



ANALYSIS

<p>Title</p> <p>1. Short Title and commencement</p> <p style="text-align: center;">PART I</p> <p style="text-align: center;">THE SOVEREIGN</p> <p>2. Head of State</p> <p>3. Exercise of royal powers by the Sovereign or the Governor-General</p> <p>4. Regency</p> <p>5. Demise of the Crown</p> <p style="text-align: center;">PART II</p> <p style="text-align: center;">THE EXECUTIVE</p> <p>6. Ministers of Crown to be members of Parliament</p> <p>7. Power of member of Executive Council to exercise Minister's powers</p> <p>8. Appointment of Parliamentary Under-Secretaries</p> <p>9. Functions of Parliamentary Under-Secretaries</p> <p style="text-align: center;">PART III</p> <p style="text-align: center;">THE LEGISLATURE</p> <p style="text-align: center;"><i>The House of Representatives</i></p> <p>10. House of Representatives</p> <p>11. Oath of allegiance to be taken by members of Parliament</p> <p>12. Election of Speaker</p> <p>13. Speaker to continue in office notwithstanding dissolution or expiration of Parliament</p>	<p style="text-align: right;"><i>Parliament</i></p> <p>14. Parliament</p> <p>15. Power of Parliament to make laws</p> <p>16. Royal assent to Bills</p> <p>17. Term of Parliament</p> <p>18. Summoning, proroguing, and dissolution of Parliament</p> <p>19. First meeting of Parliament after general election</p> <p>20. Carrying over of Parliamentary business</p> <p style="text-align: right;"><i>Parliament and Public Finance</i></p> <p>21. Bills appropriating public money</p> <p>22. Parliamentary control of public finance</p> <p style="text-align: center;">PART IV</p> <p style="text-align: center;">THE JUDICIARY</p> <p>23. Protection of Judges against removal from office</p> <p>24. Salaries of Judges not to be reduced</p> <p style="text-align: center;">PART V</p> <p style="text-align: center;">MISCELLANEOUS PROVISIONS</p> <p>25. General Assembly Library to be known as the Parliamentary Library</p> <p>26. United Kingdom enactments ceasing to have effect as part of the law of New Zealand</p> <p>27. Consequential amendments to other enactments</p> <p>28. Repeals</p> <p>29. Transitional and consequential provisions relating to Parliament Schedules</p>
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1986, No. 114

An Act to reform the constitutional law of New Zealand, to bring together into one enactment certain provisions of constitutional significance, and to provide that the New Zealand Constitution Act 1852 of the Parliament of the United Kingdom shall cease to have effect as part of the law of New Zealand

[13 December 1986

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 and commencement—(1) This Act may be cited as the Constitution Act 1986.

(2) This Act shall come into force on the 1st day of January 1987.

PART I

THE SOVEREIGN

2. Head of State—(1) The Sovereign in right of New Zealand is the head of State of New Zealand, and shall be known by the royal style and titles proclaimed from time to time.

(2) The Governor-General appointed by the Sovereign is the Sovereign's representative in New Zealand.

3. Exercise of royal powers by the Sovereign or the Governor-General—(1) Every power conferred on the Governor-General by or under any Act is a royal power which is exercisable by the Governor-General on behalf of the Sovereign, and may accordingly be exercised either by the Sovereign in person or by the Governor-General.

(2) Every reference in any Act to the Governor-General in Council or any other like expression includes a reference to the Sovereign acting by and with the advice and consent of the Executive Council.

Cf. 1983, No. 20, s. 3

4. Regency—(1) Where, under the law of the United Kingdom, the royal functions are being performed in the name and on behalf of the Sovereign by a Regent, the royal functions of the Sovereign in right of New Zealand shall be performed in the name and on behalf of the Sovereign by that Regent.

(2) Nothing in subsection (1) of this section limits, in relation to any power of the Sovereign in right of New Zealand, the authority of the Governor-General to exercise that power.

Cf. 1983, No. 20, s. 4

5. Demise of the Crown—(1) The death of the Sovereign shall have the effect of transferring all the functions, duties, powers, authorities, rights, privileges, and dignities belonging

to the Crown to the Sovereign's successor, as determined in accordance with the enactment of the Parliament of England intituled The Act of Settlement (12 & 13 Will. 3, c. 2) and any other law relating to the succession to the Throne, but shall otherwise have no effect in law for any purpose.

(2) Every reference to the Sovereign in any document or instrument in force on or after the commencement of this Act shall, unless the context otherwise requires, be deemed to include a reference to the Sovereign's heirs and successors.

Cf. 1908, No. 42

PART II

THE EXECUTIVE

6. Ministers of Crown to be members of Parliament—

(1) A person may be appointed and may hold office as a member of the Executive Council or as a Minister of the Crown only if that person is a member of Parliament.

(2) Notwithstanding subsection (1) of this section,—

(a) A person who is not a member of Parliament may be appointed and may hold office as a member of the Executive Council or as a Minister of the Crown if that person was a candidate for election at the general election of members of the House of Representatives held immediately preceding that person's appointment as a member of the Executive Council or as a Minister of the Crown but shall vacate office at the expiration of the period of 40 days beginning with the date of the appointment unless, within that period, that person becomes a member of Parliament; and

(b) Where a person who holds office both as a member of Parliament and as a member of the Executive Council or as a Minister of the Crown ceases to be a member of Parliament, that person may continue to hold office as a member of the Executive Council or as a Minister of the Crown until the expiration of the 28th day after the day on which that person ceases to be a member of Parliament.

Cf. 1979, No. 33, s. 9

7. Power of member of Executive Council to exercise Minister's powers—Any function, duty, or power exercisable by or conferred on any Minister of the Crown (by whatever designation that Minister is known) may, unless the context

otherwise requires, be exercised or performed by any member of the Executive Council.

Cf. 1924, No. 11, s. 25 (e)

8. Appointment of Parliamentary Under-Secretaries—

(1) The Governor-General may from time to time, by warrant under the Governor-General's hand, appoint any member of Parliament to be a Parliamentary Under-Secretary in relation to such Ministerial office or offices as are specified in that behalf in the warrant of appointment.

(2) A Parliamentary Under-Secretary shall hold office as such during the pleasure of the Governor-General, but shall in every case vacate that office within 28 days of ceasing to be a member of Parliament.

Cf. 1979, No. 33, ss. 11, 12; 1985, No. 48, s. 5

9. Functions of Parliamentary Under-Secretaries—(1) A Parliamentary Under-Secretary holding office as such in respect of any Ministerial office shall have and may exercise or perform under the direction of the Minister concerned such of the functions, duties, and powers of the Minister of the Crown for the time being holding that office as may from time to time be assigned to the Parliamentary Under-Secretary by that Minister.

(2) Nothing in subsection (1) of this section limits the authority of any Minister of the Crown to exercise or perform personally any function, duty, or power.

(3) The fact that any person holding office as a Parliamentary Under-Secretary in respect of any Ministerial office purports to exercise or perform any function, duty, or power of the Minister concerned shall be conclusive evidence of that person's authority to do so.

Cf. 1979, No. 33, s. 14

PART III

THE LEGISLATURE

The House of Representatives

10. House of Representatives—(1) There shall continue to be a House of Representatives for New Zealand.

(2) The House of Representatives is the same body as the House of Representatives referred to in section 32 of the New Zealand Constitution Act 1852 of the Parliament of the United Kingdom.

(3) The House of Representatives shall be regarded as always in existence, notwithstanding that Parliament has been dissolved or has expired.

(4) The House of Representatives shall have as its members those persons who are elected from time to time in accordance with the provisions of the Electoral Act 1956, and who shall be known as "members of Parliament".

Cf. 1956, No. 107, ss. 11, 13; 1975, No. 28, s. 4

11. Oath of allegiance to be taken by members of Parliament—A member of Parliament shall not be permitted to sit or vote in the House of Representatives until that member has taken the Oath of Allegiance in the form prescribed in section 17 of the Oaths and Declarations Act 1957.

Cf. New Zealand Constitution Act 1852, s. 46 (U.K.); 1950, No. 3, s. 2 (4)

12. Election of Speaker—The House of Representatives shall, at its first meeting after any general election of its members, and immediately on its first meeting after any vacancy occurs in the office of Speaker, choose one of its members as its Speaker, and every such choice shall be effective on being confirmed by the Governor-General.

Cf. 1956, No. 107, s. 14

13. Speaker to continue in office notwithstanding dissolution or expiration of Parliament—A person who is in office as Speaker immediately before the dissolution or expiration of Parliament shall, notwithstanding that dissolution or expiration, continue in office until the close of polling day at the next general election unless that person sooner vacates office as Speaker.

Parliament

14. Parliament—(1) There shall be a Parliament of New Zealand, which shall consist of the Sovereign in right of New Zealand and the House of Representatives.

(2) The Parliament of New Zealand is the same body as that which before the commencement of this Act was called the General Assembly (as established by section 32 of the New Zealand Constitution Act 1852 of the Parliament of the United Kingdom) and which consisted of the Governor-General and the House of Representatives.

Cf. New Zealand Constitution Act 1852, s. 32 (U.K.); 1950, No. 3, s. 2 (2)

15. Power of Parliament to make laws—(1) The Parliament of New Zealand continues to have full power to make laws.

(2) No Act of the Parliament of the United Kingdom passed after the commencement of this Act shall extend to New Zealand as part of its law.

Cf. New Zealand Constitution Act 1852, s. 53 (U.K.); 1973, No. 114, s. 2; Canada Act 1982, s. 2 (U.K.); Australia Act 1986, s. 1 (Commonwealth)

16. Royal assent to Bills—A Bill passed by the House of Representatives shall become law when the Sovereign or the Governor-General assents to it and signs it in token of such assent.

Cf. New Zealand Constitution Act 1852, s. 56 (U.K.)

17. Term of Parliament—(1) The term of Parliament shall, unless Parliament is sooner dissolved, be 3 years from the day fixed for the return of the writs issued for the last preceding general election of members of the House of Representatives, and no longer.

(2) Section 189 of the Electoral Act 1956 shall apply in respect of subsection (1) of this section.

Cf. 1956, No. 107, s. 12

18. Summoning, proroguing, and dissolution of Parliament—(1) The Governor-General may by Proclamation summon Parliament to meet at such place and time as may be appointed therein, notwithstanding that when the Proclamation is signed or when it takes effect Parliament stands prorogued to a particular date.

(2) The Governor-General may by Proclamation prorogue or dissolve Parliament.

(3) A Proclamation summoning, proroguing, or dissolving Parliament shall be effective—

(a) On being gazetted; or

(b) On being publicly read, by some person authorised to do so by the Governor-General, in the presence of the Clerk of the House of Representatives and 2 other persons,—

whichever occurs first.

(4) Every Proclamation that takes effect pursuant to subsection (3) (b) of this section shall be gazetted as soon as practicable after it is publicly read.

Cf. New Zealand Constitution Act 1852, ss. 44, 82 (U.K.)

19. First meeting of Parliament after general election—

After any general election of members of the House of Representatives, Parliament shall meet not later than 6 weeks after the day fixed for the return of the writs for that election.

Cf. The Bill of Rights, Article 13 (U.K.); Constitution of Australia (1900), s. 5

20. Carrying over of Parliamentary business—

Where the House of Representatives resolves that any Bill, petition, or other business before it or any of its committees be carried over to the next session of Parliament (whether the same Parliament or not), that Bill, petition, or other business shall not lapse upon the prorogation or dissolution or expiration of the Parliament in being when that resolution is passed but shall be carried over accordingly.

Cf. 1977, No. 22, s. 2 (1)

Parliament and Public Finance

21. Bills appropriating public money—The House of Representatives shall not pass any Bill providing for the appropriation of public money or for the imposition of any charge upon the public revenue unless the making of that appropriation or the imposition of that charge has been recommended to the House of Representatives by the Crown.

Cf. New Zealand Constitution Act 1852, s. 54 (U.K.)

22. Parliamentary control of public finance—It shall not be lawful for the Crown, except by or under an Act of Parliament,—

- (a) To levy a tax; or
- (b) To raise a loan or to receive any money as a loan from any person; or
- (c) To spend any public money.

Cf. The Bill of Rights, Article 4 (U.K.); 1977, No. 65, ss. 53 (1), 70

PART IV

THE JUDICIARY

23. Protection of Judges against removal from office—A Judge of the High Court shall not be removed from office except by the Sovereign or the Governor-General, acting upon an address of the House of Representatives, which address may be moved only on the grounds of that Judge's misbehaviour or of that Judge's incapacity to discharge the functions of that Judge's office.

Cf. 1908, No. 89, ss. 7, 8, 9

24. Salaries of Judges not to be reduced—The salary of a Judge of the High Court shall not be reduced during the continuance of the Judge's commission.

Cf. 1908, No. 89, s. 10

PART V

MISCELLANEOUS PROVISIONS

25. General Assembly Library to be known as the Parliamentary Library—(1) The library heretofore known as the General Assembly Library shall, as from the commencement of this Act, be known as the Parliamentary Library.

(2) The officer heretofore known as the Chief Librarian of the General Assembly Library shall be known, as from the commencement of this Act, as the Parliamentary Librarian.

(3) Subject to section 27 of this Act, all references to the General Assembly Library or to the Chief Librarian of the General Assembly Library in any other enactment or in any document whatsoever shall hereafter, unless the context otherwise requires, be read as references to the Parliamentary Library and to the Parliamentary Librarian respectively.

26. United Kingdom enactments ceasing to have effect as part of the law of New Zealand—(1) As from the commencement of this Act the following enactments of the Parliament of the United Kingdom, namely,—

(a) The New Zealand Constitution Act 1852 (15 and 16 Vict., c. 72); and

(b) The Statute of Westminster 1931 (22 Geo. V, c. 4); and

(c) The New Zealand Constitution (Amendment) Act 1947 (11 Geo. VI, c. 4),—

shall cease to have effect as part of the law of New Zealand.

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

(3) Without limiting the provisions of subsection (2) of this section, it is hereby declared that the effect of section 11 of the Statute of Westminster 1931 (22 Geo. V, c. 4) (which section declared that the expression "Colony" shall not, in any Act of the Parliament of the United Kingdom passed after the commencement of the Statute of Westminster 1931, include a Dominion or any Province or State forming part of a Dominion) shall not be affected by virtue of the Statute of Westminster 1931 ceasing, by virtue of subsection (1) of this section, to have effect as part of the law of New Zealand.

27. Consequential amendments to other enactments—The enactments specified in the First Schedule to this Act are hereby amended in the manner indicated in that Schedule.

28. Repeals—(1) The enactments specified in the Second Schedule to this Act are hereby repealed.

(2) The Regulations Amendment Act 1962 is hereby consequentially repealed.

(3) Section 2 (2) of the Primary Products Marketing Amendment Act 1977 is hereby consequentially repealed.

(4) Section 5 of the Civil List Amendment Act 1985 is hereby consequentially repealed.

29. Transitional and consequential provisions relating to Parliament—(1) The Parliament in being at the commencement of this Act (before the commencement of this Act called the General Assembly) shall continue in accordance with and subject to the provisions of this Act.

(2) As from the commencement of this Act, every reference to the General Assembly or to the General Assembly of New Zealand in any enactment passed before the date of commencement of this Act and in any document executed before that date shall, unless the context otherwise requires, be read as a reference to the Parliament of New Zealand.

(3) Subsection (2) of this section shall not apply in respect of the Acts Interpretation Act 1924.

SCHEDULES

FIRST SCHEDULE

Section 27

CONSEQUENTIAL AMENDMENTS

Title of Act	Amendment
1908, No. 89—The Judicature Act 1908 (1957 Reprint, Vol. 6, p. 699)	By repealing sections 7, 8, 9, and 10.
1932, No. 3—The Public Safety Conservation Act 1932 (R.S. Vol. 4, p. 233)	<p>By omitting from section 2 (3) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 2 (5) (as substituted by section 2 of the Public Safety Conservation Amendment Act 1960) the word “Parliament” in the first and third places where it appears, and substituting in each case the words “the House of Representatives”.</p> <p>By omitting from section 3 (3) the word “Parliament” in both places where it appears, and substituting in each case the words “the House of Representatives”.</p>
1934, No. 34—The Agriculture (Emergency Powers) Act 1934 (R.S. Vol. 1, p. 87)	<p>By repealing subsections (5) and (6) of section 27 (as substituted by section 2 of the Agriculture (Emergency Powers) Amendment Act 1979), and substituting the following subsections:</p> <p>“(5) All regulations made under the authority of this section 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.</p> <p>“(6) Any regulations required by subsection (5) of this section to be laid before the House of Representatives shall—</p> <p>“(a) If not so laid, expire on the close of the 16th sitting day of the House of Representatives after the day on which the regulations are made; and</p>

FIRST SCHEDULE—*continued*
CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
1934, No. 34—The Agriculture (Emergency Powers) Act 1934 (R.S. Vol. 1, p. 87)— <i>continued</i>	“(b) If they are so laid, expire on the close of the last day of the session of Parliament during which they are so laid except so far as they are expressly validated and confirmed by an Act of Parliament passed during that session.”
1936, No. 17—The Regulations Act 1936 (R.S. Vol. 10, p. 723)	By repealing section 8 (as substituted by section 2 (1) of the Regulations Amendment Act 1962), and substituting the following section: “8. Regulations to be laid before House of Representatives —All regulations made after the commencement of this section and printed and published pursuant to this Act 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.”
1936, No. 58—The Statutes Amendment Act 1936 (R.S. Vol. 1, p. 31)	By inserting in section 3, after the words “General Assembly of New Zealand”, the words “or of the Parliament of New Zealand”.
1948, No. 38—The Economic Stabilisation Act 1948 (R.S. Vol. 6, p. 227)	By repealing subsection (4) of section 11, and substituting the following subsection: “(4) All regulations made under this Act 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.” By omitting from subsection (1) of section 13A (as inserted by section 6 of the Economic Stabilisation Amendment Act 1982) the word “Parliament” wherever it appears, and substituting in each case the words “the House of Representatives”.
1953, No. 10—The Primary Products Marketing Act 1953 (R.S. Vol. 4, p. 201)	By repealing subsection (6) of section 3 (as amended by section 2 (2) of the Primary Products Marketing Amendment Act 1977), and substituting the following subsection: “(6) All regulations made under this Act 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.”

FIRST SCHEDULE—*continued*
CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
1953, No. 10—The Primary Products Marketing Act 1953 (R.S. Vol. 4, p. 201)— <i>continued</i>	<p>By omitting from section 4 (1) the words “Parliament in any session”, and substituting the words “the House of Representatives in any session of Parliament”.</p> <p>By omitting from section 11 (3) (as substituted by section 4 (2) of the Primary Products Marketing Amendment Act 1977) the word “Parliament”, and substituting the words “the House of Representatives”.</p>
1956, No. 47—The Government Superannuation Fund Act 1956 (R.S. Vol. 13, p. 97)	<p>By omitting from section 84 (1) (as amended by section 9 (1) of the Government Superannuation Fund Amendment Act 1961) the words “Houses of Representatives”, and substituting the word “Parliaments”.</p>
1957, No. 88—The Oaths and Declarations Act 1957 (R.S. Vol. 4, p. 1)	<p>By omitting from the Fourth Schedule the items relating to the New Zealand Constitution Act 1852 (U.K.) and the Demise of the Crown Act 1908.</p> <p>By adding to the Fourth Schedule the following item:</p> <p style="padding-left: 40px;">“1986, No. 114—The Constitution Act 1986.”</p> <p>By omitting from the Fifth Schedule the item relating to the New Zealand Constitution Act 1852.</p>
1966, No. 19—The Customs Act 1966 (R.S. Vol. 2, p. 57)	<p>By omitting from section 131 (2) (as substituted by section 5 (1) of the Customs Amendment Act 1973, and as amended by section 26 (1) of the Customs Acts Amendment Act (No. 2) 1977) the words “Parliament in any session”, and substituting the words “the House of Representatives in any session of Parliament”.</p> <p>By omitting from section 131 (4) (as amended by section 26 (1) of the Customs Acts Amendment Act (No. 2) 1977) the word “Parliament” where it first appears, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 133 (1) the words “been passed by Parliament”, and substituting the words “of Parliament been passed by the House of Representatives”.</p>

FIRST SCHEDULE—*continued*
CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
1975, No. 9—The Ombudsmen Act 1975	<p>By omitting from section 15 (2) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 17 (1) (a) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 22 (4) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 29 the word “Parliament”, and substituting the words “the House of Representatives”.</p>
1975, No. 114—The Treaty of Waitangi Act 1975 (R.S. Vol. 8, p. 877)	<p>By omitting from section 7 (1) (c) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 8 (4) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By repealing section 9, and substituting the following section: “9. Right to petition House of Representatives unaffected—Nothing in this Act shall affect in any way the right of any person to petition the House of Representatives for the redress of any grievance, or the jurisdiction of any committee or other body set up by the House of Representatives to deal with a petition to the House of Representatives.”</p>
1977, No. 65—The Public Finance Act 1977	<p>By omitting from the definition of the term “estimates” in section 2 (1) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 33 (3) the word “Parliament” wherever it appears, and substituting in each case the words “the House of Representatives”.</p> <p>By omitting from section 35 (3) the word “Parliament” in both places where it appears, and substituting in each case the words “the House of Representatives”.</p> <p>By omitting from section 52A (10) (c) (as inserted by section 3 (1) of the Public Finance Amendment Act 1980) the word “Parliament”, and substituting the words “the House of Representatives”.</p>

FIRST SCHEDULE—*continued*
CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
1977, No. 65—The Public Finance Act 1977— <i>continued</i>	<p>By omitting from section 66 (2) the word “Parliament” in both places where it appears, and substituting in each case the words “the House of Representatives”.</p> <p>By omitting from section 86 (1A) (as inserted by section 4 of the Public Finance Amendment Act 1986) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 97 (2) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 105 (9) the word “Parliament”, and substituting the words “the House of Representatives”.</p>
1979, No. 33—The Civil List Act 1979	<p>By repealing Part II.</p> <p>By omitting from section 18 (3) the words “an unsuccessful candidate at the next general election of members of Parliament”, and substituting the words “not a candidate at the next general election of members of Parliament or is an unsuccessful candidate at that general election”.</p>
1981, No. 12—The Petroleum Demand Restraint Act 1981	<p>By repealing subsection (5) of section 4, and substituting the following subsection: “(5) All regulations made under this section 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.”</p> <p>By omitting from section 6 (1) the word “Parliament” in the first place where it appears, and substituting the words “the House of Representatives”.</p> <p>By omitting from section 7 (4) the word “Parliament”, and substituting the words “the House of Representatives”.</p>
1982, No. 156—The Official Information Act 1982	<p>By omitting from section 43 (1) the word “Parliament” wherever it appears, and substituting in each case the words “the House of Representatives”.</p>
1983, No. 46—The Civil Defence Act 1983	<p>By omitting from section 49 (1), and also from section 49 (3), the word “Parliament” wherever it appears, and substituting in each case the words “the House of Representatives”.</p>

FIRST SCHEDULE—*continued*
CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
<p>1983, No. 46—The Civil Defence Act 1983— <i>continued</i></p>	<p>By omitting from section 50 (2) the word “Parliament”, and substituting the words “the House of Representatives”.</p> <p>By repealing subsection (8) of section 79, and substituting the following subsection: “(8) Where— “(a) Any regulations made under this section have been laid before the House of Representatives in accordance with section 8 of the Regulations Act 1936; 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 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.”</p>
<p>1983, No. 128—The Foreign Affairs and Overseas Service Act 1983</p>	<p>By omitting from the First Schedule the item relating to the Statute of Westminster Adoption Act 1947.</p>
<p>1985, No. 128—The Parliamentary Service Act 1985</p>	<p>By repealing paragraphs (b) and (c) of section 8 (1), and substituting the following paragraphs: “(b) If Parliament is dissolved or expires: “(c) If, before Parliament is dissolved or expires, that member ceases to be a member of the House of Representatives.”</p> <p>By repealing paragraphs (c) and (d) of section 8 (2), and substituting the following paragraphs: “(c) If Parliament is dissolved or expires: “(d) If, before Parliament is dissolved or expires, that member ceases to be a member of the House of Representatives.”</p> <p>By omitting from section 10 (1) the words “the General Assembly or expiration of the House of Representatives”, and substituting the words “Parliament or the expiration of Parliament”.</p>

FIRST SCHEDULE—*continued*
CONSEQUENTIAL AMENDMENTS—*continued*

Title of Act	Amendment
1985, No. 128—The Parliamentary Service Act 1985— <i>continued</i>	<p>By omitting from section 20 (4) the words “of the General Assembly or an expiration of the House of Representatives”, and substituting the words “or expiration of Parliament”.</p> <p>By omitting from section 20 (5) the words “of the General Assembly or the expiration of the House of Representatives”, and substituting the words “or expiration of Parliament”.</p> <p>By repealing paragraph (c) of section 35 (1), and substituting the following paragraph: “(c) The Parliamentary Librarian.”.</p> <p>By repealing section 49 and the heading above section 49, and substituting the following heading and section:</p> <p style="text-align: center;"><i>“Parliamentary Library</i></p> <p style="text-align: center;">“49. Parliamentary Library—The Parliamentary Library shall form part of the Parliamentary Service.”</p> <p>By omitting from section 50 the words “General Assembly Library” in both places where they appear, and substituting in each case the words “Parliamentary Library”.</p> <p>By repealing section 51, and substituting the following section:</p> <p style="text-align: center;">“51. Parliamentary Librarian—(1) The chief officer of the Parliamentary Library shall be an officer of the Parliamentary Service to be called the Parliamentary Librarian.</p> <p style="text-align: center;">“(2) The holder of the position of Parliamentary Librarian shall be responsible to the General Manager of the Parliamentary Service.”</p> <p>By repealing section 65.</p>

Section 28 (1)

SECOND SCHEDULE
ENACTMENTS REPEALED

- 1908, No. 42—The Demise of the Crown Act 1908. (R.S. Vol. 2, p. 323.)
1947, No. 38—The Statute of Westminster Adoption Act 1947. (R.S. Vol. 11, p. 393.)
1947, No. 44—The New Zealand Constitution Amendment (Request and Consent) Act 1947. (R.S. Vol. 10, p. 461.)
1970, No. 94—The New Zealand Constitution Amendment Act 1970. (R.S. Vol. 10, p. 463.)
1973, No. 114—The New Zealand Constitution Amendment Act 1973. (R.S. Vol. 10, p. 463.)
1977, No. 22—The Legislature Amendment Act 1977. (R.S. Vol. 6, p. 764.)
1983, No. 20—The Royal Powers Act 1983.

This Act is administered in the Department of Justice.
