

**Reprint
as at 1 March 1977**



Seal of New Zealand Act 1977

Public Act 1977 No 1
Date of assent 28 February 1977
Commencement 28 February 1977

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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.

This Act is administered by the Department of the Prime Minister and Cabinet.

An Act to assent to the establishment, design, and use of a seal to be known as the Seal of New Zealand and to provide for matters incidental thereto

Preamble

Whereas certain instruments in relation to New Zealand or in relation to New Zealand and other territories for whose foreign relations Her Majesty's Government in New Zealand is responsible are in some cases sealed with the Seal known as the Public Seal of New Zealand and in other cases with the Great Seal of the United Kingdom or one of the lesser United Kingdom seals including the signets and the cachet: And whereas it is proposed that a seal, to be known as the Seal of New Zealand, be established and used for the sealing of all such instruments and that provision be made in respect of such seal as hereinafter appears: And whereas the Government of the Cook Islands and the Government of Niue have concurred in the proposals.

1 Short Title

This Act may be cited as the Seal of New Zealand Act 1977.

2 Assent of Parliament to establishment, design, and use of Seal of New Zealand

- (1) The Parliament of New Zealand hereby assents to the establishment, by Proclamation, from time to time by Her Majesty and Her successors of a seal to be known as the Seal of New Zealand for use in relation to New Zealand and all other territories for whose foreign relations Her Majesty's Government in New Zealand is responsible.
- (2) The Seal of New Zealand shall be of such design and style as may be specified in the Proclamation.
- (3) No Proclamation made for the purposes of this section shall be required to be sealed, and every such Proclamation that does not prescribe the time from which it is to take effect shall come into operation on the day on which it is gazetted.

3 Use of Seal

- (1) The Seal of New Zealand shall be the seal to be used on any instrument that is made by Her Majesty or Her successors, or by the Governor-General, on the advice of a Minister of Her Majesty's Government in New Zealand or on the advice and with the consent of the Executive Council of New Zealand.
- (2) The Seal of New Zealand shall be so used in place of any other seal that may have been so used if this Act had not been passed.
- (3) The Seal of New Zealand in being at the time of the death of the Sovereign shall continue and be made use of until provision for a new Seal of New Zealand is made by Proclamation.

4 Custody of Seal

The Seal of New Zealand shall be in the custody of the Governor-General.

5 Validity of instruments

- (1) Except where the affixing of the Seal of New Zealand to any instrument is expressly required by the provisions of any enactment other than this Act, no instrument shall be declared or deemed invalid on the ground that it should have been sealed with the Seal of New Zealand but has not been so sealed.
- (2) No instrument shall be declared or deemed invalid on the ground that it should not have been sealed with the Seal of New Zealand but has been so sealed, or that the Seal of New Zealand has been improperly affixed to it.

6 Judicial notice of Seal

Judicial notice shall be taken by all courts, Judges, Justices, Commissioners, and other persons acting judicially of the impression of the Seal of New Zealand, without evidence of such Seal having been impressed or any other evidence relating thereto.

7 Application of Act to Cook Islands, Niue, and Tokelau

- (1) Whereas in accordance with Article 46 of the Constitution of the Cook Islands (as set out in Schedule 2 of the Cook Islands Constitution Amendment Act 1965) the Government of the

Cook Islands has requested and consented to the enactment of a provision extending the provisions of this Act to the Cook Islands as part of the law of the Cook Islands: Be it therefore enacted as follows:

This Act shall extend to the Cook Islands as part of the law of the Cook Islands.

- (2) *Amendment(s) incorporated in the Act(s).*
- (3) This Act shall be in force in Tokelau.

8 Consequential amendments

The enactments specified in the Schedule are hereby amended in the manner indicated in that schedule.

9 Saving

Nothing in this Act shall affect the validity of any document sealed before the commencement of the first Proclamation made for the purposes of section 2 with the seal known as the Public Seal of New Zealand, and judicial notice shall be taken of the impression of that Seal as if it were the Seal of New Zealand.
