

## New Zealand.



### DEMISE OF THE CROWN.

1908, No. 42.

AN ACT to consolidate certain Enactments of the General Assembly relating to the Necessary Provision for certain Matters in case of any Demise of the Crown.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. (1.) The Short Title of this Act is “The Demise of the Crown Act, 1908.”

Enactments consolidated.

(2.) This Act is a consolidation of the enactments mentioned in the Schedule hereto.

Parliament not dissolved by demise of the Crown.  
1888, No. 3, sec. 2

2. The General Assembly in being at any demise of the Crown shall not be determined or dissolved by such demise, but shall continue as long as it would have continued but for such demise, unless it is sooner prorogued or dissolved by the Governor.

Members of General Assembly to take fresh oaths on demise of Crown.  
1901, No. 16, sec. 3

3. At the first meeting of the General Assembly after any demise of the Crown the members of the General Assembly shall take fresh oaths of allegiance to the sovereign for the time being, and section forty-six of the Constitution Act shall be read and apply accordingly:

Provided that nothing herein shall be construed to require the General Assembly to meet on account of the demise of the Crown.

Demise of the Crown not to affect things done before Proclamation thereof.  
1888, No. 3, sec. 3

4. Any demise of the Crown shall not affect anything done in New Zealand before the day whereon the Governor by Proclamation notifies such demise; and all things done in New Zealand at any time after such demise, but before the day of the publication of the *Gazette* containing the aforesaid Proclamation, and which but for this Act might be affected by any such demise, shall have the same effect and be of the same force as if no such demise had happened.

All appointments, &c., by the Governor to continue in force

5. Every Commission, warrant, or other authority for the exercise of any office or employment of any kind or nature issued or exercised by the Governor in Council or the Governor, or by any other

person in the name and on behalf of His Majesty, in virtue of his office, or under the authority of any Act of the Imperial Parliament or of the General Assembly, or of any rules or regulations made thereunder respectively, shall continue in full force, notwithstanding any demise of the Crown, until duly revoked or cancelled, and shall be of the same effect as if no such demise had happened, anything in an Act of the Imperial Parliament passed in the first year of His late Majesty King William the Fourth, chapter four, to the contrary notwithstanding.

notwithstanding  
demise of the  
Crown.  
1888, No. 3, sec. 4

6. No action or other process or proceeding, civil or criminal, in or to which His Majesty is a party, or which has been commenced or carried on in his name or by his authority shall by reason of his demise abate, discontinue, or be in any manner affected; but every such action, process, or proceeding shall and may be carried on, enforced, or otherwise completed or acted on in the name of his successor and as if such demise had not happened.

All civil or criminal  
process, on behalf of  
His Majesty, to con-  
tinue notwithstand-  
ing demise.  
Ibid, sec. 5

7. All contracts of every kind lawfully entered into by or on behalf of His Majesty with any person, body, or authority, and all benefit and advantage thereof, and all liability in respect thereof, shall respectively attach and belong to the heirs and successors of His Majesty, although they are not expressly named in any such contract.

Contracts not  
affected by demise  
Ibid, sec. 5

## SCHEDULE.

### ENACTMENTS CONSOLIDATED.

1888, No. 3.—“The Demise of the Crown Act, 1888.”

1901, No. 16.—“The Promissory Oaths Act, 1901”: Section 3.