

**Reprint
as at 1 September 2017**



Electronic Transactions Act 2002

Public Act 2002 No 35
Date of assent 17 October 2002
Commencement see section 2

Electronic Transactions Act 2002: repealed, on 1 September 2017, by section 345(1)(e) of the Contract and Commercial Law Act 2017 (2017 No 5).

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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 Business, Innovation, and Employment.

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Enactments and provisions excluded from Part 3

1 Title

This Act is the Electronic Transactions Act 2002.

2 Commencement

- (1) This Act (except sections 14(3) and 36) comes into force on a date to be appointed by the Governor-General by Order in Council.
- (2) Sections 14(3) and 36 come into force on the day after the date on which this Act receives the Royal assent.

Section 2(1): this Act (except sections 14(3) and 36) brought into force, on 21 November 2003, by the Electronic Transactions Act Commencement Order 2003 (SR 2003/289).

**Part 1
Preliminary**

3 Purpose

The purpose of this Act is to facilitate the use of electronic technology by—

- (a) reducing uncertainty regarding—
 - (i) the legal effect of information that is in electronic form or that is communicated by electronic means; and
 - (ii) the time and place of dispatch and receipt of electronic communications; and
- (b) providing that certain paper-based legal requirements may be met by using electronic technology that is functionally equivalent to those legal requirements.

4 Overview

In this Act,—

- (a) matters concerning the legal effect of information that is in electronic form or that is communicated by electronic means are set out in section 8;
- (b) default rules about the time and place of dispatch and receipt of electronic communications are set out in sections 9 to 13A;
- (c) key provisions concerning the use of electronic technology to meet certain legal requirements are set out in sections 14 to 17;
- (d) provisions that specify certain legal requirements that may be met by using electronic technology, and how they may be met, are set out in sections 18 to 32.

Section 4(b): amended, on 10 May 2014, by section 4 of the Electronic Transactions (Contract Formation) Amendment Act 2014 (2014 No 25).

5 Interpretation

In this Act, unless the context otherwise requires,—

data storage device means any article or device (for example, a disk) from which information is capable of being reproduced, with or without the aid of any other article or device

electronic includes electrical, digital, magnetic, optical, electromagnetic, biometric, and photonic

electronic communication means a communication by electronic means

electronic signature, in relation to information in electronic form, means a method used to identify a person and to indicate that person's approval of that information

information includes information (whether in its original form or otherwise) that is in the form of a document, a signature, a seal, data, text, images, sound, or speech

information system has the meaning set out in section 10(2)

legal requirement has the meaning set out in section 15(2)

Minister means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

transaction includes—

- (a) a transaction of a non-commercial nature;
- (b) a single communication;
- (c) the outcome of multiple related communications.

6 Further provision relating to interpretation

In interpreting this Act, reference may be made to—

- (a) the Model Law on Electronic Commerce adopted by the United Nations Commission on International Trade Law on 16 December 1996:
- (b) any document that relates to the Model Law that originates from the United Nations Commission on International Trade Law, or its working group for the preparation of the Model Law.

7 Act binds the Crown

This Act binds the Crown.

Part 2

**Improving certainty in relation to electronic information and
electronic communications**

Validity

8 Validity of information

To avoid doubt, information is not denied legal effect solely because it is—

- (a) in electronic form or is in an electronic communication:
- (b) referred to in an electronic communication that is intended to give rise to that legal effect.

Default rules about dispatch and receipt of electronic communications

9 When default rules in sections 10 to 13 apply

Sections 10 to 13 apply to an electronic communication except to the extent that—

- (a) the parties to the communication otherwise agree:
- (b) an enactment provides otherwise.

10 Time of dispatch

- (1) An electronic communication is taken to be dispatched at the time the electronic communication first enters an information system outside the control of the originator.
- (2) For the purposes of sections 10 and 11, **information system** means a system for producing, sending, receiving, storing, displaying, or otherwise processing electronic communications.

11 Time of receipt

An electronic communication is taken to be received,—

- (a) in the case of an addressee who has designated an information system for the purpose of receiving electronic communications, at the time the electronic communication enters that information system; or
- (b) in any other case, at the time the electronic communication comes to the attention of the addressee.

12 Place of dispatch

An electronic communication is taken to be dispatched from—

- (a) the originator's place of business; or
- (b) if the originator has more than 1 place of business,—
 - (i) the place of business that has the closest relationship with the underlying transaction; or
 - (ii) if there is no place of business to which subparagraph (i) applies, the originator's principal place of business; or
- (c) in the case of an originator who does not have a place of business, the originator's ordinary place of residence.

13 Place of receipt

An electronic communication is taken to be received at—

- (a) the addressee's place of business; or
- (b) if the addressee has more than 1 place of business,—
 - (i) the place of business that has the closest relationship with the underlying transaction; or
 - (ii) if there is no place of business to which subparagraph (i) applies, the addressee's principal place of business; or
- (c) in the case of an addressee who does not have a place of business, the addressee's ordinary place of residence.

13A Time of communication of acceptance of offer

- (1) For the purpose of the formation of a contract, an acceptance by electronic communication of an offer is taken to be communicated to the offeror at the time determined by section 11 to be the time of receipt for that electronic communication.
- (2) Subsection (1) does not apply if—
 - (a) the parties to the contract otherwise agree; or
 - (b) an enactment provides otherwise.

Section 13A: inserted, on 10 May 2014, by section 5 of the Electronic Transactions (Contract Formation) Amendment Act 2014 (2014 No 25).

Part 3

Application of legal requirements to electronic transactions

Subpart 1—Preliminary

14 When Part applies

- (1) Subject to subsection (2), this Part applies to every enactment that is part of the law of New Zealand and that is passed either before or after the commencement of this Act.
- (2) This Part does not apply to—
 - (a) an enactment that requires information to be recorded, given, produced, or retained, or a signature to be given, or a signature or seal to be witnessed—
 - (i) in accordance with particular electronic technology requirements; or
 - (ii) on a particular kind of data storage device; or
 - (iii) by means of a particular kind of electronic communication:
 - (b) the enactments specified in Part 1 of the Schedule:
 - (c) the provisions of enactments specified in column 2 of Part 2 of the Schedule:
 - (d) the provisions of enactments that are described in Part 3 of the Schedule:
 - (e) the provisions of enactments that are described in Part 4 of the Schedule except to the extent that rules of a court, or guidelines issued with the authority of a court or tribunal, specified in that Part of the Schedule, provide for the use of electronic technology in accordance with this Part.
- (3) The Governor-General may, by Order in Council, amend the Schedule or repeal the Schedule and substitute a new schedule.
- (4) *[Repealed]*
- (5) *[Repealed]*

Section 14(4): repealed, on 1 January 2016, by section 14 of the Legislation (Confirmable Instruments) Amendment Act 2015 (2015 No 120).

Section 14(5): repealed, on 1 January 2016, by section 14 of the Legislation (Confirmable Instruments) Amendment Act 2015 (2015 No 120).

14A Orders making additions to Schedule are confirmable instruments

- (1) This section applies to an Order in Council made under section 14(3) that makes an addition to the Schedule.
- (2) The explanatory note of the Order in Council must indicate that—
 - (a) it is a confirmable instrument under section 47B of the Legislation Act 2012; and

- (b) it is revoked at a time stated in the note, unless earlier confirmed by an Act of Parliament; and
- (c) the stated time is the applicable deadline under section 47C(1)(a) or (b) of that Act.

Section 14A: inserted, on 1 January 2016, by section 14 of the Legislation (Confirmable Instruments) Amendment Act 2015 (2015 No 120).

15 When legal requirement can be met by electronic means

- (1) A legal requirement can be met by electronic means if the applicable provisions in subpart 2, and any applicable regulations made under section 36, are complied with.
- (2) For the purposes of this Part, **legal requirement**—
 - (a) means a requirement in an enactment to which this Part applies; and
 - (b) includes a provision in an enactment to which this Part applies that provides consequences that depend on whether or not the provision is complied with.

16 Consent to use of electronic technology

- (1) Nothing in this Part requires a person to use, provide, or accept information in an electronic form without that person's consent.
- (2) For the purposes of this Part,—
 - (a) a person may consent to use, provide, or accept information in an electronic form subject to conditions regarding the form of the information or the means by which the information is produced, sent, received, processed, stored, or displayed:
 - (b) consent may be inferred from a person's conduct.
- (3) Subsections (1) and (2)(a) are for the avoidance of doubt.

17 When integrity of information maintained

For the purposes of this Part, the integrity of information is maintained only if the information has remained complete and unaltered, other than the addition of any endorsement, or any immaterial change, that arises in the normal course of communication, storage, or display.

Subpart 2—Legal requirements

Writing

18 Legal requirement that information be in writing

A legal requirement that information be in writing is met by information that is in electronic form if the information is readily accessible so as to be usable for subsequent reference.

19 Legal requirement to record information in writing

A legal requirement that information be recorded in writing is met by recording the information in electronic form if the information is readily accessible so as to be usable for subsequent reference.

20 Legal requirement to give information in writing

- (1) A legal requirement to give information in writing is met by giving the information in electronic form, whether by means of an electronic communication or otherwise, if—
 - (a) the information is readily accessible so as to be usable for subsequent reference; and
 - (b) the person to whom the information is required to be given consents to the information being given in electronic form and by means of an electronic communication, if applicable.
- (2) If subsection (1) applies, a legal requirement to provide multiple copies of the information to the same person at the same time is met by providing a single electronic version of the information.
- (3) Subsection (1) applies to a legal requirement to give information even if that information is required to be given in a specified manner, for example by filing, sending, serving, delivering, lodging, or posting that information.
- (4) A legal requirement to give information includes, for example,—
 - (a) making an application:
 - (b) making or lodging a claim:
 - (c) giving, sending, or serving a notification:
 - (d) lodging a return:
 - (e) making a request:
 - (f) making a declaration:
 - (g) lodging or issuing a certificate:
 - (h) making, varying, or cancelling an election:
 - (i) lodging an objection:
 - (j) giving a statement of reasons.

21 Legal requirements relating to layout and format of certain information and writing materials

- (1) In order to meet a legal requirement to which any of sections 18 to 20 apply by electronic means, it is not necessary to comply with a paper-based format requirement.
- (2) In this section and section 36(b)(ii), **paper-based format requirement** means a legal requirement of the following kind that applies to information in paper or other non-electronic form:

- (a) a legal requirement relating to the format or layout of information;
- (b) a legal requirement relating to the materials to be used for writing information;
- (c) any similar legal requirement.

Signatures

22 Legal requirement for signature

- (1) Subject to subsection (2), a legal requirement for a signature other than a witness' signature is met by means of an electronic signature if the electronic signature—
 - (a) adequately identifies the signatory and adequately indicates the signatory's approval of the information to which the signature relates; and
 - (b) is as reliable as is appropriate given the purpose for which, and the circumstances in which, the signature is required.
- (2) A legal requirement for a signature that relates to information legally required to be given to a person is met by means of an electronic signature only if that person consents to receiving the electronic signature.

23 Legal requirement that signature or seal be witnessed

- (1) Subject to subsection (2), a legal requirement for a signature or a seal to be witnessed is met by means of a witness' electronic signature if,—
 - (a) in the case of the witnessing of a signature, the signature to be witnessed is an electronic signature that complies with section 22; and
 - (b) in the case of the witnessing of a signature or a seal, the electronic signature of the witness—
 - (i) adequately identifies the witness and adequately indicates that the signature or seal has been witnessed; and
 - (ii) is as reliable as is appropriate given the purpose for which, and the circumstances in which, the witness' signature is required.
- (2) A legal requirement for a signature or seal to be witnessed, if that signature or seal relates to information legally required to be given to a person, is met by means of a witness' electronic signature only if that person consents to receiving the witness' electronic signature.

24 Presumption about reliability of electronic signatures

- (1) For the purposes of sections 22 and 23, it is presumed that an electronic signature is as reliable as is appropriate if—
 - (a) the means of creating the electronic signature is linked to the signatory and to no other person; and

- (b) the means of creating the electronic signature was under the control of the signatory and of no other person; and
 - (c) any alteration to the electronic signature made after the time of signing is detectable; and
 - (d) where the purpose of the legal requirement for a signature is to provide assurance as to the integrity of the information to which it relates, any alteration made to that information after the time of signing is detectable.
- (2) Subsection (1) does not prevent any person from proving on other grounds or by other means that an electronic signature—
- (a) is as reliable as is appropriate; or
 - (b) is not as reliable as is appropriate.

Retention

25 Legal requirement to retain document or information that is in paper or other non-electronic form

- (1) A legal requirement to retain information that is in paper or other non-electronic form is met by retaining an electronic form of the information if—
- (a) the electronic form provides a reliable means of assuring the maintenance of the integrity of the information; and
 - (b) the information is readily accessible so as to be usable for subsequent reference.
- (2) Subsection (1) applies to information that is a public record within the meaning of the Public Records Act 2005 only if the Chief Archivist has approved the retention of that information in electronic form.
- (3) To avoid doubt, if information is retained in electronic form in accordance with subsection (1), the paper or other non-electronic form of that information need not be retained.

Section 25(2): amended, on 21 April 2005, by section 67(1) of the Public Records Act 2005 (2005 No 40).

26 Legal requirement to retain information that is in electronic form

Subject to section 27, a legal requirement to retain information that is in electronic form is met by retaining the information—

- (a) in paper or other non-electronic form if the form provides a reliable means of assuring the maintenance of the integrity of the information; or
- (b) in electronic form if—
 - (i) the electronic form provides a reliable means of assuring the maintenance of the integrity of the information; and
 - (ii) the information is readily accessible so as to be usable for subsequent reference.

27 Extra conditions for electronic communications

In addition to the conditions specified in section 26, if a person is required to retain information that is contained in an electronic communication,—

- (a) the person must also retain such information obtained by that person as enables the identification of—
 - (i) the origin of the electronic communication; and
 - (ii) the destination of the electronic communication; and
 - (iii) the time when the electronic communication was sent and the time when it was received; and
- (b) the information referred to in paragraph (a) must be readily accessible so as to be usable for subsequent reference.

Provision and production of, and access to, information

28 Legal requirement to provide or produce information that is in paper or other non-electronic form

A legal requirement to provide or produce information that is in paper or other non-electronic form is met by providing or producing the information in electronic form, whether by means of an electronic communication or otherwise, if—

- (a) the form and means of the provision or production of the information reliably assures the maintenance of the integrity of the information, given the purpose for which, and the circumstances in which, the information is required to be provided or produced; and
- (b) the information is readily accessible so as to be usable for subsequent reference; and
- (c) the person to whom the information is required to be provided or produced consents to the information being provided or produced in an electronic form and, if applicable, by means of an electronic communication.

29 Legal requirement to provide or produce information that is in electronic form

A legal requirement to provide or produce information that is in electronic form is met by providing or producing the information—

- (a) in paper or other non-electronic form; but, if the maintenance of the integrity of the information cannot be assured, the person who must provide or produce the information must—
 - (i) notify every person to whom the information is required to be provided or produced of that fact; and

- (ii) if requested to do so, provide or produce the information in electronic form in accordance with paragraph (b); or
- (b) in electronic form, whether by means of an electronic communication or otherwise, if—
 - (i) the form and means of the provision or production of the information reliably assures the maintenance of the integrity of the information, given the purpose for which, and the circumstances in which, the information is required to be provided or produced; and
 - (ii) the information is readily accessible so as to be usable for subsequent reference; and
 - (iii) the person to whom the information is required to be provided or produced consents to the provision or production of the information in an electronic form and, if applicable, by means of an electronic communication.

30 Legal requirement to provide access to information that is in paper or other non-electronic form

A legal requirement to provide access to information that is in paper or other non-electronic form is met by providing access to the information in electronic form if—

- (a) the form and means of access to the information reliably assures the maintenance of the integrity of the information, given the purpose for which, and the circumstances in which, access to the information is required to be provided; and
- (b) the person to whom access is required to be provided consents to accessing the information in that electronic form.

31 Legal requirement to provide access to information that is in electronic form

A legal requirement to provide access to information that is in electronic form is met by providing access to the information—

- (a) in paper or other non-electronic form; but, if the maintenance of the integrity of the information cannot be assured, the person who must provide access to the information must—
 - (i) notify every person to whom access is required to be provided of that fact; and
 - (ii) if requested to do so, provide access to the information in electronic form in accordance with paragraph (b); or
- (b) in electronic form, whether by means of an electronic communication or otherwise, if—

- (i) the form and means of access to the information reliably assures the maintenance of the integrity of the information, given the purpose for which, and the circumstances in which, access to the information is required to be provided; and
- (ii) the person to whom access is required to be provided consents to accessing the information in that electronic form.

Originals

32 Originals

A legal requirement to compare a document with an original document may be met by comparing that document with an electronic form of the original document if the electronic form reliably assures the maintenance of the integrity of the document.

Subpart 3—Miscellaneous

33 Legal requirement relating to content of information

Nothing in this Part affects any legal requirement to the extent that the requirement relates to the content of information.

34 Copyright

The copyright in a work is not infringed by any of the following acts if they are carried out for the purposes of meeting a legal requirement by electronic means:

- (a) the generation of an electronic form of a document;
- (b) the production of information by means of an electronic communication.

35 Review of enactments and provisions excluded from Part 3

- (1) The Ministry of Economic Development must, within 2 years after the commencement of this Act, report to the Minister—
 - (a) whether it is desirable that the enactments and provisions set out in the Schedule continue to be excluded from Part 3; and
 - (b) if it is indicated in the report that any of those enactments or provisions should not continue to be excluded from Part 3, whether any regulations are required to be made under section 36.
- (2) In preparing the report, the Ministry must consider any reports prepared by the Law Commission or any other body relating to the subject matter of the Ministry's report.
- (3) As soon as practicable after receiving a report from the Ministry, the Minister must present a copy of it to the House of Representatives.

36 Regulations

The Governor-General may, by Order in Council, make regulations for all or any of the following purposes:

- (a) prescribing any conditions that must be complied with in order to meet a legal requirement by electronic means:
- (b) without limiting paragraph (a), prescribing 1 or more requirements that—
 - (i) must be complied with in order to meet, by electronic means, a legal requirement to which any of sections 18 to 20 apply; and
 - (ii) apply instead of a paper-based format requirement:
- (c) if an enactment sets out a form that must be used for the purposes of meeting a legal requirement, prescribing an electronic form that may be substituted for the form set out in the enactment:
- (d) if an enactment provides for the time at which a legal requirement to provide information is to be treated as satisfied if that information is provided by post or by any other non-electronic means, providing for the time at which the legal requirement is to be treated as satisfied by an electronic communication.

37 Authority to prescribe electronic forms and requirements for using electronic forms

- (1) A person who is authorised to prescribe a form under an enactment is authorised—
 - (a) to prescribe an electronic form for the purposes of that enactment; and
 - (b) to prescribe requirements in connection with the use of that electronic form, including requirements for its electronic signature.
- (2) Nothing in subsection (1) authorises a person to require the use of an electronic form under any enactment.

38 Related amendment to Interpretation Act 1999

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

Schedule
Enactments and provisions excluded from Part 3

s 14(2)(b), (c), (d), and (e)

Part 1
Enactments

Citizens Initiated Referenda Act 1993 (1993 No 101)

Citizens Initiated Referenda Regulations 1995 (SR 1995/227)

Electoral Act 1993 (1993 No 87)

Electoral Regulations 1996 (SR 1996/93)

Electronic Courts and Tribunals Act 2016 (2016 No 52)

Fish and Game Council Elections Regulations 1990 (SR 1990/361)

Local Electoral Act 2001 (2001 No 35)

Schedule Part 1 Electronic Courts and Tribunals Act 2016: inserted, on 1 March 2017, by section 35(2) of the Electronic Courts and Tribunals Act 2016 (2016 No 52).

Part 2
Provisions

Citizenship Act 1977 (1977 No 61)

Section 19(1)

Citizenship Regulations 2002 (SR 2002/73)

Regulation 10

Civil Aviation Act 1990 (1990 No 98)

Section 11(2) and (6)(b)

Corrections Regulations 2005 (SR 2005/53)

Regulation 133

Credit Contracts and Consumer Finance Act 2003 (2003 No 52)

Section 83O

Disabled Persons Community Welfare Act 1975 (1975 No 122)

Section 25F(4)

Fisheries Act 1996 (1996 No 88)

Part 8

Medicines Regulations 1984 (SR 1984/143)

Regulations 41 and 42

Misuse of Drugs Amendment Act 1978 (1978 No 65)

Section 13C

Passports Act 1992 (1992 No 92)

Section 12

Schedule Part 2 Citizenship Regulations 1978: repealed, on 21 November 2003, by clause 3(1)(a) of the Electronic Transactions (Exclusion of Enactments and Provisions) Order 2003 (SR 2003/290).

Schedule Part 2 Citizenship Regulations 2002: inserted, on 21 November 2003, by clause 3(1)(a) of the Electronic Transactions (Exclusion of Enactments and Provisions) Order 2003 (SR 2003/290).

Schedule Part 2 Corrections Regulations 2005: inserted, on 6 June 2008, by clause 4(2) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Credit Contracts and Consumer Finance Act 2003: inserted, on 6 June 2015, by section 82 of the Credit Contracts and Consumer Finance Amendment Act 2014 (2014 No 33).

Schedule Part 2 Credit (Repossession) Act 1997: repealed, on 6 June 2015, by section 82 of the Credit Contracts and Consumer Finance Amendment Act 2014 (2014 No 33).

Schedule Part 2 Criminal Justice Regulations 1985: repealed, on 21 November 2003, by clause 3(1)(b) of the Electronic Transactions (Exclusion of Enactments and Provisions) Order 2003 (SR 2003/290).

Schedule Part 2 Dental Act 1988: repealed, on 6 June 2008, by clause 4(1)(a) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Dietitians Act 1950: repealed, on 6 June 2008, by clause 4(1)(b) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Door to Door Sales Act 1967 : repealed, on 17 June 2014, by section 41(2) of the Fair Trading Amendment Act 2013 (2013 No 143).

Schedule Part 2 Health Act 1956: repealed, on 6 June 2008, by clause 4(1)(c) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Human Tissue Act 1964: repealed, on 6 June 2008, by clause 4(1)(d) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Medical Practitioners Act 1995: repealed, on 6 June 2008, by clause 4(1)(e) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Mental Health (Compulsory Assessment and Treatment) Act 1992: repealed, on 6 June 2008, by clause 4(1)(f) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Occupational Therapy Act 1949: repealed, on 6 June 2008, by clause 4(1)(g) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Penal Institutions Regulations 2000: repealed, on 6 June 2008, by clause 4(1)(h) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Pharmacy Act 1970: repealed, on 6 June 2008, by clause 4(1)(i) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Physiotherapy Act 1949: repealed, on 6 June 2008, by clause 4(1)(j) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Tuberculosis Act 1948: repealed, on 6 June 2008, by clause 4(1)(k) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 2 Venereal Diseases Regulations 1982: repealed, on 6 June 2008, by clause 4(1)(l) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Part 3

Descriptions of provisions of enactments

Provisions of enactments that relate to the following:

- (a) notices that are required to be given to the public:
- (b) information that is required to be given in writing either in person or by registered post:
- (c) notices that are required to be attached to any thing or left or displayed in any place:
- (d) affidavits, statutory declarations, or other documents given on oath or affirmation:
- (e) powers of attorney or enduring powers of attorney:
- (f) wills, codicils, or other testamentary instruments:
- (g) negotiable instruments:
- (h) bills of lading:
- (i) *[Repealed]*
- (j) *[Repealed]*
- (k) requirements to produce or serve a warrant or other document that authorises—
 - (i) entry on premises; or
 - (ii) the search of any person, place, or thing; or
 - (iii) the seizure of any thing:
- (l) information required in respect of any goods or services by a consumer information standard or a product safety standard or a services safety standard prescribed under the Fair Trading Act 1986:
- (m) *[Repealed]*

Schedule Part 3 item (i): repealed, on 6 June 2008, by clause 5 of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 3 item (j): repealed, on 6 June 2008, by clause 5 of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 3 item (m): repealed, on 6 June 2008, by clause 5 of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Part 4

Provisions of enactments relating to certain courts and tribunals

Provisions of enactments relating to the practice or procedure of any of the following:

- (1A) the Supreme Court:
 - (1) the Court of Appeal or the High Court continued by the Senior Courts Act 2016:
 - (2) the District Court reconstituted under section 7 of the District Court Act 2016:
 - (3) the Family Court established under the Family Court Act 1980:
 - (4) the Youth Court established under the Oranga Tamariki Act 1989:
 - (5) the Disputes Tribunal established under the Disputes Tribunal Act 1988:
 - (6) the Maori Appellate Court and the Maori Land Court continued under Te Ture Whenua Maori Act 1993:
 - (7) the Court Martial Appeal Court constituted under the Court Martial Appeals Act 1953:
 - (8) the Court Martial of New Zealand established under section 8 of the Court Martial Act 2007:
 - (8A) the Summary Appeal Court of New Zealand established under the Armed Forces Discipline Act 1971:
 - (9) the Customs Appeal Authority established under the Customs and Excise Act 1996:
 - (10) the Catch History Review Committee established under the Fisheries Act 1996:
 - (11) *[Repealed]*
 - (12) Land Valuation Tribunals established under the Land Valuation Proceedings Act 1948:
 - (13) Motor Vehicle Disputes Tribunals established under the Motor Vehicle Sales Act 2003:
 - (14) the Refugee Status Appeals Authority, the Removal Review Authority, and the Residence Review Board continued by, and the Immigration and Protection Tribunal established under, the Immigration Act 2009:
 - (15) the Social Security Appeal Authority and the Benefits Review Committees established under the Social Security Act 1964, and any Appeal Board appointed under section 53A of that Act:
 - (16) the Student Allowance Appeal Authority established under the Education Act 1989:
 - (17) *[Repealed]*
 - (18) the Tenancy Tribunal constituted under the Residential Tenancies Act 1986:
 - (19) the Environment Court continued by the Resource Management Act 1991:

- (20) the Waitangi Tribunal established under the Treaty of Waitangi Act 1975:
- (21) Review Tribunals established under the Mental Health (Compulsory Assessment and Treatment) Act 1992:
- (22) *[Repealed]*
- (23) *[Repealed]*
- (24) *[Repealed]*
- (25) *[Repealed]*
- (26) *[Repealed]*
- (27) *[Repealed]*
- (28) *[Repealed]*
- (29) the Plumbers, Gasfitters, and Drainlayers Board continued under the Plumbers, Gasfitters, and Drainlayers Act 2006:
- (30) the Psychologists Board continued by, and Complaints Assessment Committees established under, the Psychologists Act 1981.

Schedule Part 4 item (1A): inserted, on 1 January 2004, by section 48(1) of the Supreme Court Act 2003 (2003 No 53).

Schedule Part 4 item (1): amended, on 1 March 2017, by section 183(b) of the Senior Courts Act 2016 (2016 No 48).

Schedule Part 4 item (2): replaced, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Schedule Part 4 item (3): replaced, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Schedule Part 4 item (4): replaced, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Schedule Part 4 item (4): amended, on 14 July 2017, by section 149 of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31).

Schedule Part 4 item (5): replaced, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Schedule Part 4 item (7): substituted, on 1 July 2009, by section 35 of the Court Martial Appeals Amendment Act 2007 (2007 No 99).

Schedule Part 4 item (8): substituted, on 1 July 2009, by section 87 of the Court Martial Act 2007 (2007 No 101).

Schedule Part 4 item (8A): inserted, on 1 July 2009, by section 81 of the Armed Forces Discipline Amendment Act (No 2) 2007 (2007 No 98).

Schedule Part 4 item (11): repealed, on 21 November 2003, by clause 3(2) of the Electronic Transactions (Exclusion of Enactments and Provisions) Order 2003 (SR 2003/290).

Schedule Part 4 item (13): substituted, on 6 June 2008, by clause 6(1) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 4 item (14): substituted, at 2 am on 29 November 2010, by section 406(1) of the Immigration Act 2009 (2009 No 51).

Schedule Part 4 item (17): repealed, on 21 November 2003, by clause 3(2) of the Electronic Transactions (Exclusion of Enactments and Provisions) Order 2003 (SR 2003/290).

Schedule Part 4 item (21): substituted, on 6 June 2008, by clause 6(2) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 4 item (22): repealed, on 6 June 2008, by clause 6(3) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 4 item (23): repealed, on 6 June 2008, by clause 6(3) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 4 item (24): repealed, on 6 June 2008, by clause 6(3) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 4 item (25): repealed, on 6 June 2008, by clause 6(3) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 4 item (26): repealed, on 6 June 2008, by clause 6(3) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 4 item (27): repealed, on 6 June 2008, by clause 6(3) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 4 item (28): repealed, on 6 June 2008, by clause 6(3) of the Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113).

Schedule Part 4 item (29): amended, on 1 April 2010, by section 185 of the Plumbers, Gasfitters, and Drainlayers Act 2006 (2006 No 74).

Reprints notes

1 *General*

This is a reprint of the Electronic Transactions Act 2002 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*

Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31): section 149

Contract and Commercial Law Act 2017 (2017 No 5): section 345(1)(e)

Electronic Courts and Tribunals Act 2016 (2016 No 52): section 35

District Court Act 2016 (2016 No 49): section 261

Senior Courts Act 2016 (2016 No 48): section 183(b)

Legislation (Confirmable Instruments) Amendment Act 2015 (2015 No 120): section 14

Credit Contracts and Consumer Finance Amendment Act 2014 (2014 No 33): section 82

Electronic Transactions (Contract Formation) Amendment Act 2014 (2014 No 25)

Fair Trading Amendment Act 2013 (2013 No 143): section 41(2)

Immigration Act 2009 (2009 No 51): section 406(1)

Electronic Transactions (Amendments to Schedule) Order 2008 (SR 2008/113)

Court Martial Act 2007 (2007 No 101): section 87

Court Martial Appeals Amendment Act 2007 (2007 No 99): section 35

Armed Forces Discipline Amendment Act (No 2) 2007 (2007 No 98): section 81

Plumbers, Gasfitters, and Drainlayers Act 2006 (2006 No 74): section 185

Public Records Act 2005 (2005 No 40): section 67(1)

Supreme Court Act 2003 (2003 No 53): section 48(1)

Electronic Transactions (Exclusion of Enactments and Provisions) Order 2003 (SR 2003/290)

Electronic Transactions Act Commencement Order 2003 (SR 2003/289)

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