department of Justice”, and substituting the words “Department for Courts”.

FIRST SCHEDULE—*continued*

ENACTMENTS AMENDED  
(as from the commencement of 1 July 1995)—*continued*

Enactment	Amendment
1988, No. 4—The Protection of Personal and Property Rights Act 1988— <i>continued</i>	By omitting from section 65 (5) (b) (as substituted by section 7 of the Protection of Personal and Property Rights Amendment Act 1994), and also from section 76 (5) (b) (as substituted by section 8 of the Protection of Personal and Property Rights Amendment Act 1994), the words “Bank Account”, and substituting in each case the words “Bank Account operated by the Department for Courts”.
1988, No. 110—The Disputes Tribunals Act 1988	By omitting from section 4 the word “Minister” wherever it occurs, and substituting in each case the words “Minister of the Crown who is responsible for the Department for Courts”.
1988, No. 111—The Coroners Act 1988	By repealing the definition of the term “Secretary” in section 2, and substituting the following definition: “ ‘Secretary’ means the chief executive of the Department for Courts.” By omitting from section 21 (2) the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department for Courts”.
1989, No. 61—The Licensing Fund Act 1989	By omitting from sections 2 and 3 the words “Secretary for Justice” wherever they occur, and substituting in each case the words “chief executive of the Department for Courts”.
1989, No. 80—The Education Act 1989	By omitting from section 305 (5) (as inserted by section 48 of the Education Amendment Act 1990) the words “chief executive of the Department of Justice”, and substituting the words “chief executive of the Department for Courts”. By omitting from section 306 (3) (as inserted by section 48 of the Education Amendment Act 1990) the words “Department of Justice”, and substituting the words “Department for Courts”.

FIRST SCHEDULE—*continued*

## ENACTMENTS AMENDED

*(as from the commencement of 1 July 1995)—continued*

Enactment	Amendment
1991, No. 19—The Guardianship Amendment Act 1991	By repealing the definition of the term “Secretary” in section 2, and substituting the following definition: “ ‘Secretary’ means the chief executive of the Department for Courts:”.
1991, No. 69—The Resource Management Act 1991	By omitting from section 264 the words “Minister of Justice” wherever they occur, and substituting in each case the words “Minister of the Crown who is responsible for the Department for Courts”.
1991, No. 71—The Legal Services Act 1991	By repealing paragraph (b) of section 98 (1) and substituting the following paragraph: “(b) The chief executive of the Department for Courts:”. By repealing subsection (3) of section 99, and substituting the following subsection: “(3) The chief executive of the Department for Courts may appoint any officer of the Department for Courts to be that chief executive’s deputy for the purposes of attending any meeting of the Board.”
	By omitting from section 117 (1)(c), and also from section 118 (3), the words “Secretary for Justice” and substituting in each case the words “chief executive of the Department for Courts”.
	By repealing subsection (2) of section 119, and substituting the following section: “(2) Every member or deputy of a member of a Committee who is appointed by the chief executive of the Department for Courts shall hold office at the pleasure of that chief executive.”
	By inserting in section 156, after the words “the Minister”, the words “of the Crown who is responsible for the Department for Courts”.
1991, No. 142—The Child Support Act 1991	By omitting from section 69 (1) the words “Secretary for Justice”, and substituting the words “chief executive of the Department for Courts”. By omitting from section 240 (2)(e) the words “Secretary for Justice or any

FIRST SCHEDULE—*continued*

ENACTMENTS AMENDED

(as from the commencement of 1 July 1995)—*continued*

Enactment	Amendment
1991, No. 142—The Child Support Act 1991— <i>continued</i>	<p>officer of the Department of Justice”, and substituting the words “chief executive of the Department for Courts or any officer of the Department for Courts”.</p> <p>By omitting from section 240 (6) (b) the words “Department of Justice”, and substituting the words “Department for Courts”.</p>
1992, No. 96—The Health and Safety in Employment Act 1992	<p>By omitting from section 27 (1) the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department for Courts”.</p>
1993, No. 28—The Privacy Act 1993	<p>By inserting in the definition of the term “specified agency” in section 97, after paragraph (b) of that definition, the following paragraph: “(ba) Department for Courts.”.</p>

## Section 9 (3)

SECOND SCHEDULE  
ENACTMENTS AMENDED  
(as from the commencement of 1 October 1995)

Enactment	Amendment
<p>1908, No. 81—The Industrial and Provident Societies Act 1908 (R.S. Vol. 7, p. 407)</p>	<p>By repealing paragraphs (a) and (b) of subsection (5) of section 13A (as substituted by section 2 of the Industrial and Provident Societies Amendment Act 1983), and substituting the following paragraphs:</p> <p>“(a) The Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act:</p> <p>“(b) The chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act:”.</p> <p>By repealing subsection (7) of section 13A (as so substituted), and substituting the following subsection:</p> <p>“(7) The Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act or the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act may, by written notice to that person, require a person for the time being holding the office of Registrar or Deputy Registrar to give a direction under subsection (5) of this section; and that person shall comply with any such requirement.”</p>
<p>1908, No. 105—The Life Insurance Act 1908 (R.S. Vol. 6, p. 773)</p>	<p>By repealing the definition of the term “Minister” in section 2 (as amended by section 2 (1) of the Life Insurance Amendment Act 1972), and substituting the following definition:</p> <p>“‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act:”.</p>

SECOND SCHEDULE—*continued*

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—*continued*

Enactment	Amendment
1908, No. 105—The Life Insurance Act 1908 (R.S. Vol. 6, p. 773)— <i>continued</i>	By omitting from section 21 (as substituted by section 7 (1) of the Life Insurance Amendment Act 1983), section 22 (as substituted by section 8 of the Life Insurance Amendment Act 1983), section 26 (as substituted by section 10 of the Life Insurance Amendment Act 1983), section 27 (as amended by section 11 of the Life Insurance Amendment Act 1983), section 34 (as amended by section 2 (1) of the Life Insurance Act 1972), sections 40A and 40H (as inserted by section 18 of the Life Insurance Amendment Act 1983), section 79 (as amended by section 2 (1) of the Life Insurance Act 1972), and section 79A (as inserted by section 12 of the Life Insurance Amendment Act 1974) the words “Secretary for Justice” wherever they occur, and substituting in each case the words “Secretary of Commerce”.
1908, No. 176—The Sharebrokers Act 1908 (R.S. Vol. 11, p. 337)	By repealing the definition of the term “Secretary” in section 2 (as inserted by section 2 (1) of the Sharebrokers Amendment Act 1952), and substituting the following definition: “‘Secretary’ means the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”
1908, No. 212—The Incorporated Societies Act 1908 (R.S. Vol. 7, p. 383)	By repealing paragraphs (a) and (b) of subsection (5) of section 34A (as substituted by section 2 of the Incorporated Societies Amendment Act 1983), and substituting the following paragraphs: “(a) The Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act: “(b) The chief executive of the department of State that, with the



SECOND SCHEDULE—*continued*

## ENACTMENTS AMENDED

*(as from the commencement of 1 October 1995)—continued*

Enactment	Amendment
1908, No. 212—The Incorporated Societies Act 1908 (R.S. Vol. 7, p. 383)— <i>continued</i>	<p>authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p> <p>By repealing subsection (7) of section 34A (as so substituted), and substituting the following subsection:</p> <p>“(7) The Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act or the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act may, by written notice to that person, require a person for the time being holding the office of Registrar or Deputy Registrar to give a direction under subsection (5) of this section; and that person shall comply with any such requirement.”</p>
1928, No. 29—The Auctioneers Act 1928 (R.S. Vol. 1, p. 245)	<p>By repealing the definition of the term “Minister” in section 2 (as substituted by section 2 of the Auctioneers Amendment Act 1957), and substituting the following definition:</p> <p>“‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p>
1949, No. 22—The Co-operative Dairy Companies Act 1949 (R.S. Vol. 1, p. 553)	<p>By omitting from section 17 (as amended by section 2 of the Co-operative Dairy Companies Amendment Act 1950) the words “Minister of Justice” wherever they appear, and substituting in each case the words “Minister of Commerce”.</p>

SECOND SCHEDULE—continued

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
<p>1953, No. 50—The Insurance Companies' Deposits Act 1953 (R.S. Vol. 7, p. 475)</p>	<p>By inserting in section 2, after the definition of the term "local company", the following definition:                      " 'Minister' means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act:".</p> <p>By inserting in section 2, after the definition of the term "premium income" the following definition:                      " 'Secretary' means the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act:".</p> <p>By omitting from section 4B (3) (as inserted by section 3 of the Insurance Companies' Deposits Amendment Act 1982), section 12 (3) (as amended by section 2 of the Insurance Companies' Deposits Act 1972), section 16 (2) and (3) (as substituted by section 3 (1) of the Insurance Companies' Amendment Act 1983), section 21 (1) and (2) (as substituted by section 7 of the Insurance Companies' Amendment Act 1983) the words "of Justice" wherever they occur.</p> <p>By omitting from subsections (6) and (8) of section 16 (as substituted by section 3 of the Insurance Companies' Deposits Amendment Act 1983) the words "for Justice" in both places where they occur.</p>
<p>1954, No. 51—The Penal Institutions Act 1954 (R.S. Vol. 18, p. 557)</p>	<p>By repealing the definition of the term "Minister" in section 2 (as substituted by section 2 (1) of the Penal Institutions Amendment Act 1994) and substituting the following definition:                      " 'Minister' means the Minister of the Crown who is responsible for the Department of Corrections:".</p> <p>By repealing the definition of the term "Secretary" in section 2 (as so</p>

## SECOND SCHEDULE—continued

## ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1954, No. 51—The Penal Institutions Act 1954 (R.S. Vol. 18, p. 557)—continued	<p>substituted), and substituting the following definition:</p> <p>“‘Secretary’ means the chief executive of the Department of Corrections.”</p> <p>By repealing section 3 (as substituted by section 2(1) of the Penal Institutions Amendment Act 1994), and substituting the following section:</p> <p>“3. <b>Powers of Secretary</b>—(1) The Secretary shall have and may exercise the powers of a Visiting Justice under section 10 (3) of this Act.</p> <p>“(2) Nothing in subsection (1) of this section shall be construed to confer on the Secretary any of the powers of a Visiting Justice to deal with offences against discipline.”</p> <p>By omitting from section 3A (1), and also from section 4B, (as enacted by section 2 (1) of the Penal Institutions Amendment Act 1994) the words “of Justice” wherever they occur, and substituting in each case the words “of Corrections”.</p> <p>By omitting from section 5, section 7 (as amended by section 4 (1) of the Penal Institutions Amendment Act 1975), section 10, section 12 (as amended by section 8 of the Penal Institutions Amendment Act 1985), section 21 (as substituted by section 6 of the Penal Institutions Amendment Act 1975), section 21A (as amended by section 10 of the Penal Institutions Amendment Act 1975), section 21c (as amended by section 12 of the Penal Institutions Amendment Act 1985), section 22 (1), section 23 (as amended by section 14 of the Penal Institutions Amendment Act 1985), section 36 (4), section 36D (2) (as inserted by section 3 of the Penal Institutions Amendment Act 1989), section 41A (8) (as enacted by section 18(1) of the Penal Institutions Amendment Act 1975), and section 42</p>

SECOND SCHEDULE—continued

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
<p>1954, No. 51—The Penal Institutions Act 1954 (R.S. Vol. 18, p. 557)—<i>continued</i></p>	<p>the words “for Justice” wherever they occur.</p> <p>By repealing section 36F and the heading above that section (as enacted by section 2(1) of the Penal Institutions Amendment Act 1993), and substituting the following heading and section:</p> <p style="text-align: center;"><i>“Disclosure of Inmate Information to Department of Social Welfare</i></p> <p><b>“36F. Inmate information may be disclosed to Department of Social Welfare—</b>(1) The purpose of this section is to facilitate the disclosure of information by the Department of Corrections to the Department of Social Welfare for the purpose of enabling the Director-General of Social Welfare to exercise, in respect of any inmate, the power conferred by section 76 of the Social Security Act 1964 (which provides for the withdrawal of a benefit during detention in a penal institution).</p> <p>“(2) For the purpose of this section, the Director-General of Social Welfare may, from time to time, in accordance with arrangements made from time to time between the Secretary and the Director-General, request the Secretary to supply the information specified in <b>subsection (4)</b> of this section in respect of inmates who are received in any institution during such period as is specified in the request.</p> <p>“(3) Every request made under <b>subsection (2)</b> of this section shall be in writing.</p> <p>“(4) The information referred to in <b>subsection (2)</b> of this section is as follows:</p> <p>“(a) Such biographical information as is sufficient to identify the inmate:</p> <p>“(b) The name of the institution in which the inmate is or was detained:</p> <p>“(c) The date on which the inmate was received in the institution.</p>

## SECOND SCHEDULE—continued

## ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1954, No. 51—The Penal Institutions Act 1954 (R.S. Vol. 18, p. 557)— <i>continued</i>	<p>“(5) On receipt of a request made under subsection (2) of this section, the Secretary may supply the information requested to any officer or employee of the Department of Social Welfare who is authorised in that behalf by the Director-General of Social Welfare.”</p>
1955, No. 23—The Mutual Insurance Act 1955 (R.S. Vol. 10, p. 247)	<p>By omitting from section 36H (as inserted by section 19 of the Penal Institutions Amendment Act 1994) the words “Department of Justice” wherever they occur, and substituting in each case the words “Department of Corrections”.</p> <p>By repealing the definition of the term “Minister” in section 2 (as substituted by section 2 of the Mutual Insurance Amendment Act 1977), and substituting the following definition:</p> <p>“‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”</p> <p>By omitting from sections 39 to 42 (as amended by section 7 of the Mutual Insurance Amendment Act 1977), the words “Secretary for Justice” wherever they occur, and substituting in each case the words “chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act”.</p>
1955, No. 63—The Companies Act 1955 (R.S. Vol. 15, p. 89)	<p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”</p> <p>By repealing paragraph (d) of section 9B (1) (as substituted by section 9 of the</p>

SECOND SCHEDULE—*continued*

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—*continued*

Enactment	Amendment
1955, No. 63—The Companies Act 1955 (R.S. Vol. 15, p. 89)— <i>continued</i>	<p>Companies Amendment Act 1993), and substituting the following paragraph:</p> <p>“(d) The chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act; or”.</p> <p>By repealing subsection (1) of section 9c (as enacted by section 9 of the Companies Amendment Act 1993), and substituting the following subsection:</p> <p>“(1) This section applies to the Minister, the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act, the Registrar, a Deputy Registrar, a District Registrar, and an Assistant Registrar.”</p>
1955, No. 92—The Marriage Act 1955 (R.S. Vol. 10, p. 39)	<p>By inserting in section 2, after the definition of the term “member of the forces” the following definition:</p> <p>“‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p>
1956, No. 18—The Co-operative Companies Act 1956 (R.S. Vol. 1, p. 545)	<p>By omitting from section 9 (as substituted by section 3 (1) of the Marriage Amendment Act 1976 and amended by section 2 of the Marriage Amendment Act 1986), section 10 (4) (as enacted by section 3 (1) of the Marriage Amendment Act 1976), and section 13 (2) (as enacted by section 4 of the Marriage Amendment Act 1976) the words “of Justice”, wherever they occur.</p> <p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is</p>

SECOND SCHEDULE—*continued*

## ENACTMENTS AMENDED

*(as from the commencement of 1 October 1995)—continued*

Enactment	Amendment
1956, No. 18—The Co-operative Companies Act 1956 (R.S. Vol. 1, p. 545)— <i>continued</i>	for the time being responsible for the administration of this Act.”.
1956, No. 47—The Government Superannuation Act 1956 (R.S. Vol. 21, p. 209)	<p>By repealing the definition of the term “member of the Prisons Service” (as substituted by section 2(3) of the Government Superannuation Fund Amendment Act (No. 2) 1992) in section 2, and substituting the following definition:</p> <p>“Member of the Prisons Service” means an employee of a department of State who occupies a position that carries custodial or supervisory responsibility over prison inmates.”.</p> <p>By omitting from section 81zB(5) (as inserted by section 4 of the Government Superannuation Fund Amendment Act 1989) the words “Secretary for Justice”, and substituting the words “chief executive of the Department for Courts”.</p> <p>By omitting from section 88<sub>NA</sub>(1)(a) (as inserted by section 10 of the Government Superannuation Amendment Act 1990) the words “Secretary for Justice”, and substituting the words “chief executive of the Department of Corrections”.</p> <p>By inserting in section 88o(4) (as substituted by section 20(1) of the Government Superannuation Amendment Act (No. 2) 1992), after the words “Department of Justice” wherever they occur, the words “or the Department of Corrections”.</p> <p>By repealing paragraph (c) of subsection 20(1), and substituting the following paragraphs:</p> <p>“(c) Any public archive deposited in the National Archives by the Department of Justice or the Department for Courts and containing any information relating to the trial of any particular person may be inspected only by a person authorised in writing in that behalf by the Minister of the</p>
1957, No. 13—The Archives Act 1957 (R.S. Vol. 1, p. 127)	

SECOND SCHEDULE—*continued*

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—*continued*

Enactment	Amendment
1957, No. 13—The Archives Act 1957 (R.S. Vol. 1, p. 127)— <i>continued</i>	<p>Crown who is responsible for the Department for Courts:</p> <p>“(ca) Any public archive deposited in the National Archives by the Department of Justice or the Department of Corrections and containing any information relating to the punishment of any particular person may be inspected only by a person authorised in writing in that behalf by the Minister of the Crown who is responsible for the Department of Corrections.”.</p>
1960, No. 99—The Unit Trusts Act 1960 (R.S. Vol. 10, p. 953)	<p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p>
1960, No. 103—The Co-operative Freezing Companies Act 1960 (R.S. Vol. 6, p. 81)	<p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p>
1962, No. 130—The Government Superannuation Fund Amendment Act 1962 (R.S. Vol. 21, p. 427)	<p>By repealing the definition of the term “member of the Prisons Service” in section 17, and substituting the following definition:</p> <p>“ ‘Member of the Prisons Service’ means an employee of a department of State who occupies a position that carries custodial or supervisory responsibility over prison inmates; and ‘Prisons Service’ has a corresponding meaning.”.</p>



SECOND SCHEDULE—*continued*

## ENACTMENTS AMENDED

*(as from the commencement of 1 October 1995)—continued*

Enactment	Amendment
1965, No. 22—The Building Societies Act 1965 (R.S. Vol. 17, p. 41)	<p>By repealing the definition of the term “Minister” in section 2 (as substituted by section 2 of the Building Societies Amendment Act 1987), and substituting the following definition:</p> <p>“‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p> <p>By repealing paragraph (b) of section 122A(5) (as substituted by section 29 of the Building Societies Amendment Act 1987), and substituting the following paragraph:</p> <p>“(b) The chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p> <p>By repealing subsection (6) of section 122A (as so substituted), and substituting the following subsection:</p> <p>“(6) The Minister or the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act may, by written notice to that person, require a person for the time being holding the office of Registrar or Deputy Registrar to give a direction under subsection (5) of this section; and that person shall comply with any such requirement.”</p>
1966, No. 97—The Alcoholism and Drug Addiction Act 1966 (R.S. Vol. 17, p. 13)	By omitting from section 21 wherever they occur, the words “Minister of Justice”, and substituting in each case the words “Minister of the Crown who is responsible for the Department of Corrections”.
1967, No. 35—The Trustee Companies Act 1967 (R.S. Vol. 18, p. 901)	By inserting in section 2, after the definition of the term “manager”, the following definition:

SECOND SCHEDULE—continued

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
<p>1967, No. 35—The Trustee Companies Act 1967 (R.S. Vol. 18, p. 901)—continued</p>	<p>“Minister” means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act:”</p> <p>By omitting from section 44 (as amended by section 5 of the Trustee Companies Amendment Act 1972) the words “of Justice” wherever they occur.</p>
<p>1967, No. 54—The Insolvency Act 1967 (R.S. Vol. 18, p. 289)</p>	<p>By repealing subsection (2) of section 18, and substituting the following subsection:</p> <p>“(2) In any case where such a disqualification occurs, the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act may appoint some other Assignee to be the Assignee of that estate.”</p> <p>By repealing the proviso to section 29, and substituting the following proviso:</p> <p>“Provided that the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act may at any time direct that any other Assignee shall be the Assignee of the property of the bankrupt, and every such direction shall have effect according to its tenor.”</p> <p>By repealing subsections (2) and (3) of section 118, and substituting the following subsections:</p> <p>“(2) The chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act may from time to time, as that chief executive thinks fit, publish a list of undischarged bankrupts.</p> <p>“(3) No action shall lie against the Crown or the chief executive of that department of State in respect of any</p>

## SECOND SCHEDULE—continued

## ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1967, No. 54—The Insolvency Act 1967 (R.S. Vol. 18, p. 289)— <i>continued</i>	<p>publication made under this section in good faith and with reasonable care.”</p> <p>By omitting from section 134 (5) the words “Minister of Justice”, and substituting the words “Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act,”.</p> <p>By omitting from section 134 (6) the words “Secretary for Justice”, and substituting the words “chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act”.</p> <p>By repealing subsection (8) of section 134, and substituting the following subsection:  “(8) Whenever an application is made to the Public Trustee under this section for a payment out of the Bankruptcy Surplus Account, whether by requisition of the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act or with the approval of the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act or by an Assignee, the Public Trustee may make the payment without being concerned to see or inquire whether the Public Trustee received any money or sufficient money on account of the bankrupt in respect of whose estate the application for payment relates.”</p>

SECOND SCHEDULE—continued

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1969, No. 139—The Hotel Association of New Zealand Act 1969 (R.S. Vol. 18, p. 215)	By repealing the definition of the term “Minister” in section 2 (as substituted by section 2 of the Hotel Association of New Zealand Amendment Act 1994), and substituting the following definition: “ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”
1971, No. 147—The Hire Purchase Act 1971 (R.S. Vol. 23, p. 509)	By omitting from section 6 (2) the words “Minister of Justice”, and substituting the words “Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act”.
1975, No. 9—The Ombudsmen Act 1975 (R.S. Vol. 21, p. 657)	By inserting in Part I of the First Schedule, after the item relating to the Department of Conservation, the following item: “The Department of Corrections.”
1975, No. 25—The Trustees Companies Management Act 1975 (R.S. Vol. 26, p. 827)	By repealing the definition of the term “Minister” in section 2, and substituting the following definition: “ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”
1977, No. 4—The Chateau Companies Act 1977	By repealing the definition of the term “Minister” in section 2, and substituting the following definition: “ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”
1978, No. 65—The Misuse of Drugs Amendment Act 1978 (R.S. Vol. 26, p. 618)	By omitting from section 48 the words “Department of Justice”, and substituting the words “Ministry of Justice”.

## SECOND SCHEDULE—continued

## ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1978, No. 78—The Co-operative Forestry Companies Act 1978 (R.S. Vol. 31, p. 187)	<p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”</p> <p>By omitting from section 5 (2) the words “Secretary for Justice”, and substituting the words “chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act”.</p> <p>By omitting from section 5 (3) the word “Secretary”, and substituting the words “chief executive”.</p> <p>By omitting from section 23 (1) the words “of Justice”.</p>
1978, No. 103—The Securities Act 1978 (R.S. Vol. 15, p. 533)	<p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”</p>
1979, No. 9—The Public Service Investment Society Management Act (No. 2) 1979	<p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”</p>
1981, No. 23—The Juries Act 1981	<p>By omitting from subsections (4) and (5) of section 5 the words “Minister of Justice” in both places where they occur, and substituting in each case the words “Minister of the Crown who is responsible for the Department for Courts”.</p>

SECOND SCHEDULE—continued

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1981, No. 23—The Juries Act 1981— <i>continued</i>	<p>By repealing subparagraph (i) of section 8 (h), and substituting the following subparagraph:</p> <p>“(i) Employed in the Ministry of Justice or in the Head Office of the Department for Courts or in the Head Office of the Department of Corrections; or”.</p> <p>By omitting from section 35 (2) the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department for Courts”.</p>
1981, No. 43—The Sharebrokers Amendment Act 1981 (R.S. Vol. 11, p. 344)	<p>By omitting from section 9 (1) the words “Secretary of Justice”, and substituting the words “chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act”.</p>
1982, No. 138—The Pork Industry Board Act 1982	<p>By omitting from clause 1 of the Second Schedule the words “of the Department of Justice”, and substituting the words “appointed pursuant to the Electoral Act 1993”.</p>
1982, No. 156—The Official Information Act 1982 (R.S. Vol. 21, p. 579)	<p>By repealing paragraph (c) of the definition of the term “official information” in section 2 (1), and substituting the following paragraph:</p> <p>“(c) In relation to information held by the Department for Courts, includes information held by the Rules Committee appointed under section 51B of the Judicature Act 1908; and”.</p> <p>By omitting from section 20 (as substituted by section 3 (1) of the Official Information Amendment Act 1989) and section 46 (as substituted by section 4 of the Official Information Amendment Act 1989) the words “Department of Justice” wherever they occur, and substituting in each case the words “Ministry of Justice”.</p>

SECOND SCHEDULE—*continued*

## ENACTMENTS AMENDED

*(as from the commencement of 1 October 1995)—continued*

Enactment	Amendment
1985, No. 120—The Criminal Justice Act 1985	<p>By repealing the definition of the term “Secretary” in section 2 (as substituted by section 2 (1) of the Criminal Justice Amendment Act 1993), and substituting the following definition:</p> <p>“‘Secretary’ means the chief executive of the Department of Corrections.”</p> <p>By omitting from section 18 (1) (c) the words “Department of Justice”, and substituting the words “Department of Corrections or the Department for Courts”.</p> <p>By omitting from section 87 (2) the words “Department of Justice”, and substituting the words “Department for Courts”.</p> <p>By omitting from section 94 (as substituted by section 43 (1) of the Criminal Justice Amendment Act 1993) the word “Minister”, and substituting the words “Minister of the Crown who is responsible for the Department of Corrections”.</p> <p>By omitting from sections 102 (4), 103 (4), and 106 (c) (as substituted in each case by section 43 (1) of the Criminal Justice Amendment Act 1993) the words “Department of Justice” wherever they occur, and substituting in each case the words “Department of Corrections”.</p> <p>By repealing paragraph (d) of section 123 (1), and substituting the following paragraph:</p> <p>“(d) An officer or employee of the Department of Corrections or of the Department for Courts or of the Ministry of Health who requires such access for the purposes of his or her official duties.”</p> <p>By omitting from section 124 (6) the word “Minister” in the first place where it occurs, and substituting the words “Minister of the Crown who is</p>

SECOND SCHEDULE—*continued*

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—*continued*

Enactment	Amendment
<p>1985, No. 120—The Criminal Justice Act 1985—<i>continued</i></p>	<p>responsible for the Department of Corrections”.</p> <p>By omitting from section 125A (as inserted by section 46 of the Criminal Justice Amendment Act 1993) and section 126 (as substituted by section 47 (1) of the Criminal Justice Amendment Act 1993) the word “Minister” wherever it occurs, and substituting in each case the words “Minister of the Crown who is responsible for the Department of Corrections”.</p> <p>By omitting from sections 127 (5) and 128 (as substituted in each case by section 48 of the Criminal Justice Amendment Act 1993), the words “Department of Justice”, and substituting in each case the words “Department of Corrections”.</p> <p>By inserting in section 130 (8), after the words “Department of Justice”, the words “or of the Department for Courts”.</p> <p>By omitting from section 131 (4) the word “Minister” in both places where it occurs, and substituting the words “Minister of the Crown who is responsible for the Department of Corrections”.</p> <p>By inserting in subsections (9) and (10) of section 132, after the words “Department of Justice” in both places where they occur, the words “or of the Department for Courts”.</p> <p>By repealing section 136.</p> <p>By repealing subparagraph (ii) of section 141 (b), and substituting the following subparagraph:  “(ii) Any member of the Police, or any officer or employee of the Department of Corrections or of the Department for Courts, who requires the information for the purposes of his or her official duties.”</p> <p>By omitting from section 147 the word “Minister” in the first place where it occurs, and substituting the words</p>



## SECOND SCHEDULE—continued

## ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1985, No. 120—The Criminal Justice Act 1985— <i>continued</i>	<p>“Minister of the Crown who is responsible for the Department of Corrections”.</p> <p>By omitting from section 147 (2) the word “Minister” in both places where it occurs, and substituting in each case the words “Minister of the Crown who is responsible for the Department of Corrections”.</p> <p>By omitting from section 159 the word “Minister” wherever it occurs, and substituting in each case the words “Minister of the Crown who is responsible for the Department of Corrections”.</p>
1985, No. 141—The Goods and Services Act 1985 (R.S. Vol. 27, p.425)	<p>By omitting from section 5 (6c) (as inserted by section 3 of the Goods and Services Amendment Act (No. 3) 1988) the words “Department of Justice”, and substituting the words “the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of the Electoral Act 1993”.</p>
1987, No. 173—The Victims of Offences Act 1987	<p>By omitting from section 11 (2) the words “Secretary for Justice”, and substituting the words “chief executive of the Department of Corrections”.</p>
1989, No. 11—The Corporations (Investigation and Management) Act 1989	<p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p>
1989, No. 14—The Motor Vehicles Securities Act 1989	<p>By repealing section 4, and substituting the following section:</p> <p><b>“4. Appointment of Registrar—</b> There shall be a Registrar of Motor Vehicle Securities who shall be appointed by the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”</p>

SECOND SCHEDULE—continued

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1989, No. 63—The Sale of Liquor Act 1989	<p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“ ‘Minister’ means the Minister of the Crown who, under the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p> <p>By omitting from section 5 (3) (f) the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department of Corrections”.</p> <p>By omitting from sections 185 (1), 199 (1), 209, 211 (6), 249 (3) (c), 250 (3) (c), 251 (3) (c), 252 (3) (c), 253 (3) (c), and 254 the words “of Justice” wherever they occur.</p>
1990, No. 73—The Finance Act (No. 2) 1990	<p>By omitting in section 8 (5) (a) the words “Minister of Justice”, and substituting the words “Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of the Unit Trusts Act 1960”.</p>
1990, No. 127—The Commodity Levies Act 1990	<p>By omitting from section 15 (3) the words “Minister of Justice”, and substituting the words “Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of the Companies Act 1993”.</p>
1991, No. 119—The Securities Transfer Act 1991	<p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p>

SECOND SCHEDULE—*continued*

## ENACTMENTS AMENDED

*(as from the commencement of 1 October 1995)—continued*

Enactment	Amendment
1992, No. 13—The Accident Rehabilitation and Compensation Insurance Act 1992	<p>By omitting from section 93 (4) (as enacted by section 4(1) of the Accident Rehabilitation and Compensation Insurance Amendment Act 1995), and also from section 99, the words “Department of Justice”, and substituting in each case the words “Department for Courts”.</p> <p>By omitting from section 99 the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department for Courts”.</p> <p>By omitting from section 164 (2) the word “Justice”, and substituting the word “Corrections”.</p>
1992, No. 46—The Mental Health (Compulsory Assessment and Treatment) Act 1992	<p>By omitting from sections 46 and 47 (3) the words “Secretary for Justice” wherever they occur, and substituting in each case the words “chief executive of the Department of Corrections”.</p> <p>By omitting from section 128 (3) the words “Minister of Justice”, and substituting the words “Minister of the Crown who is responsible for the Department of Corrections”.</p>
1993, No. 4—Te Ture Whenua Maori Act 1993	<p>By omitting from section 14 the words “Department of Justice”, and substituting the words “Department for Courts”.</p> <p>By repealing paragraph (d) of section 92 (1), and substituting the following paragraph: “(d) The chief executive of the Department for Courts or a person nominated by that chief executive.”.</p> <p>By repealing paragraph (f) of section 92 (1), and substituting the following paragraph: “(f) A person appointed by the Minister of Maori Affairs and the Minister of the Crown who is responsible for the Department for Courts.”.</p> <p>By repealing subsection (4) of section 277, and substituting the following subsection:</p>

SECOND SCHEDULE—continued

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1993, No. 4—Te Ture Whenua Maori Act 1993—continued	“(4) No person shall be appointed as auditor of a Maori incorporation unless that person is a member of the New Zealand Society of Accountants, or a member, fellow, or associate of an association of accountants constituted in some part of the Commonwealth outside New Zealand and, by notice in the <i>Gazette</i> , for the time being approved for the purpose of the audit of company accounts by the Minister of the Crown, who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of the Companies Act 1993.”
1993, No. 28—The Privacy Act 1993	By repealing paragraph (c) of the definition of the term “specified agency” in section 97, and substituting the following paragraph: “(c) Department of Corrections.”
1993, No. 82—The Human Rights Act 1993	By omitting in section 120 the words “Department of Justice” in both places where they appear, and substituting in each case the words “Department for Courts”.
1993, No. 105—The Companies Act 1993	By repealing paragraph (c) of section 199 (1), and substituting the following paragraph: “(c) A member, fellow, or associate of an association of accountants constituted outside New Zealand which is, by notice in the <i>Gazette</i> , for the time being approved for the purposes of this section by the Minister of the Crown, who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.” By omitting from section 254 (b) (iii) the words “Minister of Justice”, and substituting the words “Minister of the Crown who, under the authority of any

SECOND SCHEDULE—*continued*

## ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—*continued*

Enactment	Amendment
1993, No. 105—The Companies Act 1993— <i>continued</i>	<p>warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act”.</p> <p>By repealing paragraphs (c) and (d) of section 366 (1), and substituting the following paragraphs:</p> <p>“(c) The Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act; or</p> <p>“(d) The chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act; or”.</p> <p>By repealing subsection (1) of section 367, and substituting the following subsection:</p> <p>“(1) This section applies to—</p> <p>“(a) The Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act; and</p> <p>“(b) The chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act; and</p> <p>“(c) The Registrar; and</p> <p>“(d) A Deputy Registrar; and</p> <p>“(e) A District Registrar; and</p> <p>“(f) An Assistant Registrar.”</p>
1993, No. 106—The Financial Reporting Act 1993	<p>By repealing the definition of the term “Minister” in section 2 (1), and substituting the following definition:</p> <p>“‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is</p>

SECOND SCHEDULE—continued

ENACTMENTS AMENDED

(as from the commencement of 1 October 1995)—continued

Enactment	Amendment
1993, No. 106—The Financial Reporting Act 1993— <i>continued</i>	for the time being responsible for the administration of this Act.”.
	By omitting from section 12 (2) the words “of Justice”.
1993, No. 107—The Takeovers Act 1993	By repealing the definition of the term “Minister” in section 2, and substituting the following definition:
	“ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.
1994, No. 117—The Insurance Companies (Ratings and Inspections) Act 1994	By repealing the definition of the term “Minister” in section 2, and substituting the following definition:
	“ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.
	By repealing paragraph (d) of section 27 (1), and substituting the following paragraph:
	“(d) The chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act; or”.
	By repealing subsection (1) of section 28, and substituting the following subsection:
	“(1) This section applies to—
	“(a) The Minister; and
	“(b) The chief executive of the department of State that is for the time being responsible for the administration of this Act; and
	“(c) The Registrar; and
	“(d) A Deputy Register of the Companies; and
	“(e) A District Registrar of Companies; and

SECOND SCHEDULE—*continued*

## ENACTMENTS AMENDED

*(as from the commencement of 1 October 1995)—continued*

Enactment	Amendment
<p>1994, No. 117—The Insurance Companies (Ratings and Inspections) Act 1994—<i>continued</i></p> <p>1994, No. 143—The Copyright Act 1994</p>	<p>“(f) An Assistant Registrar of Companies.”</p> <p>By repealing the definition of the term “Minister” in section 2, and substituting the following definition:</p> <p>“ ‘Minister’ means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.”.</p> <p>By repealing paragraph (a) of section 206 (2), and substituting the following paragraph:</p> <p>“(a) Shall be appointed as Chairperson by the Governor-General on the recommendation of the Minister made after consultation with the Minister of Justice; and”.</p>

THIRD SCHEDULE

Section 9 (4)

ENACTMENTS REPEALED

- 1950, No. 45—The Co-operative Dairy Companies Amendment Act 1950: Section 2. (R.S. Vol. 1, p. 608.)
- 1952, No. 21—The Sharebrokers Amendment Act 1952: Section 2 (1). (R.S. Vol. 6, p. 343.)
- 1957, No. 11—The Auctioneers Amendment Act 1957: Section 2. (R.S. Vol. 1, p. 264.)
- 1972, No. 78—The Life Insurance Amendment Act 1972. (R.S. Vol. 6, p. 839.)
- 1977, No. 74—The Mutual Insurance Amendment Act 1977: Sections 2 and 7. (R.S. Vol. 10, p. 282.)
- 1993, No. 30—The Penal Institutions Amendment Act 1993.