

**Reprint  
as at 26 March 2015**



## **Royal Succession Act 2013**

Public Act    2013 No 149  
Date of assent    17 December 2013  
Commencement    see section 2

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This Act is administered by the Ministry of Justice.**

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## Part 2

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## The Parliament of New Zealand enacts as follows:

### 1 Title

This Act is the Royal Succession Act 2013.

### 2 Commencement

- (1) Parts 1 and 2 come into force at a time, and on a day, to be appointed by the Governor-General by Order in Council.
- (2) One or more orders may be made appointing different times and days for different provisions.
- (3) Before the time and day appointed for a provision by an order under subsection (1) (in this Act called the **changeover**), the order may be amended or revoked.
- (4) The rest of this Act comes into force on the day after the date on which this Act receives the Royal assent.

Section 2(1): Parts 1 and 2 brought into force, at 1 pm on 26 March 2015, by the Royal Succession Act Commencement Order 2015 (LI 2015/54).

## Part 1

### Formal and substantive provisions

#### *Formal provisions*

### 3 Purpose

The purpose of this Act is—

- (a) to implement in New Zealand law changes to the rules of Royal succession approved in principle at a meeting on 28 October 2011, coinciding with the Commonwealth Heads of Government Meeting in Perth, Aus-

tralia, or agreed through later discussions among the Sovereign's Realms:

- (b) to provide for the succession to the Crown to be determined without regard to the sex of people born after 12 noon on 29 October 2011 (New Zealand daylight time):
- (c) to abolish the exclusions from the succession to and possession of the Crown of people who marry a person of the Roman Catholic faith:
- (d) to provide for the Royal Marriages Act 1772 to cease to be part of the laws of New Zealand, and to enact in its place provisions requiring the consent of the Sovereign in right of the United Kingdom of Great Britain and Northern Ireland to the marriage of any person at a time when the person is one of the 6 people next in the line of succession to the Crown:
- (e) to validate (for purposes other than succession to the Crown purposes) certain marriages solemnised without awareness of, and compliance with, the requirements of the Royal Marriages Act 1772.

#### **4 Act binds the Crown**

This Act binds the Crown.

#### *Substantive provisions*

#### **5 Precedence of younger brothers over older sisters in relation to succession to the Crown abolished**

- (1) In the determination of the succession to the Crown, no regard is to be had to the sex of any person born after 12 noon on 29 October 2011 (New Zealand daylight time).
- (2) The rule of law by which a younger brother or a descendant of his has, in relation to succession to the Crown, precedence over an older sister or a descendant of hers is abolished to the extent that it conflicts with subsection (1).

- 6 Exclusions from succession to and possession of the Crown of people who marry Roman Catholic abolished**  
No person is excluded from succeeding to or possessing the Crown by virtue only of marrying, after the changeover, a person of the Roman Catholic faith.
- 7 Restoration to succession to and possession of the Crown of certain people who have married Roman Catholic**  
No person alive immediately before the changeover is excluded from succeeding to or possessing the Crown by virtue only of having married, before the changeover, a person of the Roman Catholic faith.
- 8 Certain people excluded from succession to the Crown on marrying without consent of Sovereign**
- (1) A person who, after the changeover, proposes to marry, and who immediately before marrying is one of the 6 people next in the line of succession to the Crown, must obtain before marrying the consent to the marriage concerned of the Sovereign in right of the United Kingdom of Great Britain and Northern Ireland.
  - (2) The effect of a person's failure to comply with subsection (1) is that the person and the person's descendants from the marriage concerned are excluded from succeeding to the Crown.
- 9 Certain marriages of descendants of George II validated**
- (1) The Royal Marriages Act 1772 must, for all purposes other than purposes relating to succession to the Crown, be treated as never having applied to a marriage (being a marriage that, but for this section, would under that Act be null and void to all intents and purposes whatsoever) if,—
    - (a) at the time the marriage was solemnised, neither party was one of the 6 people next in the line of succession to the Crown; and
    - (b) at the time the marriage was solemnised, the (or each) party descended from His late Majesty King George the Second was unaware, and it was reasonable in all the circumstances for that (or for each such) party not to be aware, that that Act applied to it; and

- (c) before the changeover, no person has acted on the basis that the marriage was void.
- (2) A party to the marriage is, for the purposes of this section, aware that that Act applied to it if consent under section 1 of that Act to the marriage was sought before it was solemnised (whether or not notice was also given under section 2 of that Act relating to the marriage before it was solemnised).
- (3) Subsection (2) does not limit subsection (1)(b).

## **Part 2**

### **Application in New Zealand of Imperial Acts**

#### **10 Application of Bill of Rights 1688**

The Bill of Rights 1688 (1 Will and Mar Sess 2, c 2) continues to be part of the laws of New Zealand, but as if, on the changeover, it had been amended by deleting from section 1—

- (a) “or by any King or Queene marrying a Papist”; and
- (b) “or shall marry a Papist”; and
- (c) “or marrying”.

#### **11 Application of Act of Settlement 1700**

The Act of Settlement 1700 (12 and 13 Will 3, c 2) continues to be part of the laws of New Zealand, but as if, on the changeover, it had been amended by—

- (a) deleting from the Preamble “or marry a Papist” and “or marrying”; and
- (b) deleting from section 2 “or shall marry a Papist”.

#### **12 Application of Royal Marriages Act 1772**

- (1) On the changeover, the Royal Marriages Act 1772 ceases to be part of the laws of New Zealand.
- (2) Sections 17 to 19 and 21 of the Interpretation Act 1999 apply to the Royal Marriages Act 1772 as if it were an Act of the Parliament of New Zealand and subsection (1) had repealed it on the changeover.

**13 Imperial Laws Application Act 1988 amended**

- (1) This section consequentially amends the Imperial Laws Application Act 1988.
  - (2) In Schedule 1,—
    - (a) in the item relating to the Bill of Rights 1688, after “(6 Geo 4, c 50)”, insert “and section 10 of the Royal Succession Act 2013”; and
    - (b) in the item relating to the Act of Settlement 1700,—
      - (i) after “Preamble”, insert “(as amended by section 11(a) of the Royal Succession Act 2013)”; and
      - (ii) after “(10 Edw 7 and 1 Geo 5, c 29)”, insert “(and section 11(b) of the Royal Succession Act 2013)”; and
    - (c) repeal the item relating to the Royal Marriages Act 1772.
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## **Reprints notes**

### **1 *General***

This is a reprint of the Royal Succession Act 2013 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **2 *Legal status***

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3 *Editorial and format changes***

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4 *Amendments incorporated in this reprint***

Royal Succession Act Commencement Order 2015 (LI 2015/54)

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