

**Reprint
as at 1 August 2007**



**Acts and Regulations Publication
Act 1989**

Public Act 1989 No 142
Date of assent 19 December 1989
Commencement see section 1(2)

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

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An Act—

- (a) to provide for the printing and publication of copies of Acts of Parliament and statutory regulations; and**
- (b) to ensure that copies of Acts of Parliament and statutory regulations are available to the public; and**
- (c) to provide for the Government Printing Office to cease to be a department of the Public Service**

1 Short Title and commencement

- (1) This Act may be cited as the Acts and Regulations Publication Act 1989.
- (2) Except as provided in sections 18(4), 22(2), 25(2), 30(2), 31(2), and 32(2), 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,—

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 as defined by section 2 of the Regulations (Disallowance) Act 1989; and
- (b) resolutions of the House of Representatives which—
 - (i) revoke any such regulations; or
 - (ii) amend any such regulations; or
 - (iii) revoke any such regulations, and substitute other regulations.

3 Act to bind the Crown

This Act shall bind the Crown.

Publication

4 Publication of copies of Acts of Parliament, reprints of Acts of Parliament, regulations and reprints of regulations, and reprints of Imperial Acts

- (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) copies of all regulations made after the commencement of this section; and
 - (c) reprints of Acts of Parliament and reprints of regulations; and
 - (d) reprints of Imperial Acts that have effect as part of the laws of New Zealand.
- (2) Every such copy and every such reprint shall state that it is published under the authority of the New Zealand Government.

5 Obligation to forward regulations to Chief Parliamentary Counsel

All regulations made after the passing of this Act shall, forthwith after they are made, be forwarded to the Chief Parliamentary Counsel.

Compare: 1936 No 17 s 3(1)

6 Publication of regulations made before commencement of Act

The Attorney-General may direct that copies of regulations made before the passing of this Act shall be printed and published in accordance with section 4.

Compare: 1936 No 17 s 3(2)

7 Form of copies and reprints

- (1) The Attorney-General may from time to time give directions as to the form in which—
- (a) copies of Acts of Parliament; or
 - (b) reprints of Acts of Parliament; or

- (c) copies of regulations; or
- (d) reprints of regulations; or
- (e) reprints of Imperial Acts that have effect as part of the laws of New Zealand,—

shall be printed and published under this Act.

- (2) Directions given under this section may provide for the printing of all or any copies of—
- (a) Acts of Parliament; or
 - (b) reprints of Acts of Parliament; or
 - (c) regulations; or
 - (d) reprints of regulations; or
 - (e) reprints of Imperial Acts that have effect as part of the laws of New Zealand,—

with the omission of such signatures and formal or introductory parts as the Attorney-General from time to time directs.

Compare: 1936 No 17 s 4(1), (2)

8 Special requirements in relation to copies of regulations

Notwithstanding anything in section 7(2), there shall, in the case of all regulations, 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.

Compare: 1936 No 17 s 4(2)

9 Power to designate places where copies of Acts of Parliament 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
 - (b) regulations,—
- shall be available for purchase by members of the public.
- (2) Notwithstanding subsection (1), 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.

10 Sale of copies of Acts of Parliament and regulations

- (1) The Chief Parliamentary Counsel shall, under the control of the Attorney-General, make available for purchase by members of the public at the places designated from time to time by the Attorney-General under section 9(1) copies of Acts of Parliament and regulations at a reasonable price.
- (2) On the repeal or expiry of any Act of Parliament or the revocation or expiry of any regulations, subsection (1) shall cease to apply in relation to that Act of Parliament or those regulations.

Regulations

11 Regulations series

- (1) All copies of regulations printed and published pursuant to section 4 shall be identified by a number as part of an annual series of regulations.
- (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.

Compare: 1936 No 17 s 3(3)

12 Notice of making of regulations

The Chief Parliamentary Counsel shall, on each occasion on which copies of regulations are printed and published under section 4, arrange for the publication in the *Gazette* of a notice showing—

- (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 11;
- (e) a place at which copies of the regulations may be purchased;
- (f) such other information as the Chief Parliamentary Counsel considers appropriate.

13 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 12 which relates to those regulations shall be sufficient compliance with that requirement.

Compare: 1936 No 17 s 6

14 Printing and publication of instruments other than regulations

- (1) Any instrument that is not a regulation may, if the Attorney-General or the Chief Parliamentary Counsel so directs, be printed and published in accordance with section 4, as if it were a regulation.
- (2) An instrument shall not by virtue of its printing and publication under this section be a regulation for the purposes of this Act.
- (3) The provisions of sections 7, 8, 11, 12, and 13 shall apply with respect to every instrument that is so printed and published as if it were a regulation for the purposes of this Act.

Compare: 1936 No 17 s 6A; 1970 No 100 s 2

Section 14(3): amended, on 1 January 2000, by section 2(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

15 Incorporation of amendments in reprints

[Repealed]

Section 15: repealed, on 1 January 2000, by section 3 of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

16 Power to revoke spent regulations and other instruments

- (1) The Governor-General may from time to 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 laws of New Zealand, if the Governor-General in Council is satisfied that they have ceased to have effect or are no longer required.
- (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,—
 - (a) any Order in Council or Proclamation; or

- (b) any notice, Warrant, order, direction, determination, 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.

Compare: 1936 No 17 s 9; 1966 No 82 s 2

*Judicial notice and evidence of New Zealand
legislation*

Heading: inserted, on 1 August 2007, by section 216 of the Evidence Act 2006 (2006 No 69).

16A Judicial notice of Acts of Parliament

Judicial notice must be taken by all courts and persons acting judicially of all Acts of Parliament.

Section 16A: inserted, on 1 August 2007, by section 216 of the Evidence Act 2006 (2006 No 69).

16B Judicial notice of regulations

- (1) Judicial notice must be taken by all courts and persons acting judicially of all regulations.
- (2) In subsection (1) and sections 16C and 16D, **regulations**—
- (a) has the same meaning as in section 2; and
 - (b) includes any instrument that, under section 14, has been printed and published as if it were a regulation.

Section 16B: inserted, on 1 August 2007, by section 216 of the Evidence Act 2006 (2006 No 69).

16C 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 is, unless the contrary is shown, deemed—
- (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, is, unless the contrary is shown, deemed—
 - (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 16B(2)) purporting to be printed, whether before or after the commencement of this section, under the authority of the New Zealand Government is, unless the contrary is shown, deemed—
 - (a) to be a correct copy of those regulations; and
 - (b) to have been so printed or published; and
 - (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*.

Section 16C: inserted, on 1 August 2007, by section 216 of the Evidence Act 2006 (2006 No 69).

16D Copy of reprint of Act, Imperial legislation, or regulations to be evidence

- (1) This section applies to any copy of a reprint of any legislation, where that copy purports to be printed or published (whether before or after the commencement of this section) under the authority of the New Zealand Government.
- (2) Unless the contrary is shown, every copy of a reprint to which this section applies is to be taken—
 - (a) to be a copy of a reprint that correctly states, as at the date at which it is stated to be reprinted, the law enacted or made by the legislation reprinted and by the amendments (if any) to that legislation; and
 - (b) to have been printed or published under the authority of the New Zealand Government.
- (3) To avoid any doubt, the presumption contained in subsection (2) applies to a copy of a reprint in which changes authorised by section 17C have been made.

- (4) The presumption contained in subsection (2) may be rebutted by the production of the official volume in which the relevant legislation or any amendment to that legislation, as the case requires, is contained.
- (5) Subsection (4) does not limit any other means of rebutting the presumption contained in subsection (2).
- (6) In this section, unless the context otherwise requires,—

Imperial enactment and **Imperial subordinate legislation** have the meanings given to them by section 2 of the Imperial Laws Application Act 1988

legislation means any Act, Imperial enactment, Imperial subordinate legislation, or regulations

official volume means any volume containing copies of legislation that are deemed, by section 16C, to be correct copies of that legislation.

Section 16D: inserted, on 1 August 2007, by section 216 of the Evidence Act 2006 (2006 No 69).

16E Copies of parliamentary Journals to be evidence

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, must be admitted as evidence of those matters by all courts and persons acting judicially without proof being given that those copies were so printed or published.

Section 16E: inserted, on 1 August 2007, by section 216 of the Evidence Act 2006 (2006 No 69).

Gazetting of Acts of Parliament unnecessary

17 Gazetting of Acts of Parliament unnecessary

It shall not be necessary to gazette Acts of Parliament.

Power to make editorial changes in reprints

Heading: inserted, on 1 January 2000, by section 4 of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

17A Interpretation

In this section and sections 17B to 17F, unless the context otherwise requires,—

current drafting practice means the legislative drafting practice for the time being used in New Zealand

legislation means—

- (a) an Act of Parliament:
- (b) an Imperial Act that has effect as part of the laws of New Zealand:
- (c) any regulations:
- (d) an instrument that, under section 14 of this Act or section 6A of the Regulations Act 1936, has been printed and published as if it were a regulation

referential words means words (for example, “of this Act”, “of this section”, and “of this paragraph”) that identify the whole or part of a provision (including a schedule) as a provision, or as part of a provision, of the enactment in which they appear

reprint means a reprint—

- (a) that is printed and published under this Act; and
- (b) that is a reprint of legislation; and
- (c) that, under section 16D, is presumed to correctly state the law enacted or made by the legislation reprinted and by the amendments (if any) to that legislation.

Section 17A: inserted, on 1 January 2000, by section 4 of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

Section 17A **reprint** paragraph (c): amended, on 1 August 2007, by section 216 of the Evidence Act 2006 (2006 No 69).

17B Purpose of sections 17C to 17E

The purpose of sections 17C to 17E is to facilitate the production of up-to-date reprints that, to the extent permitted by those sections, are in a format and style consistent with current drafting practice.

Section 17B: inserted, on 1 January 2000, by section 4 of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

17C Power to make editorial changes in reprints

- (1) Changes authorised by sections 17D and 17E may be made in a reprint.
- (2) Sections 17D and 17E do not permit any change that, if it were enacted or made as an amendment to the legislation reprinted, would change the effect of the legislation.

Section 17C: inserted, on 1 January 2000, by section 4 of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

17D Changes to format

- (1) Format may be changed so that the format of the reprint is consistent with current drafting practice.
- (2) Changes authorised by this section include (without limitation)—
 - (a) changes to the setting out of provisions, tables, and schedules:
 - (b) the repositioning of marginal notes or section headings:
 - (c) changes to typeface and type size:
 - (d) the addition or removal of bolding, italics, and similar textual attributes:
 - (e) the addition or removal of quotation marks and rules:
 - (f) changes to the case of letters or words (for example, the replacement of small capitals with ordinary capitals, and of capitals and small capitals with capitals and lower case):
 - (g) the addition, alteration, or removal of running heads:
 - (h) the repositioning of the date of Royal assent.

Section 17D: inserted, on 1 January 2000, by section 4 of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

17E Other changes

- (1) Punctuation may be altered or omitted, or new punctuation inserted, so that the reprint uses punctuation that is consistent with current drafting practice.
- (2) Unnecessary referential words may be omitted.
- (3) Dates may be expressed in a manner consistent with current drafting practice.
- (4) A Part numbered with roman numerals may be numbered with arabic numerals, and any cross-references to that Part

in the reprint, or in another reprint, may be consequentially amended.

- (5) The following changes may be made in relation to schedules:
- (a) a schedule may be renumbered so as to be consistent with current drafting practice (for example, Schedule 1 may replace First Schedule), and any cross-references to that schedule in the reprint, or in another reprint, may be consequentially amended:
 - (b) a reference to a schedule to a particular enactment may be changed to a schedule of that enactment.
- (6) Subsection (5) does not limit this section or section 17D.

Section 17E: inserted, on 1 January 2000, by section 4 of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

17F Changes to be noted in reprint

If changes authorised by section 17C are made in a reprint, the reprint must—

- (a) indicate that fact in a suitable place; and
- (b) outline in general terms, and in a suitable place, the changes made.

Section 17F: inserted, on 1 January 2000, by section 4 of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

Amendments to Acts Interpretation Act 1924

[Repealed]

Heading: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

18 General interpretation of terms

[Repealed]

Section 18: repealed, on 1 November 1999, by section 38(1) of the Interpretation Act 1999 (1999 No 85).

19 Repeal of provision relating to gazetting of Acts

[Repealed]

Section 19: repealed, on 1 November 1999, by section 38(1) of the Interpretation Act 1999 (1999 No 85).

Amendments to Civil Defence Act 1983

[Repealed]

Heading: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

20 Emergency regulations

[Repealed]

Section 20: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

21 Consequential amendment

[Repealed]

Section 21: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

Amendments to Electoral Act 1956

[Repealed]

Heading: repealed, on 1 July 1994, pursuant to section 284 of the Electoral Act 1993 (1993 No 87).

22 Indexes of streets and places

[Repealed]

Section 22: repealed, on 1 July 1994, by section 284 of the Electoral Act 1993 (1993 No 87).

Amendments to Evidence Act 1908

[Repealed]

Heading: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

23 New sections substituted

[Repealed]

Section 23: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

24 Repeals

[Repealed]

Section 24: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

*Amendment to Films Act 1983**[Repealed]*

Heading: repealed, on 1 October 1994, by section 150(2) of the Films, Videos, and Publications Classification Act 1993 (1993 No 94).

25 Departments and organisations to which section 10 of the Films Act 1983 applies*[Repealed]*

Section 25: repealed, on 1 October 1994, by section 150(2) of the Films, Videos, and Publications Classification Act 1993 (1993 No 94).

*Amendment to Judicature Act 1908**[Repealed]*

Heading: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

26 Publication of High Court Rules under Acts and Regulations Publication Act 1989*[Repealed]*

Section 26: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

*Amendment to Medical Research Council Act
1950**[Repealed]*

Heading: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

27 Annual report to Minister*[Repealed]*

Section 27: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

*Amendments to Ombudsmen Act 1975**[Repealed]*

Heading: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

28 House of Representatives may make rules for guidance of Ombudsmen

[Repealed]

Section 28: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

29 Evidence

[Repealed]

Section 29: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

30 Departments to which Ombudsmen Act 1975 applies

[Repealed]

Section 30: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

Amendment to Public Finance Act 1989

[Repealed]

Heading: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

31 Revolving funds

[Repealed]

Section 31: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

Amendment to State Sector Act 1988

[Repealed]

Heading: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

32 Departments of the Public Service

[Repealed]

Section 32: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

33 Transitional provision relating to Government Printing Office

[Repealed]

Section 33: repealed, on 15 May 1991, by section 148 of the Employment Contracts Act 1991 (1991 No 22).

Amendments to Veterinary Services Act 1946

[Repealed]

Heading: repealed, on 1 January 2000, by section 5(1) of the Acts and Regulations Publication Amendment Act 1999 (1999 No 111).

34 Annual report and statement of accounts

[Repealed]

Section 34: repealed, on 1 January 1995, by section 75(1) of the Veterinarians Act 1994 (1994 No 107).

35 Regulations

[Repealed]

Section 35: repealed, on 1 January 1995, by section 75(1) of the Veterinarians Act 1994 (1994 No 107).

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Notes

1 *General*

This is a reprint of the Acts and Regulations Publication Act 1989. The reprint incorporates all the amendments to the Act as at 1 August 2007, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Evidence Act 2006 (2006 No 69): section 216

Acts and Regulations Publication Amendment Act 1999 (1999 No 111)

Interpretation Act 1999 (1999 No 85): section 38(1)

Veterinarians Act 1994 (1994 No 107): section 75(1)

Films, Videos, and Publications Classification Act 1993 (1993 No 94): section 150(2)

Electoral Act 1993 (1993 No 87): section 284

Employment Contracts Act 1991 (1991 No 22): section 148