



ANALYSIS

Title	1. Short Title 2. Law officers' powers
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1979, No. 71

An Act to amend the Acts Interpretation Act 1924

[13 December 1979]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Acts Interpretation Amendment Act 1979, and shall be read together with and deemed part of the Acts Interpretation Act 1924 (hereinafter referred to as the principal Act).

2. Law officers' powers—The principal Act is hereby amended by inserting, after section 25A (as inserted by section 2 (1) of the Acts Interpretation Amendment Act 1973), the following section:

“25B. (1) Where the Governor-General is satisfied that the Solicitor-General is or will be absent from New Zealand or is incapacitated by illness or other sufficient cause from performing the duties of the office of Solicitor-General, the Governor-General may appoint a barrister or solicitor, who is of not less than 7 years' practice and who holds office as a Crown Counsel, to act for the Solicitor-General during the absence or incapacity of the Solicitor-General.

“(2) Where a vacancy occurs in the office of Solicitor-General, the Governor-General may appoint a barrister or solicitor, who is of not less than 7 years' practice and who

holds office as a Crown Counsel, to act in the place of the Solicitor-General until the vacancy is filled.

“(3) A person appointed under subsection (1) or subsection (2) of this section may, for the duration of the absence or incapacity or vacancy in respect of which the person is appointed, exercise or perform any power, duty, authority, or function imposed upon, or vested solely in, the Solicitor-General as Solicitor-General.

“(4) Notwithstanding any Act, rule, or law to the contrary, but subject to subsection (9) of this section, the Attorney-General may from time to time, by writing under the hand of the Attorney-General, delegate to a person appointed under subsection (1) or subsection (2) of this section the exercise and performance of any power, duty, authority, or function imposed upon or vested in the Attorney-General as Attorney-General.

“(5) Every delegation under subsection (4) of this section shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Attorney-General.

“(6) Any such delegation may be made subject to such restrictions and conditions as the Attorney-General thinks fit, and may be made either generally or in relation to any particular case.

“(7) The fact that a person, purporting to act pursuant to an appointment under subsection (1) or subsection (2) of this section or pursuant to both such an appointment and a delegation under subsection (4) of this section, exercises or performs any power, duty, authority, or function imposed upon or vested in the Solicitor-General as Solicitor-General or the Attorney-General as Attorney-General, shall, in the absence of proof to the contrary, be sufficient evidence that the person has been authorised to do so by such an appointment or by both such an appointment and such a delegation.

“(8) Where the signature of a person appointed under subsection (1) or subsection (2) of this section is attached or appended to an official document, all Courts and persons acting judicially shall take judicial notice of that signature.

“(9) No delegation under subsection (4) of this section shall relate to any power, duty, authority, or function imposed on or vested in the Attorney-General by the Statutes Drafting and Compilation Act 1920.”