

INTRODUCTION COPY

Mr Lee

FLAGS, ANTHEMS, EMBLEMS, AND NAMES PROTECTION AMENDMENT

ANALYSIS

Title	
1. Short Title	
2. Alteration to Short Title to principal Act	
3. Restriction on amendment or repeal of provisions relating to New Zealand Flag	
4. New Parts inserted	
	PART 1A
	PROTECTION OF NAME NEW ZEALAND
	11b. Protection of name New Zealand
	PART 1B
	NATIONAL ANTHEMS OF NEW ZEALAND
	11c. National Anthems of New Zealand
	11d. Saving of Her Majesty's power to approve alteration of 'God Save the Queen'.
	11e. Restriction on amendment or repeal of sections relating to National Anthems.

A BILL INTITULED

5 **An Act to amend the Flags, Anthems, Emblems, and Names Protection Act 1981, to declare certain compositions to be the National Anthems of New Zealand, and to entrench provisions relating to the name, flags and anthems of New Zealand**

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

10 **1. Short Title**—This Act may be cited as the Flags, Anthems, Emblems, and Names Protection Amendment Act 1990 and shall be read together with and deemed part of the Act heretofore cited as the Flags, Emblems, and Names Protection Act 1981 (hereinafter referred to as the principal Act).

15 **2. Alteration to Short Title to principal Act**—The principal Act may hereafter be cited as the Flags, Anthems, Emblems, and Names Protection Act 1981.

2 *Flags, Anthems, Emblems, and Names Protection Amendment*

3. Restriction on amendment or repeal of provisions relating to New Zealand Flag—The principal Act is hereby amended by inserting, after section 11, the following new section:

“11A. (1) This section applies to the following provisions of this Act (for the purposes of this section referred to as reserved provisions), namely: 5

“(a) Section 5, relating to the New Zealand Ensign:

“(b) Section 6, relating to the Ensigns of New Zealand:

“(c) Section 7, relating to the Customs flag: 10

“(d) Section 8, relating to the saving of Her Majesty’s powers to approve alteration of New Zealand flag.

“(2) No reserved provision shall be repealed or amended unless the proposal for the amendment or repeal—

“(a) Is passed by a majority of 75 percent of all the members of the House of Representatives; or 15

“(b) Has been carried by a majority of the valid votes cast at a poll of the electors of the General and Maori electoral districts:

Provided that this section shall not apply to the repeal of any reserved provision by a consolidating Act in which that provision is re-enacted without amendment and this section is re-enacted without amendment so as to apply to that provision as re-enacted.” 20

4. New Parts inserted—The principal Act is hereby amended by inserting after section 11A, as inserted by section 3 of this Act, the following new Parts: 25

“PART 1A

“PROTECTION OF NAME NEW ZEALAND

“11B. **Protection of name New Zealand**—The name of the country may not be changed from ‘New Zealand’ unless the proposal for the change— 30

“(a) Is passed by a majority of 75 percent of all the members of the House of Representatives; or

“(b) Has been carried by a majority of the valid votes cast at a poll of the electors of the General and Maori electoral districts. 35

“PART 1B

“NATIONAL ANTHEMS OF NEW ZEALAND

“11C. **National Anthems of New Zealand**—(1) The anthem ‘God Save the Queen’ and the anthem ‘God Defend 40

New Zealand' are hereby declared to be the National Anthems of New Zealand.

5 “(2) Subject to subsection (3) and subsection (4) of this section, both anthems shall be of equal status as National Anthems of New Zealand.

“(3) The anthem ‘God Save the Queen’ shall be representative of Her Majesty the Queen as Queen of New Zealand.

10 “(4) The anthem ‘God Defend New Zealand’ shall be representative of the Realm, Government and people of New Zealand.

“11D. **Saving of Her Majesty’s powers to approve alteration of ‘God Save the Queen’**—Nothing in this Act shall limit or affect Her Majesty’s powers to approve or
15 authorise the approval of the alteration of the anthem ‘God Save the Queen’ for any official purposes.

“11E. **Restriction on amendment or repeal of sections relating to National Anthems**—(1) This section applies to the following provisions of this Act (for the purposes of this
20 section referred to as reserved provisions), namely:

“(a) Section 11c, relating to the National Anthems of New Zealand:

25 “(b) Section 11D, relating to the saving of Her Majesty’s powers to approve alteration of ‘God Save the Queen’.

“(2) No reserved provision shall be repealed or amended unless the proposal for the amendment or repeal—

30 “(a) Is passed by a majority of 75 percent of all the members of the House of Representatives; or

“(b) Has been carried by a majority of the valid votes cast at a poll of the electors of the General and Maori electoral districts:

35 Provided that this section shall not apply to the repeal of any reserved provision by a consolidating Act in which that provision is re-enacted without amendment and this section is re-enacted without amendmnet so as to apply to that provision as re-enacted.”