

**Reprint
as at 5 August 2013**



**Regulations (Disallowance) Act
1989**

Public Act 1989 No 143
Date of assent 19 December 1989
Commencement 19 December 1989

Regulations (Disallowance) Act 1989: repealed, on 5 August 2013, by section 77(2) of the Legislation Act 2012 (2012 No 119).

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Ministry of Justice.

Schedule
Enactments repealed

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An Act—

- (a) to provide for the disallowance of statutory regulations; and**
- (b) to repeal the Regulations Act 1936 and other enactments**

1 Short Title

This Act may be cited as the Regulations (Disallowance) Act 1989.

2 Interpretation

In this Act, unless the context otherwise requires,—

Act of Parliament includes an Act of the General Assembly
Imperial Act means any Act of the Parliament of England, or of the Parliament of Great Britain, or of the Parliament of the United Kingdom

regulations means—

- (a) regulations, rules, or bylaws made under an Act by the Governor-General in Council or by a Minister of the Crown:
- (b) an Order in Council, Proclamation, notice, Warrant, or instrument, made under an enactment that varies or extends the scope or provisions of an enactment:
- (c) an Order in Council that brings into force, repeals, or suspends an enactment:
- (d) regulations, rules, or an instrument made under an Imperial Act or the Royal prerogative and having the force of law in New Zealand:
- (e) an instrument that is a regulation or that is required to be treated as a regulation for the purposes of the Regulations Act 1936 or Acts and Regulations Publication Act 1989 or this Act:
- (f) an instrument that revokes regulations, rules, bylaws, an Order in Council, a Proclamation, a notice, a Warrant, or an instrument, referred to in paragraphs (a) to (e).

Section 2 **regulations**: substituted, on 1 November 1999, by section 37 of the Interpretation Act 1999 (1999 No 85).

3 Act to bind the Crown

This Act shall bind the Crown.

4 Regulations to be laid before House of Representatives

All regulations made after 30 September 1992 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.

Section 4: substituted, on 22 August 1992, by section 2(1) of the Regulations (Disallowance) Amendment Act 1992 (1992 No 85).

5 Disallowance of regulations

- (1) The House of Representatives may, by resolution, disallow any regulations or provisions of regulations.
- (2) Where the House of Representatives passes a resolution disallowing any regulations or any provisions of any regulations, the regulations or provisions so disallowed shall cease to have effect on the later of—
 - (a) the passing of the resolution; or
 - (b) any date specified in the resolution as the date on which the regulations or provisions cease to have effect.
- (3) This section does not apply in relation to any resolution to which section 9 applies.

6 Disallowance of regulations where motion to disallow not disposed of

- (1) If, at the expiration of the 21st sitting day after the giving in the House of Representatives of notice of a motion to disallow any regulations or any provisions of any regulations (being a notice of motion given by a member of Parliament who, at the time of the giving of the notice, is a member of the Committee of the House of Representatives responsible for the review of regulations),—
 - (a) the notice has not been withdrawn and the motion has not been moved; or

- (b) the motion has been called on and moved and has not been withdrawn or otherwise disposed of,—
the regulations or provisions specified for disallowance in the motion shall thereupon be deemed to have been disallowed unless, before the expiration of that 21st sitting day,—
 - (c) Parliament is dissolved or expires; or
 - (d) Parliament is prorogued and the notice has not been carried over to the next session of the same Parliament.
- (2) Where any regulations or provisions specified in a motion are disallowed under subsection (1), the regulations or provisions so disallowed shall cease to have effect on the later of—
- (a) the expiration of the 21st sitting day after the giving of notice of the motion; or
 - (b) any date specified in the motion as the date on which the regulations or provisions cease to have effect.

Section 6(1): substituted, on 22 August 1992, by section 3 of the Regulations (Disallowance) Amendment Act 1992 (1992 No 85).

7 Effect of disallowance

Where any regulations or any provisions of any regulations are disallowed under section 5, or are deemed to have been disallowed under section 6, the disallowance of the regulations or provisions shall have the same effect as a revocation of those regulations or provisions.

8 Restoration or revival of Acts or regulations

- (1) Where any regulations or provisions of regulations (being regulations or provisions that amended any Act or any regulation or repealed any Act or revoked any regulation) are disallowed under section 5 or are deemed to have been disallowed under section 6, the disallowance of the regulations or provisions has the effect of restoring or reviving the Act or regulation, as it was immediately before it was amended, repealed, or revoked, as if the regulations disallowed or provisions disallowed had not been made.
- (2) The restoration or revival of an Act or regulation pursuant to subsection (1) takes effect on the day on which the regulations or provisions by which it was amended or repealed or revoked ceased to have effect.

9 Amendment or substitution of regulations by House of Representatives

- (1) The House of Representatives may, by resolution,—
 - (a) amend any regulations; or
 - (b) revoke any regulations, and substitute other regulations.
- (2) Where the House of Representatives passes a resolution of the kind referred to in subsection (1), the amendment or the revocation and substitution, as the case may be, shall take effect on the later of—
 - (a) the 28th day after the date of the publication of the notice required by section 10; or
 - (b) any date specified in the notice required by section 10 as the date on which the amendment or the revocation and substitution, as the case may be, takes effect.

10 Notice of resolution or motion

- (1) Where—
 - (a) a resolution disallowing or revoking any regulations is passed by the House of Representatives; or
 - (b) a resolution amending any regulations or a resolution revoking any regulations and substituting other regulations is passed by the House of Representatives; or
 - (c) any circumstances of the kind described in section 6(1) arise in relation to any notice of motion to disallow any regulations,—the Clerk of the House of Representatives shall forward to the Chief Parliamentary Counsel forthwith a notice in relation to that resolution or notice of motion.
- (2) The notice forwarded under subsection (1), which shall be accompanied by the text of the resolution or the text of the notice of motion, as the case may require, shall show,—
 - (a) in the case of a resolution, the date on which the resolution was passed; and
 - (b) in the case of a notice of motion,—
 - (i) the date of the sitting day on which the notice of motion was given by a member of Parliament who was at the time of the giving of the notice a member of the Committee of the House of Rep-

- representatives responsible for the review of regulations; and
- (ii) the date of the 21st sitting day after the giving of the notice of motion.
- (3) The notice shall be conclusive evidence of the matters stated in paragraphs (a) and (b) of subsection (2).
 - (4) The Chief Parliamentary Counsel shall arrange for every notice forwarded under subsection (1) to be printed and published under section 4 of the Acts and Regulations Publication Act 1989 as if it were a regulation.

11 Repeals

The enactments specified in the Schedule are hereby repealed.

Schedule
Enactments repealed

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Adoption Act 1955 (1955 No 93) (RS Vol 1, pp 35, 61)

Amendment(s) incorporated in the Act(s).

Animals Protection Act 1960 (1960 No 30) (RS Vol 6, pp 1, 17)

Amendment(s) incorporated in the Act(s).

Archives Act 1957 (1957 No 13) (RS Vol 1, pp 127, 142)

Amendment(s) incorporated in the Act(s).

Auctioneers Act 1928 (1928 No 29) (RS Vol 1, pp 245, 262)

Amendment(s) incorporated in the Act(s).

Births and Deaths Registration Act 1951 (1951 No 22) (RS Vol 1, pp 333, 364)

Amendment(s) incorporated in the Act(s).

Boilers, Lifts, and Cranes Act 1950 (1950 No 53) (RS Vol 1, pp 377, 405)

Amendment(s) incorporated in the Act(s).

Charitable Trusts Act 1957 (1957 No 18) (RS Vol 1, pp 441, 476)

Amendment(s) incorporated in the Act(s).

Clerks of Works Act 1944 (1944 No 16) (RS Vol 14, pp 13, 32)

Amendment(s) incorporated in the Act(s).

Companies Act 1955 (1955 No 63) (RS Vol 15, pp 89, 432)

Amendment(s) incorporated in the Act(s).

Crimes Act 1961 (1961 No 43) (RS Vol 1, pp 635, 818)

Amendment(s) incorporated in the Act(s).

Dairy Board Act 1961 (1961 No 5) (Reprinted 1976, Vol 4, pp 3337, 3383)

Amendment(s) incorporated in the Act(s).

Deeds Registration Act 1908 (1908 No 40) (RS Vol 6, pp 89, 108)*Amendment(s) incorporated in the Act(s).***Designs Act 1953 (1953 No 65) (RS Vol 6, pp 111, 145)***Amendment(s) incorporated in the Act(s).***Electoral Act 1956 (1956 No 107) (RS Vol 19, pp 159, 229)***Amendment(s) incorporated in the Act(s).***Engineering Associates Act 1961 (1961 No 70) (RS Vol 6, pp 325, 341)***Amendment(s) incorporated in the Act(s).***Explosives Act 1957 (1957 No 19) (RS Vol 6, pp 361, 395)***Amendment(s) incorporated in the Act(s).***Fees and Travelling Allowances Act 1951 (1951 No 79) (RS Vol 6, pp 403, 406)***Amendment(s) incorporated in the Act(s).***Fertilisers Act 1960 (1960 No 33) (RS Vol 19, pp 335, 354)***Amendment(s) incorporated in the Act(s).***Forests Act 1949 (1949 No 19) (RS Vol 23, pp 473, 493)***Amendment(s) incorporated in the Act(s).***Government Superannuation Fund Act 1956 (1956 No 47) (RS Vol 21, pp 209, 416)***Amendment(s) incorporated in the Act(s).***Health Act 1956 (1956 No 65) (RS Vol 19, pp 493, 588)***Amendment(s) incorporated in the Act(s).***Housing Act 1955 (1955 No 51) (RS Vol 7, pp 297, 324)***Amendment(s) incorporated in the Act(s).*

Impounding Act 1955 (1955 No 108) (RS Vol 7, pp 339, 367)

Amendment(s) incorporated in the Act(s).

Industrial and Provident Societies Act 1908 (1908 No 81) (RS Vol 7, pp 407, 436)

Amendment(s) incorporated in the Act(s).

Land Act 1948 (1948 No 64) (RS Vol 23, pp 559, 709)

Amendment(s) incorporated in the Act(s).

Land Settlement Promotion and Land Acquisition Act 1952 (1952 No 34) (RS Vol 3, pp 139, 180)

Amendment(s) incorporated in the Act(s).

Land Transfer Act 1952 (1952 No 52) (RS Vol 22, pp 531, 647)

Amendment(s) incorporated in the Act(s).

Land Valuation Proceedings Act 1948 (1948 No 50) (RS Vol 17, pp 241, 259)

Amendment(s) incorporated in the Act(s).

Maori Purposes Fund Act 1934–35 (1934–35 No 45) (RS Vol 8, pp 595, 605)

Amendment(s) incorporated in the Act(s).

Maori Trustee Act 1953 (1953 No 95) (RS Vol 3, pp 393, 433)

Amendment(s) incorporated in the Act(s).

Maori Trust Boards Act 1955 (1955 No 37) (RS Vol 8, pp 683, 716)

Amendment(s) incorporated in the Act(s).

Maori Vested Lands Administration Act 1954 (1954 No 60) (RS Vol 8, pp 725, 762)

Amendment(s) incorporated in the Act(s).

Ministry of Agriculture and Fisheries Act 1953 (1953 No 7) (RS Vol 18, pp 509, 517)

Amendment(s) incorporated in the Act(s).

Mortgagors and Lessees Rehabilitation Act 1936 (1936 No 33) (RS Vol 10, pp 171, 215)

Amendment(s) incorporated in the Act(s).

Mutual Insurance Act 1955 (1955 No 23) (RS Vol 10, pp 247, 279)

Amendment(s) incorporated in the Act(s).

New Zealand Geographic Board Act 1946 (1946 No 3) (RS Vol 10, pp 483, 490)

Amendment(s) incorporated in the Act(s).

Orchard Levy Act 1953 (1953 No 68) (RS Vol 10, pp 533, 536)

Amendment(s) incorporated in the Act(s).

Patents Act 1953 (1953 No 64) (RS Vol 10, pp 563, 659)

Amendment(s) incorporated in the Act(s).

Penal Institutions Act 1954 (1954 No 51) (RS Vol 18, pp 557, 589)

Amendment(s) incorporated in the Act(s).

Police Act 1958 (1958 No 109) (RS Vol 17, pp 537, 582)

Amendment(s) incorporated in the Act(s).

Regulations Act 1936 (1936 No 17) (RS Vol 10, p 723)**Regulations Amendment Act 1966 (1966 No 82) (RS Vol 10, p 727)****Regulations Amendment Act 1970 (1970 No 100) (RS Vol 10, p 728)****Rehabilitation Act 1941 (1941 No 25) (RS Vol 10, pp 729, 743)**

Amendment(s) incorporated in the Act(s).

Royal New Zealand Institute of Horticulture Act 1953 (1953 No 20) (RS Vol 10, pp 931, 934)

Amendment(s) incorporated in the Act(s).

Shipping and Seamen Act 1952 (1952 No 49) (RS Vol 4, pp 275, 775)

Amendment(s) incorporated in the Act(s).

Soil Conservation and Rivers Control Act 1941 (1941 No 12) (RS Vol 17, pp 607, 735)

Amendment(s) incorporated in the Act(s).

Stock Foods Act 1946 (1946 No 6) (RS Vol 11, pp 413, 425)

Amendment(s) incorporated in the Act(s).

Summary Proceedings Act 1957 (1957 No 87) (RS Vol 9, pp 583, 720)

Amendment(s) incorporated in the Act(s).

Trade Marks Act 1953 (1953 No 66) (RS Vol 11, pp 563, 618)

Amendment(s) incorporated in the Act(s).

Tuberculosis Act 1948 (1948 No 36) (RS Vol 11, pp 693, 715)

Amendment(s) incorporated in the Act(s).

Unit Trusts Act 1960 (1960 No 99) (RS Vol 10, pp 953, 968)

Amendment(s) incorporated in the Act(s).

Valuers Act 1948 (1948 No 63) (RS Vol 11, pp 723, 744)

Amendment(s) incorporated in the Act(s).

Vegetables Levy Act 1957 (1957 No 100) (RS Vol 11, pp 749, 755)

Amendment(s) incorporated in the Act(s).

Veterinary Surgeons Act 1956 (1956 No 22) (RS Vol 11, pp 781, 802)

Amendment(s) incorporated in the Act(s).

War Pensions Act 1954 (1954 No 54) (RS Vol 15, pp 725, 801)

Amendment(s) incorporated in the Act(s).

Wildlife Act 1953 (1953 No 31) (RS Vol 7, pp 819, 892)

Amendment(s) incorporated in the Act(s).

Reprints notes

1 *General*

This is a reprint of the Regulations (Disallowance) Act 1989 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, will have the status of an official version once issued by the Chief Parliamentary Counsel under section 17(1) of that Act.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Legislation Act 2012 (2012 No 119): section 77(2)
Interpretation Act 1999 (1999 No 85): section 37
Regulations (Disallowance) Amendment Act 1992 (1992 No 85)
