

STATUTORY PUBLICATIONS BILL

EXPLANATORY NOTE

THIS Bill—

- (a) Provides for the printing and publication of—
 - (i) Copies of Acts of Parliament and statutory regulations; and
 - (ii) Reprints of Acts of Parliament and statutory regulations;
- (b) Provides for the disallowance of statutory regulations;
- (c) Ensures that copies of Acts of Parliament, Bills, and statutory regulations are available to the public;
- (d) Repeals the Regulations Act 1936;
- (e) Provides for the Government Printing Office to cease to be a department of the Public Service.

Part II, which relates to regulations, is based on the proposals for a Regulations Bill contained in the Report of the Regulations Review Committee 1986 (I. 16b) and on the Government response of April 1987 to that Report (I. 20).

No. 164—1

Price
incl. GST \$2.00

Right Hon. Geoffrey Palmer

STATUTORY PUBLICATIONS

ANALYSIS

- Title
1. Short Title and commencement
 2. Interpretation
 3. Act to bind the Crown

PART I

ACTS OF PARLIAMENT AND BILLS

4. Publication of copies of Acts of Parliament and reprints of Acts of Parliament
5. Form of copies of Acts of Parliament and reprints of Acts of Parliament
6. Power to designate places where copies of Acts of Parliament, Bills, and regulations may be purchased
7. Sale of copies of Acts of Parliament
8. Gazetting of Acts of Parliament unnecessary

PART II

REGULATIONS

9. Publication of regulations
10. Regulations series
11. Notice of making of regulations
12. Sale of copies of regulations
13. Form of regulations
14. Publishing under this Act sufficient compliance with direction to be published in *Gazette*
15. Printing and publication of certain Proclamations and other instruments
16. Incorporation of amendments in reprints
17. Protection from criminal and civil liability
18. Regulations to stand referred to House of Representatives, etc.
19. Disallowance of regulations
20. Disallowance of regulations made after passing of Act where motion to disallow not disposed of
21. Effect of disallowance
22. Restoration or revival of Acts or regulations

23. Amendment or substitution of regulations by House of Representatives
24. Notice of resolution or motion
25. Power to revoke spent regulations and other instruments
26. Abolition of requirement to lay regulations before House of Representatives
27. Saving in respect of certain Acts
28. Repeals

PART III

AMENDMENTS TO OTHER ACTS

- Amendments to Acts Interpretation Act 1924*
29. General interpretation of terms
 30. Repeal of provision relating to gazetting of Acts
- Amendments to Civil Defence Act 1983*
31. Emergency regulations
 32. Consequential amendment
- Amendments to Customs Act 1966*
33. Orders in Council relating to Customs duties
 34. Repeals
- Amendments to Electoral Act 1956*
35. Indexes of streets and places
 36. Regulations
- Amendments to Evidence Act 1908*
37. New sections substituted
 28. Judicial notice of Acts of Parliament
 - 28A. Judicial notice of regulations
 29. Copy of Act of Parliament, Imperial legislation, and regulations printed as prescribed to be evidence
 - 29A. Copy of reprint of Act to be evidence
 30. Copies of Parliamentary Journals to be evidence
38. Repeals

<p><i>Amendment to Judicature Act 1908</i></p> <p>39. Publication of High Court Rules under Statutory Publications Act 1989</p> <p><i>Amendment to Medical Research Council Act 1950</i></p> <p>40. Annual report to Minister</p> <p><i>Amendments to Ombudsmen Act 1975</i></p> <p>41. House of Representatives may make rules for guidance of Ombudsmen</p> <p>42. Evidence</p> <p>43. Departments to which Ombudsmen Act 1975 applies</p> <p><i>Amendment to Public Finance Act 1977</i></p> <p>44. Revolving funds</p> <p><i>Amendments to Road User Charges Act 1977</i></p> <p>45. Power to alter rates of road user charges by Order in Council</p>	<p>46. Repeal</p> <p><i>Amendment to State Sector Act 1988</i></p> <p>47. Departments of the Public Service</p> <p>48. Transitional provision in relation to Government Printing Office</p> <p><i>Amendment to Tariff Act 1988</i></p> <p>49. Orders in Council relating to Tariff</p> <p><i>Amendment to Transport Act 1962</i></p> <p>50. Amount of excise duty credited to Consolidated Account, and refunds of such duty, may be altered by Order in Council</p> <p><i>Amendments to Veterinary Services Act 1946</i></p> <p>51. Annual report and statement of accounts</p> <p>52. Regulations Schedule</p>
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A BILL INTITULED

An Act—

- (a) To provide for the printing and publication of copies of Acts of Parliament and statutory regulations; and 5
- (b) To provide for the disallowance of statutory regulations; and
- (c) To ensure that copies of Acts of Parliament, Bills, and statutory regulations are available to the public; and 10
- (d) To repeal the Regulations Act 1936; and
- (e) To provide for the Government Printing Office to cease to be a department of the Public Service

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

1. Short Title and commencement—(1) This Act may be cited as the Statutory Publications Act 1989. 15

(2) Except as provided in sections 29 (4), 35 (2), 43 (2), 44 (2), and 47 (2) of this Act, this Act shall come into force on the day on which it receives the Royal assent.

2. Interpretation—In this Act, unless the context otherwise requires,— 20

“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: 25

“Regulations” means—

(a) Regulations, rules, or bylaws made under the authority of any Act—

(i) By the Governor-General in Council; or

5 (ii) By any Minister of the Crown:

(b) Orders in Council, Proclamations, notices, Warrants, and instruments of authority made under any Act by the Governor-General in Council or by any Minister of the Crown which extend or vary the scope or provisions of any Act:

10 (c) Orders in Council bringing into force, or repealing, or suspending any Act or any provisions of any Act:

(d) Rules or regulations made under any Imperial Act or under the prerogative rights of the Crown and having force in New Zealand:

15 (e) Instruments deemed by any Act to be regulations for the purposes of the Regulations Act 1936 or this Act.

Cf. 1936, No. 17, s. 2 (1)

20 **3. Act to bind the Crown**—This Act shall bind the Crown.

PART I

ACTS OF PARLIAMENT AND BILLS

4. Publication of copies of Acts of Parliament and reprints of Acts of Parliament—

25 (1) The Chief Parliamentary Counsel shall, under the control of the Attorney-General, arrange for the printing and publication of—

(a) Copies of every Act enacted by Parliament after the commencement of this section; and

(b) Reprints of Acts of Parliament.

30 (2) Every copy of an Act printed and published pursuant to this section shall state that it is published under the authority of the New Zealand Government.

5. Form of copies of Acts of Parliament and reprints of Acts of Parliament—

35 (1) The Attorney-General may from time to time give directions as to the form in which copies of Acts of Parliament and reprints of Acts of Parliament shall be printed and published under this Act.

40 (2) Directions given under this section may provide for the printing of all or any copies of Acts of Parliament and reprints of Acts of Parliament with the omission of such signatures and formal or introductory parts as the Attorney-General from time to time directs.

6. Power to designate places where copies of Acts of Parliament, Bills, and regulations may be purchased—

(1) The Attorney-General shall from time to time, by notice in the *Gazette*, designate places where copies of—

(a) Acts of Parliament; and 5

(b) Bills that, following their introduction into the House of Representatives, are under consideration by the House of Representatives; and

(c) Regulations,—

shall be available for purchase by members of the public. 10

(2) Notwithstanding subsection (1) of this section, copies to which that subsection applies may be made available for purchase by members of the public not only at the places designated under that subsection but also at other places.

7. Sale of copies of Acts of Parliament—(1) Copies of 15
Acts of Parliament shall be available for purchase by members of the public at the places designated from time to time by the Attorney-General under section 6 (1) of this Act.

(2) On the repeal or expiry of any Act of Parliament, subsection (1) of this section shall cease to apply in relation to 20
that Act of Parliament.

8. Gazetting of Acts of Parliament unnecessary—It shall not be necessary to gazette Acts of Parliament.

PART II

REGULATIONS

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9. Publication of regulations—(1) All regulations made after the commencement of this Act shall, forthwith after they are made, be forwarded to the Chief Parliamentary Counsel.

(2) The Chief Parliamentary Counsel shall, under the control of the Attorney-General, arrange for the printing and 30
publication of copies of all regulations made after the commencement of this section.

(3) The Attorney-General may direct that copies of regulations made before the commencement of this Act shall be printed and published in accordance with this section. 35

(4) Every copy of regulations printed and published pursuant to this section shall state that it is published under the authority of the New Zealand Government.

Cf. 1936, No. 17, s. 3 (1), (2)

10. Regulations series—(1) All copies of regulations printed and published pursuant to **section 9** of this Act shall be identified by a number as part of an annual series of regulations.

5 (2) Any regulations may, without prejudice to any other mode of citation, be cited by the number given to them and by a reference to the year in which copies of them are printed and published.

Cf. 1936, No. 17, s. 3 (3)

11. Notice of making of regulations—The Chief
10 Parliamentary Counsel shall, on each occasion on which copies of regulations are printed and published under **section 9** of this Act, arrange for the publication in the *Gazette* of a notice showing—

- 15 (a) The title of the regulations:
(b) The date on which the regulations were made:
(c) The Act or other authority pursuant to which the regulations were made:
(d) The number allocated to the regulations under **section 10** of this Act:
20 (e) A place at which copies of the regulations may be purchased:
(f) Such other information as the Chief Parliamentary Counsel considers appropriate.

12. Sale of copies of regulations—(1) Copies of
25 regulations printed and published pursuant to **section 9** of this Act shall be available for purchase by members of the public at the places designated from time to time by the Attorney-General under **section 6 (1)** of this Act.

(2) On the revocation or expiry of any regulations, **subsection**
30 **(1)** of this section shall cease to apply in relation to those regulations.

13. Form of regulations—(1) The Attorney-General may from time to time give directions as to the form in which regulations shall be printed and published under this Act.

35 (2) Directions given under this section may provide for the printing of all or any regulations with the omission of such signatures and formal or introductory parts as the Attorney-General from time to time directs.

(3) Notwithstanding anything in **subsection (2)** of this section,
40 there shall, in every case, be printed references to—

- (a) The Act or other authority pursuant to which the regulations were made; and

- (b) The date on which the regulations were made; and
- (c) The date (if any) on which the regulations are expressed to come into force.

Cf. 1936, No. 17, s. 4 (1), (2)

14. Publishing under this Act sufficient compliance with direction to be published in *Gazette*—Where any regulations are required by any Act to be published or notified in the *Gazette*, the publication in the *Gazette* of a notice under **section 11** of this Act which relates to those regulations shall be sufficient compliance with that requirement. 5 10

Cf. 1936, No. 17, s. 6

15. Printing and publication of certain Proclamations and other instruments—(1) Any instrument (being an Order in Council, Proclamation, notice, Warrant, or instrument of authority)— 15

- (a) Which is made under any Act of Parliament or any Imperial Act or any regulation or the prerogative rights of the Crown; but

- (b) Which is not a regulation as defined in **section 2** of this Act,— 20

may, if the Attorney-General or the Chief Parliamentary Counsel so directs, be printed and published in accordance with **section 9** of this Act, as if it were a regulation as so defined.

(2) An instrument shall not by virtue of its printing and publication under this section be a regulation for the purposes of this Act. 25

(3) The provisions of **sections 10, 13, 14, and 16** of this Act shall apply with respect to every instrument that is so printed and published as if it were a regulation as defined in **section 2** of this Act. 30

Cf. 1936, No. 17, s. 6A; 1970, No. 100, s. 2

16. Incorporation of amendments in reprints—(1) Where any regulations have, whether before or after the commencement of this Act, been amended— 35

- (a) By the revocation of any provision; or

- (b) By the substitution, insertion, or addition of any provision; or

- (c) By the revocation or omission of any words or figures; or

- (d) By the substitution of any words or figures in lieu of any revoked or omitted words or figures; or 40

- (e) By the insertion of any words or figures,—

then, in any reprint of the regulations, the regulations shall be printed as so amended.

5 (2) In every such reprint reference shall be made in a footnote or otherwise to the instrument of authority by which each amendment is made.

(3) Before any such reprint is made the Attorney-General shall prepare and certify a copy of the regulations as so amended. The reprint shall be in accordance with the copy so certified and shall contain a statement that it is reprinted under
10 this section.

Cf. 1936, No. 17, s. 7 (1), (2), (3)

17. Protection from criminal and civil liability—Every person shall be—

15 (a) Excused from criminal liability for anything done or omitted to be done in contravention of any regulation; or

(b) Excused from any other liability arising under any regulation,—

20 if, at the relevant time, the regulation had not been printed and published pursuant to the Regulations Act 1936 or this Act and made available for sale to the public or was not otherwise reasonably made known to the public or those likely to be affected by it, and the person did not know of it.

18. Regulations to stand referred to House of Representatives, etc.—All regulations made after the commencement of this Act shall, by virtue of this section, stand referred to—

(a) The House of Representatives; and

30 (b) Any committee of the House of Representatives responsible for the investigation of regulations.

19. Disallowance of regulations—(1) 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
35 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.

40 (2) This section does not apply in relation to any resolution to which **section 23** of this Act applies.

20. Disallowance of regulations made after passing of Act where motion to disallow not disposed of—(1) If, at the expiration of the thirtieth sitting day after the giving of notice of a motion to disallow any regulations made after the passing of this Act, or any provisions of any such regulations, has been given in the House of Representatives,— 5

(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,— 10
the regulations or provisions specified for disallowance in the motion shall thereupon be deemed to have been disallowed.

(2) Where any regulations or provisions specified in a motion are disallowed under **subsection (1)** of this section, the regulations or provisions so disallowed shall cease to have effect on the later of— 15

(a) The expiration of the thirtieth 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. 20

21. Effect of disallowance—Where any regulations or any provisions of any regulations are disallowed under **section 19** of this Act, or are deemed to have been disallowed under **section 20** of this Act, the disallowance of the regulations or provisions shall have the same effect as a revocation of those regulations or provisions. 25

22. 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 19** of this Act or are deemed to have been disallowed under **section 20** of this Act, 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. 30 35

(2) The restoration or revival of an Act or regulation pursuant to **subsection (1)** of this section takes effect on the day on which the regulations or provisions by which it was amended or repealed or revoked ceased to have effect. 40

23. Amendment or substitution of regulations by House of Representatives—Where the House of

Representatives passes a resolution amending any regulations or revoking any regulations and substituting other regulations, the amendment or the revocation and substitution, as the case may be, shall take effect on the later of—

- 5 (a) The twenty-eighth day after the date of the publication of the notice required by **section 24** of this Act; or
 (b) Any date specified in the notice required by **section 24** of this Act as the date on which the amendment or the revocation and substitution, as the case may be, take
 10 effect.

24. Notice of resolution or motion—(1) Where—

- (a) A resolution of the kind described in **section 19** or **section 23** of this Act has been passed; or
 15 (b) Any circumstances of the kind described in **section 20 (1)** of this Act 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.

- 20 (2) The notice forwarded under **subsection (1)** of this section shall show,—
 (a) In the case of a resolution, the date on which it was passed; and
 (b) In the case of a notice of motion,—
 25 (i) The date of the sitting day on which the notice of motion was given; and
 (ii) The date of the thirtieth sitting day after the giving of the notice of motion.
 (3) The Chief Parliamentary Counsel shall arrange for every
 30 notice forwarded under **subsection (1)** of this section to be printed and published under **section 9** of this Act as if it were a regulation.

25. Power to revoke spent regulations and other instruments—(1) The Governor-General may from time to
 35 time, by Order in Council, revoke any regulations or, as the case may require, declare that they shall cease to have effect as part of the law of New Zealand, if the Governor-General in Council is satisfied that they have ceased to have effect or are no longer required.

- 40 (2) This section is in addition to the provisions of any other enactment relating to the revocation of any regulations.

(3) In this section, the term “regulations” includes, in addition to regulations within the meaning of **section 2** of this Act,—

- (a) Any Order in Council or Proclamation; or
- (b) Any notice, Warrant, order, direction, determination, 5
rules, or other instrument of authority—
made or given by the Governor-General or any Minister of the Crown or any person in the service of the Crown, or made or given under any Imperial Act.

Cf. 1936, No. 17, s. 9; 1966, No. 82, s. 2 10

26. Abolition of requirement to lay regulations before House of Representatives—(1) Subject to **subsection (2)** of this section, nothing in any Act made before the passing of this Act shall require any regulations made after the passing of this Act to be laid before the House of Representatives. 15

(2) Nothing in **subsection (1)** of this section applies in relation to—

- (a) Any regulations or Order in Council specified in **section 27** of this Act; or
- (b) Any emergency regulations made under section 79 of the 20
Civil Defence Act 1983; or
- (c) Any regulations made under the United Nations Act 1946;
or
- (d) Any regulations made under the International Energy 25
Agreement Act 1976.

27. Saving in respect of certain Acts—Nothing in **sections 19 to 23** of this Act shall apply in relation to—

- (a) Any regulations made under—
 - (i) The Agriculture (Emergency Powers) Act 1934; 30
or
 - (ii) The Primary Products Marketing Act 1953; or
 - (iii) Section 38AM of the Reserve Bank of New Zealand Act 1964; or
 - (iv) The Petroleum Demand Restraint Act 1981; or
- (b) Any Order in Council made under— 35
 - (i) The Customs Act 1966 and imposing, remitting,
or altering duties of Customs; or
 - (ii) The Tariff Act 1988; or
 - (iii) Section 75c of the War Pensions Act 1954; or
 - (iv) Section 61H of the Social Security Act 1964; or 40
 - (v) **Section 20** of the Road User Charges Act 1977; or
 - (vi) Section 191 of the Transport Act 1962.

28. Repeals—The enactments specified in the Schedule to this Act are hereby repealed.

PART III

AMENDMENTS TO OTHER ACTS

5 *Amendments to Acts Interpretation Act 1924*

29. General interpretation of terms—(1) Section 4 of the Acts Interpretation Act 1924 is hereby amended by repealing the definition of the term “Government Printer” (as amended by section 2 of the Acts Interpretation Amendment Act 1986).

10 (2) Section 4 of the Acts Interpretation Act 1924 is hereby amended by repealing the definition of the term “regulations”, and substituting the following definition:

“‘Regulations’ has the meaning given to that term by section 2 of the Statutory Publications Act 1989.”

15 (3) The Acts Interpretation Amendment Act 1986 is hereby consequentially amended by repealing so much of the Schedule as relates to the definition of the term “Government Printer” in section 4 of the Acts Interpretation Act 1924.

20 (4) **Subsections (1) and (3)** of this section shall come into force on a date to be appointed by the Governor-General by Order in Council.

30. Repeal of provision relating to gazetting of Acts—Section 13 of the Acts Interpretation Act 1924 is hereby repealed.

25 *Amendments to Civil Defence Act 1983*

31. Emergency regulations—Section 79 of the Civil Defence Act 1983 is hereby amended by repealing subsection (8) (as substituted by section 27 of the Constitution Act 1986), and substituting the following subsections:

30 “(7A) All regulations made under this section shall be laid before the House of Representatives not later than the sixteenth sitting day of the House of Representatives after the day on which they are made.

“(8) Where—

35 “(a) Any regulations made under this section have been laid before the House of Representatives in accordance with subsection (7A) of this section; or

“(b) Parliament has met in accordance with section 49 (2) of this Act or the House of Representatives has met in accordance with section 49 (3) of this Act or the House of Representatives is otherwise sitting, and

40

any regulations made under this section are in force,—
the House of Representatives may, by resolution, amend or revoke any regulations made under this section.”

32. Consequential amendment—The Constitution Act 1986 is hereby consequentially amended by repealing so much of the First Schedule as relates to section 78 of the Civil Defence Act 1983. 5

Amendments to Customs Act 1966

33. Orders in Council relating to Customs duties—The Customs Act 1966 is hereby amended by repealing section 131, and substituting the following section: 10

“131. (1) Every Order in Council under this Act imposing, remitting, or altering duties of Customs shall have effect according to its tenor. 15

“(2) Every Order in Council to which **subsection (1)** of this section applies shall be laid before the House of Representatives not later than the sixteenth sitting day of the House of Representatives after the day on which it is made.

“(3) Every Order in Council made under section 124A or section 125A of this Act shall,— 20

“(a) Where the Order in Council is made on or before the 30th day of June in any year, expire on the close of the 31st day of December of that year except so far as it is expressly validated or confirmed by Act of Parliament passed during that year; and 25

“(b) Where the Order in Council is made on or after the 1st day of July in any year, expire on the close of the 31st day of December in the following year except so far as it is expressly validated or confirmed by Act of Parliament passed before the end of that following year. 30

“(4) If any Order in Council or any provision of any Order in Council expires by virtue of **subsection (3)** of this section, any duty collected under that Order in Council or provision in excess of the duty otherwise payable shall, except so far as any other provision is made by an Act of Parliament in respect thereof, be refunded. 35

“(5) If the House of Representatives resolves that any Order in Council (other than an Order in Council made under section 124A or section 125A of this Act) laid before it pursuant to **subsection (2)** of this section should be revoked or varied, it shall 40

thereupon be revoked or varied in accordance with the terms of the resolution, and any duty collected thereunder in excess of the duty otherwise payable shall, so far as such resolution provides, be refunded.

- 5 “(6) The repeal of any Act of Parliament passed for the purpose of expressly validating or confirming any Orders in Council pursuant to **subsection (3)** of this section shall not, unless there is any express provision to the contrary, affect the validity or confirmation of those Orders in Council.”

- 10 **34. Repeals**—The following enactments are hereby consequentially repealed:

- (a) Section 5 of the Customs Amendment Act 1973:
- (b) Subsections (1) and (2) of section 26 of the Customs Acts Amendment Act (No. 2) 1977:
- 15 (c) Section 8 of the Customs Acts Amendment Act 1985:
- (d) So much of the First Schedule to the Constitution Act 1986 as relates to section 131 of the Customs Act 1966.

Amendments to Electoral Act 1956

- 20 **35. Indexes of streets and places**—(1) Section 20A of the Electoral Act 1956 (as substituted by section 7 (1) of the Electoral Amendment Act 1981) is hereby amended by repealing subsection (4).

- (2) This section shall come into force on a date to be
25 appointed by the Governor-General by Order in Council.

36. Regulations—Section 188 (3) of the Electoral Act 1956 is hereby repealed.

Amendments to Evidence Act 1908

- 30 **37. New sections substituted**—The Evidence Act 1908 is hereby amended by repealing section 28 (as amended by section 2 of the Evidence Amendment Act 1972), section 29 (as substituted by section 3 of the Evidence Amendment Act 1988), and section 30, and substituting the following sections:

- 35 “28. **Judicial notice of Acts of Parliament**—Judicial notice shall be taken by all Courts and persons acting judicially of all Acts of Parliament.

“28A. **Judicial notice of regulations**—(1) Judicial notice shall be taken by all Courts and persons acting judicially of all regulations.

“(2) In subsection (1) of this section and in section 29 (3) of this Act, the term ‘regulations’ has the same meaning as in section 2 of the Statutory Publications Act 1989; and includes any instrument that has, pursuant to section 6A of the Regulations Act 1936 or section 15 of the Statutory Regulations Act 1989, been printed or published as if it were a regulation. 5

“29. Copy of Act of Parliament, Imperial legislation, and regulations printed as prescribed to be evidence—

(1) Every copy of any Act of Parliament or of any Imperial enactment or any Imperial subordinate legislation (as defined in section 2 of the Imperial Laws Application Act 1988), being a copy purporting to be printed or published (whether before or after the commencement of this section) under the authority of the New Zealand Government shall, unless the contrary is proved, be deemed— 10 15

“(a) To be a correct copy of that Act of Parliament, enactment, or legislation; and

“(b) To have been so printed or published.

“(2) Every copy of any Imperial enactment or Imperial subordinate legislation (as so defined), being a copy purporting to be printed (whether before or after the commencement of this section) by the Queen’s or King’s Printer or under the superintendence or authority of Her Majesty’s Stationery Office in the United Kingdom, shall, unless the contrary is proved, be deemed— 20 25

“(a) To be a correct copy of that enactment or legislation; and

“(b) To have been so printed.

“(3) Every copy of any regulations (as defined in section 28A (2) of this Act) purporting to be printed whether before or after the commencement of this section under the authority of the New Zealand Government shall, unless the contrary is proved, be deemed— 30

“(a) To be a correct copy of those regulations; and

“(b) To have been so printed or published; and 35

“(c) To be evidence that the regulations were notified in the *Gazette* on the date printed on that copy as the date of their notification in the *Gazette*.

“29A. Copy of reprint of Act to be evidence—Every copy of a reprint of any Act, being a copy purporting to be printed or published (whether before or after the commencement of this section) under the authority of the New Zealand Government, shall, unless the contrary is proved, either by the 40

production of the official volume of statutes in which the Act was originally contained or otherwise, be deemed—

- 5 “(a) To be a copy of a reprint that correctly expresses and sets forth, as at the date at which it is expressed to be reprinted, the law enacted by that Act and the amendments thereof, if any; and
- “(b) To have been so printed or published.

“30. Copies of Parliamentary Journals to be evidence—

10 All copies of the Journals of the Legislative Council or the House of Representatives, purporting to be printed by the Government Printer or published by order of the House of Representatives, shall be admitted as evidence thereof by all Courts and persons acting judicially, without proof being given that such copies were so printed or published.”

15 **38. Repeals—**The following enactments are hereby consequentially repealed:

- (a) Section 2 of the Evidence Amendment Act 1972;
 (b) Section 3 of the Evidence Amendment Act 1988.

Amendment to Judicature Act 1908

20 **39. Publication of High Court Rules under Statutory Publications Act 1989—**The Judicature Act 1908 is hereby amended by repealing section 51A (as enacted by section 4 of the Judicature Amendment Act (No. 2) 1985), and substituting the following section:

25 “51A. (1) The High Court Rules may be printed and published under the Statutory Publications Act 1989 as if they were regulations within the meaning of that Act.

30 “(2) The Attorney-General may give directions as to the form in which the High Court Rules may be printed and published under the Statutory Publications Act 1989.

“(3) Directions given under this section may provide for the printing of the High Court Rules with the omission of such formal or introductory parts as the Attorney-General from time to time directs.

35 “(4) Every copy of the High Court Rules which is printed pursuant to the Statutory Publications Act 1989 shall be evidence of those rules and their contents; and every copy of those rules purporting to be so printed shall be deemed to be so printed unless the contrary is proved.

40 “(5) Section 16 of the Statutory Publications Act 1989 shall, with all necessary modifications, apply to the High Court Rules as if they were regulations within the meaning of that Act.”

Amendment to Medical Research Council Act 1950

40. Annual report to Minister—Section 23 of the Medical Research Council Act 1950 is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) A copy of the report and of the accounts so certified shall be laid before the House of Representatives within 28 days after the receipt thereof by the Minister if Parliament is then in session, and, if not, shall be laid before the House of Representatives within 28 days after the commencement of the next ensuing session.”

Amendments to Ombudsmen Act 1975

41. House of Representatives may make rules for guidance of Ombudsmen—Section 15 (3) of the Ombudsmen Act 1975 is hereby amended by omitting the words “Regulations Act 1936”, and substituting the words “Statutory Publications Act 1989”.

42. Evidence—Section 19 (3) of the Ombudsmen Act 1975 is hereby amended by omitting the words “Regulations Act 1936”, and substituting the words “Statutory Publications Act 1989”.

43. Departments to which Ombudsmen Act 1975 applies—(1) The Ombudsmen Act 1975 is hereby amended by omitting from Part I of the First Schedule the words “The Government Printing Office”.
(2) This section shall come into force on a date to be appointed by the Governor-General by Order in Council.

Amendment to Public Finance Act 1977

44. Revolving funds—(1) The Public Finance Act 1977 is hereby amended by omitting from the Fifth Schedule (as substituted by section 10 of the Public Finance Amendment Act 1986) the item relating to the “Government Printing Office”.

(2) This section shall come into force on a date to be appointed by the Governor-General by Order in Council.

Amendments to Road User Charges Act 1977

45. Power to alter rates of road user charges by Order in Council—The Road User Charges Act 1977 is hereby amended by repealing section 20, and substituting the following section:

“20. (1) The Governor-General may from to time, by Order in Council, reduce or increase any or all of the rates of road user charges specified in the Third Schedule to this Act.

5 “(2) Every Order in Council made under this section shall be laid before the House of Representatives not later than the sixteenth sitting day of the House of Representatives after the day on which it is made.

“(3) Every Order in Council made under this section shall,—

10 “(a) Where the Order in Council is made on or before the 30th day of June in any year, expire on the close of the 31st day of December of that year except so far as it is expressly validated or confirmed by Act of Parliament passed during that year; and

15 “(b) Where the Order in Council is made on or after the 1st day of July in any year, expire on the close of the 31st day of December in the following year except so far as it is expressly validated or confirmed by Act of Parliament passed before the end of that following year.

20 “(4) If any Order in Council or any provision of any Order in Council expires by virtue of **subsection (3)** of this section, the road user charge rate or rates altered by that Order in Council or provision shall, from the expiry of that Order in Council or provision and until it is or they are again altered, be the same

25 as it was or they were immediately before that Order in Council or provision came into force.

“(5) If any Order in Council or any provision of any Order in Council expires by virtue of **subsection (3)** of this section, any charges collected under that Order in Council or provision in

30 excess of the charges otherwise payable shall, except so far as any other provision is made by an Act of Parliament in respect thereof, be refunded upon application made to the chief executive.

“(6) Every application under **subsection (5)** of this section shall

35 be in a form provided for the purpose by the chief executive, and shall contain such information as the chief executive considers necessary to enable the refund to be made in accordance with this section.

“(7) The repeal of any Act of Parliament passed for the

40 purpose of expressly validating or confirming any Orders in Council pursuant to **subsection (3)** of this section shall not, unless there is any express provision to the contrary, affect the validity or confirmation of those Orders in Council.”

46. Repeal—Section 12 of the Road User Charges Amendment Act 1986 is hereby consequentially repealed.

Amendment to State Sector Act 1988

47. Departments of the Public Service—(1) The State Sector Act 1988 is hereby amended by omitting from the First Schedule the words “Government Printing Office”. 5

(2) This section shall come into force on a date to be appointed by the Governor-General by Order in Council.

48. Transitional provision in relation to Government Printing Office—Notwithstanding that the Government Printing Office will cease to be a department of the Public Service under the State Sector Act 1988 as from the date of the commencement of section 47 of this Act,— 10

(a) The agreement covering the employees of the Government Printing Office registered with the Arbitration Commission and in effect immediately before that date; and 15

(b) The union coverage arrangement that prevailed immediately before that date,—

shall, for the period of 12 months beginning with the date of the commencement of section 47 of this Act, continue to apply to persons employed on work that was previously covered by that agreement or by that union coverage arrangement. 20

Amendment to Tariff Act 1988

49. Orders in Council relating to Tariff—The Tariff Act 1988 is hereby amended by repealing section 11, and substituting the following section: 25

“11. (1) Every Order in Council made under this Act shall be laid before the House of Representatives not later than the sixteenth sitting day of the House of Representatives after the day on which it is made. 30

“(2) Every Order in Council made under section 9 of this Act shall expire on the close of the 31st day of December in the year following the year during which it was laid pursuant to subsection (1) of this section, except so far as it is expressly validated and confirmed by an Act of Parliament passed before that date. 35

“(3) If any Order in Council or any provision of any Order in Council expires by virtue of subsection (2) of this section, any duty collected under that Order in Council shall, except so far as any other provision is made by an Act of Parliament in respect thereof, be refunded. 40

“**(4)** If the House of Representatives resolves that any Order in Council made under this Act (other than an Order in Council made under section 9 of this Act) laid before it pursuant to **subsection (1)** of this section should be revoked or varied it shall thereupon be revoked or varied in accordance with the terms of the resolution, and any duty payable shall, so far as such resolution provides, be refunded.

“**(5)** The repeal of any Act of Parliament passed for the purpose of expressly validating or confirming any Orders in Council pursuant to **subsection (2)** of this section shall not, unless there is any express provision to the contrary, affect the validity or confirmation of those Orders in Council.

“**(6)** Any Order in Council made under section 124 of the Customs Act 1966 may be validated and confirmed, as if that Order in Council had been made under section 9 of this Act.”

Amendment to Transport Act 1962

50. Amount of excise duty credited to Consolidated Account, and refunds of such duty, may be altered by Order in Council—The Transport Act 1962 is hereby amended by repealing subsections (3) and (4) of section 191 (as substituted by section 2 of the Transport Amendment Act 1986), and substituting the following subsections:

“**(3)** Every Order in Council made under this section shall be laid before the House of Representatives not later than the sixteenth sitting day of the House of Representatives after the day on which it is made.

“**(4)** Every Order in Council made under this section and laid before the House of Representatives pursuant to this section shall—

“**(a)** Where the Order in Council is made on or before the 30th day of June in any year, expire with the close of the 31st day of December of that year except so far as it is expressly validated or confirmed by an Act of Parliament passed during that year; and

“**(b)** Where the Order in Council is made on or after the 1st day of July in any year, expire on the close of the 31st day of December in the following year except so far as it is expressly validated or confirmed by an Act of Parliament passed before the end of that following year.

“**(5)** If any Order in Council or any provision of any Order in Council expires by virtue of **subsection (4)** of this section, the amount or amounts altered by that Order in Council or provision shall, from the expiry of that Order in Council or

provision and until it is or they are again altered, be the same as it was or they were immediately before the Order in Council or provision came into force.”

Amendments to Veterinary Services Act 1946

51. Annual report and statement of accounts—Section 30 (2) of the Veterinary Services Act 1946 is hereby amended by omitting the word “Parliament”, and substituting the words “the House of Representatives”. 5

52. Regulations—Section 31 (2) of the Veterinary Services Act 1946 is hereby repealed. 10

Section 28

SCHEDULE

ENACTMENTS REPEALED

- 1908, No. 40—The Deeds Registration Act 1908: Section 53 (4). (R.S. Vol. 6, pp. 89, 108.)
- 1908, No. 81—The Industrial and Provident Societies Act 1908: Section 22 (2). (R.S. Vol. 7, pp. 407, 436.)
- 1928, No. 29—The Auctioneers Act 1928: Section 43 (2). (R.S. Vol. 1, pp. 245, 263.)
- 1934–35, No. 45—The Maori Purposes Fund Act 1934–35: Section 15 (2). (R.S. Vol. 8, pp. 595, 605.)
- 1936, No. 17—The Regulations Act 1936. (R.S. Vol. 10, p. 723.)
- 1936, No. 33—The Mortgagors and Lessees Rehabilitation Act 1936: Section 83 (3). (R.S. Vol. 10, pp. 171, 215.)
- 1941, No. 12—The Soil Conservation and Rivers Control Act 1941: Section 167. (R.S. Vol. 17, pp. 607, 735.)
- 1941, No. 25—The Rehabilitation Act 1941: Section 19 (4). (R.S. Vol. 10, pp. 729, 743.)
- 1944, No. 16—The Clerks of Works Act 1944: Section 47 (3). (R.S. Vol. 14, pp. 13, 32.)
- 1946, No. 3—The New Zealand Geographic Fund Board Act 1946: Section 19 (3). (R.S. Vol. 10, pp. 483, 490.)
- 1946, No. 6—The Stock Foods Act 1946: Section 24 (3). (R.S. Vol. 11, pp. 413, 425.)
- 1948, No. 36—The Tuberculosis Act 1948: Section 30 (3). (R.S. Vol. 11, pp. 693, 715.)
- 1948, No. 50—The Land Valuation Proceedings Act 1948: Section 40 (2). (R.S. Vol. 17, pp. 241, 259.)
- 1948, No. 63—The Valuers Act 1948: Section 44 (3). (R.S. Vol. 11, pp. 723, 744.)
- 1948, No. 64—The Land Act 1948: Section 184 (3). (R.S. Vol. 23, pp. 559, 709.)
- 1949, No. 19—The Forests Act 1949: Section 72 (2). (R.S. Vol. 23, pp. 473, 493.)
- 1950, No. 53—The Boilers, Lifts, and Cranes Act 1950: Section 58 (3). (R.S. Vol. 1, pp. 377, 405.)
- 1951, No. 22—The Births and Deaths Registration Act 1951: Section 45 (2). (R.S. Vol. 1, pp. 333, 364.)
- 1951, No. 79—The Fees and Travelling Allowances Act 1951: Section 9 (3). (R.S. Vol. 6, pp. 403, 406.)
- 1952, No. 34—The Land Settlement Promotion and Land Acquisition Act 1952: Section 42 (2). (R.S. Vol. 3, pp. 139, 180.)
- 1952, No. 49—The Shipping and Seamen Act 1952: Section 504 (2). (R.S. Vol. 4, pp. 275, 775.)
- 1952, No. 52—The Land Transfer Act 1952: Section 236 (2). (R.S. Vol. 22, pp. 531, 647.)
- 1953, No. 7—The Ministry of Agriculture and Fisheries Act 1953: Section 15 (3). (R.S. Vol. 18, pp. 509, 517.)
- 1953, No. 20—The Royal New Zealand Institute of Horticulture Act 1953: Section 7 (2). (R.S. Vol. 10, pp. 931, 934.)

SCHEDULE—*continued*ENACTMENTS REPEALED—*continued*

- 1953, No. 31—The Wildlife Act 1953: Section 72 (5). (R.S. Vol. 7, pp. 819, 892.)
- 1953, No. 64—The Patents Act 1953: Section 114 (3). (R.S. Vol. 10, pp. 563, 659.)
- 1953, No. 65—The Designs Act 1953: Section 46 (3). (R.S. Vol. 6, pp. 111, 145.)
- 1953, No. 66—The Trade Marks Act 1953: Section 85 (3). (R.S. Vol. 11, pp. 563, 618.)
- 1953, No. 68—The Orchard Levy Act 1953: Section 9 (2). (R.S. Vol. 10, pp. 533, 536.)
- 1953, No. 95—The Maori Trustee Act 1953: Section 52 (2). (R.S. Vol. 3, pp. 393, 433.)
- 1954, No. 51—The Penal Institutions Act 1954: Section 45 (4). (R.S. Vol. 18, pp. 557, 589.)
- 1954, No. 54—The War Pensions Act 1954: Section 96 (3). (R.S. Vol. 15, pp. 725, 801.)
- 1954, No. 60—The Maori Vested Lands Administration Act 1954: Section 76 (2). (R.S. Vol. 8, pp. 725, 762.)
- 1955, No. 23—The Mutual Insurance Act 1955: Section 44 (4). (R.S. Vol. 10, pp. 247, 279.)
- 1955, No. 37—The Maori Trust Boards Act 1955: Section 56 (4). (R.S. Vol. 8, pp. 683, 716.)
- 1955, No. 51—The Housing Act 1955: Section 40 (3). (R.S. Vol. 7, pp. 297, 324.)
- 1955, No. 63—The Companies Act 1955: Section 470 (4). (R.S. Vol. 15, pp. 89, 432.)
- 1955, No. 93—The Adoption Act 1955: Section 28 (2). (R.S. Vol. 1, pp. 35, 61.)
- 1955, No. 108—The Impounding Act 1955: Section 67 (2). (R.S. Vol. 7, pp. 339, 367.)
- 1956, No. 22—The Veterinary Surgeons Act 1956: Section 34 (2). (R.S. Vol. 11, pp. 781, 802.)
- 1956, No. 47—The Government Superannuation Fund Act 1956: Section 97 (3). (R.S. Vol. 21, pp. 209, 416.)
- 1956, No. 65—The Health Act 1956: Section 122 (5). (R.S. Vol. 19, pp. 493, 588.)
- 1957, No. 13—The Archives Act 1957: Section 25 (3). (R.S. Vol. 1, pp. 127, 142.)
- 1957, No. 18—The Charitable Trusts Act 1957: Section 62 (2). (R.S. Vol. 1, pp. 441, 476.)
- 1957, No. 19—The Explosives Act 1957: Section 62 (3). (R.S. Vol. 6, pp. 361, 395.)
- 1957, No. 87—The Summary Proceedings Act 1957: Section 212 (3). (R.S. Vol. 9, pp. 583, 720.)
- 1957, No. 100—The Vegetables Levy Act 1957: Section 6 (2). (R.S. Vol. 11, pp. 749, 755.)
- 1958, No. 109—The Police Act 1958: Section 64 (4). (R.S. Vol. 17, pp. 537, 582.)

SCHEDULE—*continued*

ENACTMENTS REPEALED—*continued*

- 1960, No. 30—The Animals Protection Act 1960: Section 20 (3). (R.S. Vol. 6, pp. 1, 17.)
- 1960, No. 33—The Fertilisers Act 1960: Section 36 (3). (R.S. Vol. 19, pp. 335, 354.)
- 1960, No. 99—The Unit Trusts Act 1960: Section 28 (3). (R.S. Vol. 10, pp. 953, 968.)
- 1961, No. 5—The Dairy Board Act 1961: Section 69 (5). (Reprinted 1976, Vol. 4, pp. 3337, 3383.)
- 1961, No. 43—The Crimes Act 1961: Section 410 (3). (R.S. Vol. 1, pp. 635, 818.)
- 1961, No. 70—The Engineering Associates Act 1961: Section 35 (3). (R.S. Vol. 6, pp. 325, 341.)
- 1966, No. 82—The Regulations Amendment Act 1966. (R.S. Vol. 10, p. 727.)
- 1970, No. 100—The Regulations Amendment Act 1970. (R.S. Vol. 10, p. 728.)