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Regulations Ordinance 1967, No.40

ANALYSIS

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REGULATIONS ORDINANCE 1967  
1967, No.40

An Ordinance to make provision for the printing and publication of statutory regulations and for matters incidental thereto (16 January 1967).

1. Short Title and commencement - (1) This Ordinance may be cited as the Niue Island Regulations Ordinance 1967.

(2) This Ordinance shall come into force on the day on which it is assented to by the Resident Commissioner.

2. Interpretation - (1) In this Ordinance the expression "regulations" means and includes:

- (a) Regulations, rules, or bylaws made under the authority of any Ordinance by the Resident Commissioner or by any other authority empowered in that behalf;
- (b) Orders, proclamations, notices, warrants and instruments of authority made under any Ordinance which extend or vary the scope or provisions of any Ordinance;
- (c) Regulations made under any New Zealand Act or under the prerogative rights of the Crown and having force in Niue;

but does not include regulations made by any local authority or by any authority or persons having jurisdiction limited to any district or village.

(2) If any question arises as to whether any instrument is a regulation for the purposes of this Ordinance it shall be determined by the Resident Commissioner.

3. Printing and sale of regulations - (1) All regulations made after the commencement of this Ordinance shall forthwith after they are made be numbered and printed in the English and Niuean languages and made available for sale:

Provided that the Resident Commissioner may by writing under his hand exempt any specified regulations or specific class of regulations from the operation of this section if in his opinion it is unnecessary or undesirable that they should be printed under this Ordinance.

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(2) Such of the regulations made before the commencement of this Ordinance as the Resident Commissioner may from time to time direct, shall be numbered, printed, and made available for sale.

(3) Any regulation may, without prejudice to any other mode of citation be cited by the number given to them as aforesaid and a reference to the year in which they are printed.

4. Form of regulations - (1) The Resident Commissioner may from time to time give directions as to the form in which regulations shall be printed and published under this Ordinance.

(2) Directions given under this section may provide for the printing of all or any regulations with the omission of such signatures and formal introductory parts as the Resident Commissioner or any person authorised by him in that behalf from time to time directs:

Provided that in every case there shall be printed references to the Ordinance or other authority pursuant to which the regulations were made, the date on which they were made and the date (if any) on which they are expressed to come into force.

(3) Notwithstanding anything in the foregoing provisions of this section, all regulations purporting to be printed under this Ordinance shall be deemed to be copies for the purposes of the next succeeding section.

5. Date of regulations coming into force - All regulations made after the coming into force of this Ordinance, which do not expressly state therein the date on which they are to come into force, shall come into force on the date on which they are made.

6. Evidence of regulations - Prima facie evidence of any regulations may be given in all Courts and in all legal proceedings by the production of a copy of the regulations purporting to be printed under this Ordinance.

7. Publishing under this Ordinance sufficient compliance with direction to be published in Gazette - Where any regulations are required by any Ordinance to be published or notified in the Niue Island Gazette, a notice in the Gazette of the regulations having been made and of the place where copies of them can be purchased shall be sufficient compliance with that requirement.

8. Incorporation of amendments in reprints - (1) Where any regulations have, whether before or after the commencement of this Ordinance, been amended by:

- (a) The revocation or omission of any words or signatures; or
  - (b) The substitution of any words or figures in lieu of any revoked or omitted words or figures; or
  - (c) The insertion of any words or figures -
- then in any reprint of the regulations the regulations shall be printed as so amended.

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(2) In any such reprint reference shall be made in a footnote or otherwise to the instrument of authority by which each amendment is made.

(3) Before any such reprint is made the Resident Commissioner shall prepare and certify a copy of the regulations as so amended. The reprint shall be in accordance with the copy so certified and shall contain a statement that it is reprinted under this section.

9. Regulations to be laid before Island Assembly - All regulations made after the commencement of this Ordinance and printed and published pursuant to this Ordinance shall be laid before the Island Assembly within twenty-eight (28) days after the making thereof if the Assembly is then in session, and, if not, shall be laid before the Assembly within twenty-eight (28) days after the date of the commencement of the next ensuing session.