

**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

**Contents**

	Page
Title	2
Preamble	2
1 Short Title	2
2 Assent of Parliament to establishment, design, and use of Seal of New Zealand	2
3 Use of Seal	3
4 Custody of Seal	3
5 Validity of instruments	3
6 Judicial notice of Seal	3
7 Application of Act to Cook Islands, Niue, and Tokelau	3
8 Consequential amendments	4
9 Saving	4
<b>Schedule</b>	5
<b>Enactments amended</b>	

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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.

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**Schedule**

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**Enactments amended**

**Acts Interpretation Act 1924 (1924 No 11) (Reprinted 1966,  
Vol 3, p 1973)**

*Amendment(s) incorporated in the Act(s).*

**Crown Grants Act 1908 (1908 No 33) (1957 Reprint, Vol 3,  
p 497)**

*Amendment(s) incorporated in the Act(s).*

**Defence Act 1971 (1971 No 52)**

*Amendment(s) incorporated in the Act(s).*

**Evidence Act 1908 (1908 No 56) (Reprinted 1965, Vol 3, p 1387)**

*Amendment(s) incorporated in the Act(s).*

**Patents Act 1953 (1953 No 64) (1957 Reprint, Vol 11, p 507)**

*Amendment(s) incorporated in the Act(s).*

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**Contents**

- 1 General
  - 2 Status of reprints
  - 3 How reprints are prepared
  - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
  - 5 List of amendments incorporated in this reprint (most recent first)
- 

**Notes****1 *General***

This is a reprint of the Seal of New Zealand Act 1977. The reprint incorporates all the amendments to the Act as at 1 March 1977, 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)*

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