

**Reprint  
as at 4 October 2013**



**United Nations Act 1946**

Public Act    1946 No 7  
Date of assent    16 September 1946  
Commencement    16 September 1946

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**An Act to confer on the Governor-General in Council power to make regulations to enable New Zealand to fulfil the obligations undertaken by it under Article 41 of the Charter of the United Nations**

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**Note**

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

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

**This Act is administered by the Ministry of Foreign Affairs and Trade.**

## **Preamble**

Whereas New Zealand is a member of the United Nations and as such is bound by the Charter of the United Nations signed at San Francisco on 26 June 1945:

And whereas Article 41 of the Charter is in the following terms:

*“Article 41*

*“The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations”:*

And whereas it is desirable that provision should be made to enable New Zealand to fulfil its obligations under the said Article.

### **1 Short Title**

This Act may be cited as the United Nations Act 1946.

### **2 Power to make regulations to enable effect to be given to Article 41**

- (1) If, under Article 41 of the Charter of the United Nations, the Security Council of the United Nations calls upon Her Majesty’s Government in New Zealand to apply any measures to give effect to any decision of that Council, the Governor-General may from time to time, by Order in Council, make all such regulations as appear to him to be necessary or expedient for enabling those measures to be effectively applied.
- (2) No regulation made under this Act shall be deemed to be invalid because it deals with any matter already provided for by any Act, or because of any repugnancy to any Act.
- (3) All regulations made under this Act shall be laid before Parliament as soon as may be after they are made.

Section 2(1): amended, on 1 January 1987, pursuant to section 5(2) of the Constitution Act 1986 (1986 No 114).

### **3 Liability for breach of regulations**

- (1) Every person who commits, or attempts to commit, or does any act with intent to commit, or counsels, procures, aids, abets, or incites any other person to commit, or conspires with any other person (whether in New Zealand or elsewhere) to commit any offence against any regulations made under this Act shall be liable on conviction, in the case of an individual, to imprisonment for a term not exceeding 12 months or to a fine not exceeding \$10,000, or, in the case of a company or other corporation, to a fine not exceeding \$100,000.
- (2) The publication in the *Gazette* or in accordance with the Legislation Act 2012 of any regulations made under this Act or of any Order in Council, Proclamation, order, notice, warrant, licence, or other act of authority under this Act or under the regulations must be treated for all purposes as being notice of the act of authority to all persons concerned, and in any prosecution the liability of the defendant must be determined accordingly.
- (3) Nothing in this Act or in any regulations made under this Act shall be so construed or shall so operate as to take away or restrict the liability of any person for any offence punishable independently of this Act, but no person shall be punished twice for the same offence.

Section 3(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 3(1): amended, on 31 August 1990, by section 2(a) of the United Nations Amendment Act 1990 (1990 No 124).

Section 3(1): amended, on 31 August 1990, by section 2(b) of the United Nations Amendment Act 1990 (1990 No 124).

Section 3(2): replaced, on 5 August 2013, by section 77(3) of the Legislation Act 2012 (2012 No 119).

Section 3(2): amended, on 4 October 2013, by regulation 3(1) of the Criminal Procedure (Consequential Amendments) Regulations 2013 (SR 2013/409).

### **4 Application to Cook Islands and other territories**

- (1) This Act shall be in force in the Cook Islands and, to the extent to which Her Majesty has jurisdiction therein, in every other

territory for the time being administered by Her Majesty's Government in New Zealand.

- (2) Except so far as otherwise expressly provided, regulations made under this Act shall not be in force in the Cook Islands or in any such territory as aforesaid.

Heading: amended, at 11 pm on 1 January 1962, pursuant to section 9 of the Western Samoa Act 1961 (1961 No 68).

Section 4(1): amended, on 1 January 1987, pursuant to section 5(2) of the Constitution Act 1986 (1986 No 114).

Section 4(1): amended, at 11 pm on 1 January 1962, by section 9 of the Western Samoa Act 1961 (1961 No 68).

Section 4(2): amended, at 11 pm on 1 January 1962, by section 9 of the Western Samoa Act 1961 (1961 No 68).

## 5 Repeals

The League of Nations Sanctions (Enforcement in New Zealand) Act 1935 and the League of Nations Sanctions Regulations Confirmation Act 1936 are hereby repealed.

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## Reprints notes

### **1** *General*

This is a reprint of the United Nations Act 1946 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, will have the status of an official version once issued by the Chief Parliamentary Counsel under section 17(1) of that Act.

### **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*

Criminal Procedure (Consequential Amendments) Regulations 2013 (SR 2013/409): regulation 3(1)  
Legislation Act 2012 (2012 No 119): section 77(3)  
Criminal Procedure Act 2011 (2011 No 81): section 413  
United Nations Amendment Act 1990 (1990 No 124)  
Constitution Act 1986 (1986 No 114): section 5(2)  
Western Samoa Act 1961 (1961 No 68): section 9

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