

**Version
as at 1 July 2019**

Domestic Violence Act Commencement Order 1998

(SR 1998/343)

Domestic Violence Act Commencement Order 1998: revoked, on 1 July 2019, pursuant to section 258 of the Family Violence Act 2018 (2018 No 46).

PURSUANT to section 1(3) of the Domestic Violence Act 1995, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following order.

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1 Title

This order may be cited as the Domestic Violence Act Commencement Order 1998.

2 Interpretation

In this order,—

- (a) **The Act** means the Domestic Violence Act 1995:
- (b) Unless the context otherwise requires, words or expressions used in these regulations have the same meaning as in the Act.

Note

Changes authorised by subpart 2 of Part 3 of the Legislation Act 2019 have been made in this consolidation. See the notes at the end of this consolidation for further details.

This order is administered in the Ministry of Justice.

3 Commencement of sections 108 to 120

- (1) Sections 108 to 120 of the Act come into force on 15 December 1998 for the purposes of—
- (a) The public registers maintained under the public register provisions specified in Schedule 1; and
 - (b) The following public registers maintained under regulation 5 of the Land Transfer Regulations 1966:
 - (i) The journal book:
 - (ii) The nominal index:
 - (iii) The section index.
- (2) Sections 108 to 120 of the Act apply on and from 15 December 1998 for the purposes of—
- (a) The public registers maintained under the public register provisions specified in Schedule 2; and
 - (b) The public registers specified in clause 3(1)(b).

Schedule 1
New public register provisions

Cl 3(1)

Enactment	Public Register Provision
Deeds Registration Act 1908.....	Sections 21, 22, and 30
Rating Powers Act 1988.....	
Building Act 1991.....	
Te Ture Whenua Maori Act 1993.....	Section 263
Companies Act 1993.....	Sections 87, 88, 189, and 360
Rating Valuations Act 1998.....	Section 7
Local Government (Rating) Act 2002.....	section 27
Building Act 2004	Sections 216, 273, and 298

The item relating to the Building Act 1991 was omitted, as from 31 March 2005, by section 414 Building Act 2004 (2004 No 72). *See* subpart 4 of Part 5 of that Act (comprising sections 416 to 451) as to the transitional provisions.

The item relating to the Building Act 2004 was inserted, as from 31 March 2005, by section 414 Building Act 2004 (2004 No 72). *See* subpart 4 of Part 5 of that Act (comprising sections 416 to 451) as to the transitional provisions.

The item relating to the Companies Act 1993 was amended, as from 4 December 1998, by clause 2 Domestic Violence Act Commencement Amendment Order 1998 (SR 1998/426) by substituting the expression “189” for the expression “89”.

The item relating to the Rating Powers Act 1988 was revoked, as from 1 July 2003, by section 137(1) Local Government (Rating) Act 2002 (2002 No 6). *See* section 137(2) of that Act for the savings provision that provides that the changes apply for the purpose of rating in a financial year that begins on or after 1 July 2003.

The item relating to the Local Government (Rating) Act 2002 was inserted, as from 1 July 2003, by section 137(1) Local Government (Rating) Act 2002 (2002 No 6). *See* section 137(2) of that Act for the savings provision that provides that the changes apply for the purpose of rating in a financial year that begins on or after 1 July 2003.

Schedule 2

Public register provisions

Cl 3(2)

Enactment	Public Register Provision
Deeds Registration Act 1908.....	Sections 21, 22, and 30
Incorporated Societies Act 1908.....	Section 33
Industrial and Provident Societies Act 1908.....	Section 3D
Industrial and Provident Societies Amendment Act 1952.....	Sections 20 and 26
Companies Act 1955.....	Sections 105 and 111
Marriage Act 1955.....	Section 7
Insolvency Act 1967.....	Section 118
Local Elections and Polls Act 1976.....	Sections 7B, 7BA, 7BB, 7BC, and 7BD
Friendly Societies and Credit Unions Act 1982.....	Sections 5, 40, and 130
Transport (Vehicle and Driver Registration and Licensing) Act 1986.....	Section 18
Motor Vehicle Securities Act 1989.....	Section 5
Building Act 1991.....	
Te Ture Whenua Maori Act 1993.....	Section 263
Electoral Act 1993.....	Sections 100, 101, 103, 104, 105, 106, 107, 108, 109, 211, and 212
Companies Act 1993.....	Sections 87, 88, 189, and 360
Births, Deaths, and Marriages Registration Act 1995.....	Sections 5, 7(2), 8, 24, 25, 34, 36, 48(3), 50, 53, 56, 58
Dog Control Act 1996.....	Section 34
Rating Valuations Act 1998.....	Section 7
Local Government (Rating) Act 2002	section 27
Building Act 2004	Sections 216, 273, and 298

The item relating to the Building Act 1991 was omitted, as from 31 March 2005, by section 414 Building Act 2004 (2004 No 72). *See* subpart 4 of Part 5 of that Act (comprising sections 416 to 451) as to the transitional provisions.

The item relating to the Building Act 2004 was inserted, as from 31 March 2005, by section 414 Building Act 2004 (2004 No 72). *See* subpart 4 of Part 5 of that Act (comprising sections 416 to 451) as to the transitional provisions.

An item relating to the Rating Powers Act 1988 was revoked, as from 1 July 2003, by section 137(1) Local Government (Rating) Act 2002 (2002 No 6). *See* section 137(2) of that Act for the savings provision that provides that the changes apply for the purpose of rating in a financial year that begins on or after 1 July 2003.

The item relating to the Local Government (Rating) Act 2002 was inserted, as from 1 July 2003, by section 137(1) Local Government (Rating) Act 2002 (2002 No 6). *See* section 137(2) of that Act for the savings provision that provides that the changes apply for the purpose of rating in a financial year that begins on or after 1 July 2003.

MARIE SHROFF,

Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

Sections 108 to 120 of the Domestic Violence Act 1995 come into force on 15 December 1998 for the purposes of the public registers maintained under the public register provisions listed in *Schedule 1* and the public registers specified in *clause 3(1)(b)*. This means that directions under Part 6 of the Act about the non-disclosure of information relating to a protected person's whereabouts can be made only in respect of those registers and the other public registers to which sections 108 to 120 already apply.

The public registers to which sections 108 to 120 of the Domestic Violence Act 1995 are currently expressed to apply are the public registers maintained under:

- Section 33 of the Incorporated Societies Act 1908:
- Section 3D of the Industrial and Provident Societies Act 1908:
- Sections 20 and 26 of the Industrial and Provident Societies Amendment Act 1952:
- Sections 7, 105, 111, 118, 119, 128 and 200 of the Companies Act 1955:
- Section 7 of the Marriage Act 1955:
- Section 118 of the Insolvency Act 1967:
- Sections 7B, 7BA, 7BB, 7BC, and 7BD of the Local Elections and Polls Act 1976:
- Sections 5, 40, and 130 of the Friendly Societies and Credit Unions Act 1982:
- Section 18 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986:
- Section 5 of the Motor Vehicle Securities Act 1989:
- Sections 100, 101, 103, 104, 105, 106, 107, 108, 109, 211, and 212 of the Electoral Act 1993:
- Sections 5, 7(2), 8, 24, 25, 34, 36, 48(3), 50, 53, 56, and 58 of the Births, Deaths, and Marriages Registration Act 1995
- Section 34 of the Dog Control Act 1996.

The references to public registers maintained under sections 7, 118, 119, 128, and 200 of the Companies Act 1955 do not appear in Schedule 2 because those provisions have been repealed.

The public registers in respect of which sections 108 to 120 of the Domestic Violence Act 1995 are brought into force by this order are the journal book, nominal index, and section index maintained under regulation 5 of the Land Transfer Regulations 1966 and the public registers maintained under:

- Sections 21, 22, and 30 of the Deeds Registration Act 1908:
- Section 113 of the Rating Powers Act 1988:
- Sections 27 and 53 of the Building Act 1991:
- Section 263 of Te Ture Whenua Maori Act 1993:
- Sections 87, 88, 89, and 360 of the Companies Act 1993:
- Section 7 of the Rating Valuations Act 1998

The public registers to which these regulations do not apply are the public registers maintained under:

- Section 9 of the Occupational Therapy Act 1949:
- Section 9 of the Physiotherapy Act 1949:
- Section 9 of the Dietitians Act 1950:
- Sections 33 and 50 of the Land Transfer Act 1952:
- Section 17 of the Pharmacy Act 1970:
- Sections 122ZH and 122ZI of the Local Government Act 1974:
- Section 14 of the Optometrist and Dispensing Opticians Act 1976:
- Section 20 of the Plumbers, Gasfitters, and Drainlayers Act 1976:
- Section 16 of the Nurses Act 1977:
- Section 51 of the Securities Act 1978:
- Section 12 of the Psychologists Act 1981:
- Section 12 of the Chiropractors Act 1982:
- Section 45 of the Transport (Vehicle and Driver Licensing) Act 1986:
- Section 27 of the Dental Act 1988:
- Section 37 of the Medical Practitioners Act 1995.

Consolidation notes**1 *General***

This is a consolidation of the Domestic Violence Act Commencement Order 1998 that incorporates all the amendments to that order as at the date of the last amendment to it.

2 *About this consolidation*

This consolidation is not an official version of the legislation under section 78 of the Legislation Act 2019.

3 *Amendments incorporated in this consolidation*

Family Violence Act 2018 (2018 No 46): section 258