

# **Flags, Emblems, and Names Protection Amendment Act 2003**

Public Act 2003 No 73  
Date of assent 21 October 2003

## **Contents**

|  | Page |
|--|------|
| 1 Title  | 1    |
| 2 Commencement   | 2    |
| 3 Interpretation   | 2    |
| 4 Administration of Act  | 2    |
| 5 Use of alternative flags   | 2    |
| 6 Rules relating to flying of New Zealand Flag   | 3    |
| 7 Unauthorised use of words suggesting Royal or<br>government patronage                          | 3    |
| 8 Unauthorised use of name and emblem of United Nations<br>and other international organisations | 3    |

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## **The Parliament of New Zealand enacts as follows:**

### **1 Title**

- (1) This Act is the Flags, Emblems, and Names Protection Amendment Act 2003.
- (2) In this Act, the Flags, Emblems, and Names Protection Act 1981 is called “the principal Act”.

## 2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

## 3 Interpretation

(1) Section 2 of the principal Act is amended by repealing the definition of **Minister**, 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”.

(2) Section 2 of the principal Act is amended by inserting, in the appropriate alphabetical order, the following definition:

“**Ministry** means the department of State that is, with the authority of the Prime Minister, for the time being responsible for the administration of this Act”.

(3) The definition of **registering authority** in section 2 of the principal Act is amended by repealing paragraphs (d) and (k), and substituting, in their appropriate alphabetical order, the following paragraphs:

“(d) the Registrar of Friendly Societies and Credit Unions under the Friendly Societies and Credit Unions Act 1982:

“(k) the Registrar of Unions under the Employment Relations Act 2000;”.

## 4 Administration of Act

(1) Section 4(1) of the principal Act is amended by omitting the words “Department of Internal Affairs”, and substituting the word “Ministry”.

(2) Section 4(2) of the principal Act is amended by omitting the words “Department of Justice”, and substituting the words “Ministry of Justice”.

## 5 Use of alternative flags

Section 9 of the principal Act is amended by repealing subsection (2), and substituting the following subsection:

“(2) The Governor-General may authorise the use of a flag under subsection (1) only on the joint recommendation of the Minister and—

- “(a) the Minister of Defence if subsection (1)(a) applies; or  
“(b) the Minister of Transport if subsection (1)(b) applies.”

**6 Rules relating to flying of New Zealand Flag**

Section 10(1) of the principal Act is amended by omitting the words “of Internal Affairs”.

**7 Unauthorised use of words suggesting Royal or government patronage**

Section 14(4)(a) of the principal Act is amended by repealing subparagraph (v), and substituting the following subparagraph:

- “(v) the Minister if subsection (3)(b) or (c)(iv) applies; or”.

**8 Unauthorised use of name and emblem of United Nations and other international organisations**

Section 16(2) of the principal Act is amended by omitting the words “of Internal Affairs”.

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**Legislative history**

16 October 2003

Divided from Statutes Amendment Bill (No 3),  
third reading.

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