

1969/109



**THE TOKELAU ISLANDS (NEW ZEALAND LAWS)
REGULATIONS 1969**

—
ARTHUR PORRITT, Governor-General

At the Government House at Wellington this 9th day of June 1969

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Tokelau Islands Act 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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ANALYSIS

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| <p>1. Title and commencement</p> <p>2. Part III of Administration Act in force in Tokelau Islands</p> <p>3. Atomic Energy Act in force in Tokelau Islands</p> <p>4. Bills of Exchange Act in force in Tokelau Islands</p> <p>5. Carriers Act in force in Tokelau Islands</p> <p>6. Commissions of Inquiry Act in force in Tokelau Islands</p> <p>7. Deaths by Accidents Compensation Act in force in Tokelau Islands</p> <p>8. Demise of the Crown Act in force in Tokelau Islands</p> <p>9. Mercantile Law Act in force in Tokelau Islands</p> | <p>10. Partnership Act in force in Tokelau Islands</p> <p>11. Post Office Act in force in Tokelau Islands</p> <p>12. Property Law Act in force in Tokelau Islands</p> <p>13. Sale of Goods Act in force in Tokelau Islands</p> <p>14. Parts of Sea Carriage of Goods Act in force in Tokelau Islands</p> <p>15. Treaties of Peace (Italy, Roumania, Bulgaria, Hungary, and Finland) Act in force in Tokelau Islands</p> <p>16. Certain regulations and Ordinances not to apply to the Tokelau Islands
Schedule</p> |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Tokelau Islands (New Zealand Laws) Regulations 1969.

(2) These regulations shall come into force on the date of their notification in the *Gazette*.

2. Part III of Administration Act in force in Tokelau Islands—Part III of the Administration Act 1952 shall be in force in the Tokelau Islands.

3. Atomic Energy Act in force in Tokelau Islands—The Atomic Energy Act 1945, except section 5A (as inserted by section 6 of the Atomic Energy Amendment Act 1957) shall be in force in the Tokelau Islands.

4. Bills of Exchange Act in force in Tokelau Islands—(1) The Bills of Exchange Act 1908 shall be in force in the Tokelau Islands.

(2) In the application of that Act to the Tokelau Islands any reference to New Zealand shall be read as a reference to the Tokelau Islands.

5. Carriers Act in force in Tokelau Islands—(1) The Carriers Act 1948, except subsection (2) of section 3, shall be in force in the Tokelau Islands.

(2) In that Act the term “New Zealand” shall be read as including the Tokelau Islands:

Provided that nothing in that Act shall apply with respect to any contract for the carriage of any person or any goods between New Zealand and the Tokelau Islands.

6. Commissions of Inquiry Act in force in Tokelau Islands—(1) The Commissions of Inquiry Act 1908 shall be in force in the Tokelau Islands in the same manner in all respects as if the Tokelau Islands were for all purposes part of New Zealand, and the term “New Zealand” as used in that Act shall, both in New Zealand and in the Tokelau Islands, be read as including the Tokelau Islands accordingly.

(2) In the application of that Act to the Tokelau Islands—

(a) Section 2 (as amended by the Commissions of Inquiry Amendment Act 1958) shall be deemed to extend to the Tokelau Islands Administration and to the conduct of any employee of the Tokelau Islands Public Service or in the service of Her Majesty in respect of the Tokelau Islands, and shall also be deemed to extend to any shipping casualty:

(b) Section 6 shall be read as if there were added the words “in New Zealand proper”:

(c) Subsection (1) of section 8 shall be read as if for the words “Minister of Internal Affairs” there were substituted the words “Minister of Island Affairs”, and as if there were added the words “or if having regard to the circumstances the Minister of Finance so directs, out of the public revenues of the Tokelau Islands”.

(3) For the purposes of this regulation and in the application of section 2 of the Commissions of Inquiry Act 1908 to the Tokelau Islands, a shipping casualty shall be deemed to occur—

(a) When on or near the coasts of any island of the Tokelau Islands any ship is lost, abandoned, stranded, or materially damaged or has been in collision with any other ship; or

(b) When any loss of life ensues by reason of any casualty occurring to any ship on or near the coasts of any island of the Tokelau Islands; or

- (c) Where in any place any such loss, abandonment, stranding, material damage, or casualty occurs, and any witness is found in the Tokelau Islands; or
- (d) When in any place any such loss, abandonment, stranding, material damage, or casualty occurs or is supposed to have occurred to any ship belonging to the Tokelau Islands; or
- (e) When any ship proceeds to sea from any island of the Tokelau Islands and is lost, or is supposed to have been lost, and any evidence is obtainable in the Tokelau Islands as to the circumstances under which she proceeded to sea or was last heard of.

7. Deaths by Accidents Compensation Act in force in Tokelau Islands—The Deaths by Accidents Compensation Act 1952 shall be in force in the Tokelau Islands.

8. Demise of the Crown Act in force in Tokelau Islands—(1) The Demise of the Crown Act 1908 shall be in force in the Tokelau Islands.

(2) The term “New Zealand” as used in that Act shall, both in New Zealand and in the Tokelau Islands, be read as including the Tokelau Islands.

9. Mercantile Law Act in force in Tokelau Islands—(1) The Mercantile Law Act 1908 shall be in force in the Tokelau Islands.

(2) Both in the application of that Act to the Tokelau Islands and in its application to New Zealand the term “New Zealand” as used in that Act shall be deemed to include the Tokelau Islands as being part of New Zealand.

10. Partnership Act in force in Tokelau Islands—The Partnership Act 1908 shall be in force in the Tokelau Islands.

11. Post Office Act in force in Tokelau Islands—(1) The Post Office Act 1959, except Parts XIII to XVI, shall be in force in the Tokelau Islands in the same manner in all respects as if the Tokelau Islands were for all purposes part of New Zealand.

(2) The term “New Zealand” as used in that Act shall, both in New Zealand and in the Tokelau Islands, be read as including the Tokelau Islands.

12. Property Law Act in force in Tokelau Islands—(1) The Property Law Act 1952 shall be in force in the Tokelau Islands.

(2) Every reference in that Act to New Zealand shall be read as a reference to the Tokelau Islands.

13. Sale of Goods Act in force in Tokelau Islands—The Sale of Goods Act 1908 shall be in force in the Tokelau Islands.

14. Parts of Sea Carriage of Goods Act in force in Tokelau Islands—(1) Parts I and II of the Sea Carriage of Goods Act 1940 shall, subject to the modifications hereinafter contained, apply to the Tokelau Islands in the manner in all respects as if the Tokelau Islands

were for all purposes part of New Zealand, and the term "New Zealand" as used in that Act shall, both in New Zealand and in the Tokelau Islands, be construed as including the Tokelau Islands accordingly.

(2) The provisions of sections 11 and 12 and subsection (2) of section 13 of the said Act shall extend to and be in force in the Tokelau Islands.

15. Treaties of Peace (Italy, Roumania, Bulgaria, Hungary, and Finland) Act in force in Tokelau Islands—The Treaties of Peace (Italy, Roumania, Bulgaria, Hungary, and Finland) Act 1947 shall be in force in the Tokelau Islands.

16. Certain regulations and Ordinances not to apply to Tokelau Islands—(1) The King's Regulations, Ordinances of the Gilbert and Ellice Islands Colony, and Ordinances of the Union (Tokelau) Islands specified in the Schedule to these regulations shall, after the commencement of these regulations, cease to have effect as part of the law of the Tokelau Islands.

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

SCHEDULE

Reg. 16

REGULATIONS AND ORDINANCES CEASING TO FORM PART OF THE LAW OF THE TOKELAU ISLANDS

Part I—King's Regulations Made by the Assistant High Commissioner for the Western Pacific

The Distillation (Prohibition) Regulation 1909 (No. V of 1909).

The Gilbert and Ellice (Quarantine) Regulation 1909 (No. VI of 1909).

The Gilbert and Ellice (Union Group) Regulation 1909 (No. VII of 1909).

The Gilbert and Ellice (Customs) Regulation 1912 (No. II of 1912).

The Solomon and Gilbert and Ellice (Intestate Estates) Regulation 1912 (No. III of 1912).

The Wireless Telegraphy Regulation 1912 (No. IX of 1912).

The Solomon and Gilbert Islands Opium Regulation 1913 (No. II of 1913).

The Gilbert and Ellice (Quarantine Amendment) Regulation 1913. (No. III of 1913).

The Merchant Shipping (Fees) Regulation 1913 (No. V of 1913).

The Protectorates Sale of Food Regulation 1913 (No. VI of 1913).

The Solomon and Gilbert and Ellice Islands (Commissions of Inquiry) Regulation 1914 (No. IV of 1914).

The Protectorates Wild Birds Protection Regulation 1914 (No. VI of 1914).

SCHEDULE—*continued*

The Gilbert and Ellice (Customs) Amendment Regulation 1915 (No. XV of 1915).

The Gilbert and Ellice (Companies Registration) Regulation 1915 (No. XVI of 1915).

Part II—Gilbert and Ellice Islands Ordinances

The Gilbert and Ellice (Quarantine) Amendment Ordinance 1916 (No. 7 of 1916).

The Liquor Ordinance 1916 (No. 8 of 1916).

The Gilbert and Ellice Constabulary Ordinance 1916 (No. 9 of 1916).

The Copyright Ordinance 1917 (No. 4 of 1917).

The Additional Revenue Ordinance 1917 (No. 14 of 1917).

The Seaman Discipline (Admiralty Transport) Ordinance 1918 (No. 3 of 1918).

The Copyright Amendment Ordinance 1918 (No. 4 of 1918).

The Seaman Discipline (Admiralty Transport) Amendment Ordinance 1918 (No. 7 of 1918).

The Interpretation Ordinance 1919 (No. 2 of 1919).

The Treaty of Peace Order Ordinance 1920 (No. 3 of 1920).

The Treaty of Peace Order (Amendment) Ordinance 1921 (No. 1 of 1921).

The Treaty of Peace Order (Bulgaria) Ordinance 1921 (No. 6 of 1921).

The Treaty of Peace Order (Austria) Ordinance 1921 (No. 7 of 1921).

The Treaty of Peace Order (Amendment) (No. 2) Ordinance 1921 (No. 10 of 1921).

The Treaty of Peace Order (Amendment) (No. 2) Ordinance 1922 (No. 1 of 1922).

The Treaty of Peace Order (Austria) (No. 2) Ordinance 1922 (No. 2 of 1922).

The Treaty of Peace Order (Bulgaria) (No. 2) Ordinance 1922 (No. 3 of 1922).

The Treaty of Peace Order (Hungary) Ordinance 1922 (No. 6 of 1922).

The Additional Revenue (Amendment) Ordinance 1922 (No. 7 of 1922).

The Gilbert and Ellice (Customs) Amendment Ordinance 1923 (No. 4 of 1923).

The Gilbert and Ellice Constabulary (Amendment) Ordinance 1923 (No. 6 of 1923).

The Gilbert and Ellice Customs (Amendment) Ordinance 1924 (No. 1 of 1924).

The Repeal of War Legislation Ordinance 1924 (No. 2 of 1924).

The Registration of United Kingdom Patents Ordinance 1924 (No. 3 of 1924).

The Indemnity Ordinance 1924 (No. 5 of 1924).

Part III—Ordinance of the Union (Tokelau) Islands

The Tokelau Nomenclature Ordinance 1946 (No. 1 of 1946).

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations declare that the New Zealand Acts specified shall be in force in the Tokelau Islands, with such modifications as are stated in the regulations.

They also declare that certain King's Regulations made by the Assistant High Commissioner for the Western Pacific and certain Ordinances of the Gilbert and Ellice Islands Colony or of the Union (Tokelau) Islands shall cease to be in force in the Tokelau Islands.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 June 1969.

These regulations are administered in the Maori and Island Affairs Department.