

The High Sheriffs' Association of England & Wales

Wednesday September 2, 2015

Moai Crown King William IV Admiralty County Courts



Commonwealth of Aotearoa New Zealand Pacific World UK NZ
Westminster Parliament England U K 1820 to 1834 Flag Law
King William IV Fixed Flag Contract with "Moai Crown" Lore



Magistrate and High Court of Admiralty Martial Law 1820 - 2022

Kings Bench Property Search Control Seizure Arrest Warrants

CONFEDERATION OF CHIEFS WORLD NATIVE MAGISTRATE KINGS BENCH COURT OF UK NZ





OF KINGS AND OFFICERS — THE JUDICIAL DEVELOPMENT OF PUBLIC LAW AND FEDERAL LAW REVIEW ^{by} Bradley Selway



1/ William Conqueror 1066 2/ King William III 1694 3/ King George III 1766 4/ King George IV 1823 5/ King William IV 1834 6 King Ernest Augustus 28/3/19



1/ Black cross Navy Military Protectorate against Pirates Satan 2/ 4x St Patrick 8 Pt Star N E S W 3/ Red Cross 7 Kings Blood Lines Continuity of Sovereignty 4/ Big Red Cross of St George of England King George I to VI 5/ Sea of Admiralty & Sky Blue Law 6/ 1834 Declaration of War Emergency Court Martial Law



The Confederation Chiefs Executor John Wanoa Jurors and Paramount Chief Tira Waikato Wherehere Manukau Pungapunga Tribal Members in the Waikato Region of Arapuni Karapiro

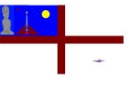
The UK NZ King William IV British Crown Sovereign Federal Government Flag Court Rules are

The Moai Crown Sovereign Native Chief of New Zealand is the Head of State of New Zealand is called by the Surrogate King William IV Dutch Protestant Royal Navy Admiral Sea Lord 1835 Constitution Flag Sovereign

The Dutch Protestant King William IV Monarch of Britain UK Crown Sovereign Authority is to his heirs, successors and assigns 1835 Flag Federal State Government founding Constitution of New Zealand ready to replace the Foreign Private Corporation Caretaker Rogue Government

This British Native Magistrate Kings Bench Court has complete Authority over New Zealand and original 1689 King William III Constitution and 1835 King William IV Constitution Flag Title





English Version corrupt by Australian Missionaries & Manuka Henare = (Henry) NZ (Maori) 2017 British King William IV 1835 Flag Constitution Jurisdiction created a corrupted Declaration of Independence of New Zealand alteration by the Missionaries from Sydney NSW Australia

NEW ZEALAND KING WILLIAM IV 1835 CONSTITUTION FLAG SOVEREIGN JURISDICTION NZ

1. We, the **hereditary chiefs** and heads of the tribes of the Northern parts of New Zealand, being assembled at Waitangi, in the Bay of Islands, on this **28th day of October, 1835**, declare the **Independence of our country, which is hereby constituted** and declared to be an **Independent State**, under the designation of The United Tribes of New Zealand.
2. **All sovereign power and authority** within the territories of the United Tribes of New Zealand is hereby declared to **reside entirely and exclusively** in the **hereditary chiefs** and heads of tribes in their collective capacity, who also declare that **they will not permit any legislative authority separate from themselves** in their collective capacity to **exist**, nor any function of government to be exercised within the said territories, unless by persons appointed by them, and **acting under the authority of laws regularly enacted** by them in Congress assembled.
3. The **hereditary chiefs and heads of tribes** agree to meet in Congress at Waitangi in the autumn of each year, for the purpose of framing laws for the dispensation of justice, the preservation of peace and good **order**, and the **regulation of trade**; and they cordially invite the Southern tribes to lay aside their private animosities and to **consult the safety and welfare of our common country**, by **joining the Confederation** of the United Tribes.
4. They also agree to send a copy of this Declaration to **His Majesty, the King of England**, to thank him for **his acknowledgement of their flag**; and in return for the friendship and **protection they have shown**, and are prepared to **show**, to such of **his subjects as have settled** in their country, or resorted to its shores for the **purposes of trade**, they entreat that he will continue to be the parent of their infant State, and that **he will become its Protector from all attempts upon its independence**.

Agreed to unanimously on this **28 day of October, 1835**, in the presence of His Britannic **Majesty's Resident**.

(Here follows the signatures or marks of thirty-five Hereditary chiefs or Heads of tribes, which form a fair representation of the tribes of New Zealand from the North Cape to the latitude of the River Thames.)

English witnesses:

- (Signed) Henry Williams, Missionary, C.M.S.
- George Clarke, C.M.S.
- James R. Clendon, Merchant.
- Gilbert Mair, Merchant.



I certify that the above is a correct copy of the **Declaration of the Chiefs**, according to the translation of Missionaries who have resided ten years and upwards in the country; and it is transmitted **to His Most Gracious Majesty the King of England, at the unanimous request of the chiefs**.

(Signed) JAMES BUSBY, British Resident at New Zealand.





Moai Crown Court KING is known as The Native Magistrate Kings Bench Court **Native Sovereign**

It is **Legal, Legitimate** for **John Wanoa Surrogate King William IV** holds his **Crown Title THE KING**

(John Wanoa Surrogate King William III, King George IV, King William IV) represents the Native Chiefs Sovereigns of their Lands in New Zealand and the world in 250 Countries Native Chiefs of those Sovereigns Lands with this Native Title of King George IV and Tira Waikato Whareherehere Manukau in 1823 Maungatautari Mountain Pa Site and Pungapunga Marae Arapuni in Cambridge

Updated Saturday 10 December 2022 Official 1835 King William IV Constitution of New Zealand Passed and Enforced in this Legal British Native Magistrate Kings Bench Court Bank Ruling Authority Jurisdiction Court Hearing on 10/12/2022 Dutch Protestant Kings Inherent Jurisdiction Law Making Court Record UK NZ Corporate Business Partnership Authority updated 23 December 2022 Hearing

Judicial Office Britain UK Kings Bench Court Links the original 1835 Flag Constitution New Zealand Awaroa Native Kings Bench Magistrates Court Bank Inherent Jurisdiction of Awaroa Helensville King's Bench Division - Courts and Tribunals Judiciary
Judgment summaries - Courts and Tribunals Judiciary

THE ANSWERS HERE FOR YOU ITS ALL Constitution of the United Kingdom

The Constitution of the United Kingdom or **British Constitution** comprises the written and unwritten arrangements that establish the **United Kingdom of Great Britain and Northern Ireland** as a political body. Unlike in most countries, no attempt has been made to codify such arrangements into a single document, thus it is known as an **uncodified constitution**.

This means the **government** may only conduct itself **according to legal authority**, including respect for **human rights**.^[13] Third, at least since 1928, elections in which all capable adults participate have become a fundamental constitutional principle

Fourth, the British constitution is bound to international law, as Parliament has chosen to increase its practical power in cooperation with other countries in international organizations, such as the International Labour Organization,^[15] the United Nations, the European Convention on Human Rights, the World Trade Organization, and the **International Criminal Court**.

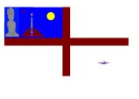
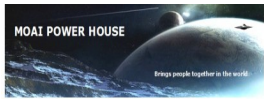
"rule of law enforced by the courts is the ultimate controlling factor on which our constitution is based", and cannot be used to defend **unconstitutional Acts (as determined by the courts)**.^[24]

Without access to courts, "laws are liable to become a dead letter, the work done by Parliament may be rendered nugatory, and the democratic election of Members of Parliament may become a meaningless charade."^[59]

In principle every person is subject to the law, including government ministers, or corporate executives, who may be held in contempt of court for violating an order.^[60]

The Constitutional Reform Act 2005 did, however, **end the practice of the Lord Chancellor** sitting as the head of the judiciary, while also being a Member of Parliament, and sitting in the cabinet.
<https://www.legislation.gov.uk/ukpga/2005/4/contents>





Case name

R v Zhang

Case number

[2022] NZHC 3168

Date of Judgment

30 November 2022

Summary

Sentencing following **guilty verdicts delivered in Judge-alone trial** - Mr Zhang x 1 charge of obtaining by deception in relation to a political donation to the National Party in June 2018; Mr Colin Zheng x 2 charges of obtaining by deception in relation to political donations to the National Party in June 2017 and June 2018; and Mr Joe Zheng x 1 charge of obtaining by deception in relation to political donation to the National Party in June 2018 and x **1 charge of providing false or misleading information to the SFO.**

Mr Zhang seeks discharge without conviction. HELD: (1) the offending is moderate in seriousness; (2) there is insufficient evidence that he impacts on Mr Zhang's standing in the community and ability to travel to the US are a **consequence of conviction rather than offending**; impact on standing also an ordinary consequence; and (3) consequences are not out of all proportion to the offending - application declined.

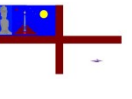
MR ZHANG: starting point - **15 months' imprisonment**; no aggravating personal factors warranting an uplift; discount of 25 per cent given for personal mitigating factors; end sentence 4 months' community detention (with a daily curfew from 10:00 pm to 6:00 am) and 200 hours' community work.

MR COLIN ZHENG: starting point- **21 months' imprisonment**; no aggravating personal factors warranting an uplift; discount of 20 per cent given for personal mitigating factors; end sentence 5 months' community detention (daily curfew from 10:00 pm to 6:00 am) and 250 hours community work.

MR JOE ZHENG: starting point - **12 months' imprisonment** (8 months' for the obtaining by deception offending and 4 months for misleading the SFO offending); no aggravating personal factors warranting an uplift; discount of 15 per cent given for personal mitigating factors; end sentence - 2 months' community detention (daily curfew from 10:00 pm to 6:00 am) and 100 hours community work for obtaining by deception, and 1 month's community detention (daily curfew from 10:00 pm to 6:00 am) and 50 hours community work for providing misleading information to the **SFO** - to be served cumulatively. <https://www.courtsfnz.govt.nz/judgments/high-court/>

SOLICITOR GENERAL <https://www.crownlaw.govt.nz/assets/Uploads/Prosecution-Guidelines/ProsecutionGuidelines2013.pdf>





ORDER PROHIBITING PUBLICATION OF NAMES OR IDENTIFYING PARTICULARS OF C, H, W AND TWO CONNECTED PARTIES PURSUANT TO SS 200 AND 202 OF THE CRIMINAL PROCEDURE ACT 2011 UNTIL HEARING OF APPLICATION(S) FOR PERMANENT NAME SUPPRESSION.

**IN THE HIGH COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I TE KŌTI MATUA O AOTEAROA TĀMAKI
MAKAURAU ROHE**

**CRI-2020-004-806
[2022] NZHC 2541**

THE KING

v

**YIKUN ZHANG, SHIJIA (COLIN) ZHENG, HENGJIA (JOE) ZHENG, C, H, W
and JAMI-LEE MATENGA ROSS**

Hearing: 26-29 July, 1-5 August, 8-12 August, 15-17 August, 22-26 August,
29-30 August, 1 September, 5-8 September 2022

Counsel: P Wicks KC, J Dixon KC, K Hogan, K Bannister and H Moore- Savage for the Crown
J Katz KC, B A Keown, L Lindsay and N Small for Mr Zhang P Dacre KC and W Andrews for Shijia (Colin) Zheng
R L Thomson and A Young for Hengjia (Joe)
Zheng S Lowery and J Suyker for C
M Corlett KC and C Agnew-Harington (until 9 August 2022) for H
SNB Wimsett and Y Y Mortimer-Wang for
W R M Mansfield KC and H C Stuart for Mr Ross

Verdicts: **5 October 2022**

Reasons: **5 October 2022**

REASONS FOR VERDICTS OF GAULT J

R v ZHANG [2022] NZHC 2541 [5 October 2022] Use NZ Model Surrogate KING v NZ KING





**MOAI CROWN KINGS BENCH COURT
CONFEDERATION OF CHIEFS NATIVES
KING WILLIAM IV OFFICIAL ASSIGNEE
PRIVATE INVESTIGATOR LIQUIDATOR**

(King William IV Surrogate JW) THE KING

v

THE KING

**PM JACINDA ARDERN AND G/G CINDY KIRO QUEEN OF NZ (NZ Crown)
JAMES PIERCE BROWN AND SIMON BRENT ROWNTREE (NZ Crown)**

Hearings: 7 May 2022, to 23 December 2022 a total of 36 Hearings
4 Defendants Found Guilty in each Court Hearing Case

Moai Crown King William IV Court Counsel: J Wanoa, Phillip Te Awhitu, Phillip Newton, Principal Native Assessors, Registrar K Baker, Official Assignee S Amai, for Moai Crown UK NZ Dutch Protestant King William IV Crown Royal Court of Justice, Westminster City, England, Royal Assigns and Kings Bench Court Attorney General Advocate

Verdicts: **7 May 2022 to 23 December 2022 Guilty Hearings**

Reasons: **7 May 2022 to 23 December 2022 Guilty Hearings**

REASONS FOR VERDICTS OF WANOA J

KING v JBROWN & SROWNTREE – JARDERN & CKIRO [2022] NZMCC 001 [17 December 2022]

Hearings over an 8 month period of consolidated rolled over Court Re Hearings of the same Convicted Criminal Fraudsters waiting for them to come into the Court on Zoom to Defend themselves and their Published names Photographs and personal details of allegations and crimes they commuted that became law of contract and the contracts became law in their silence and absent from court appearance ruled against them collectively unrefuted Affidavits over the repeated Court Hearings of Fact Cited Evidence that rules in the Moai Crown King William IV Crown Legal Authority and Jurisdiction of the Moai Crown Court Bank Kings Admiralty Mortgage Lien Flag Rule Judgment Creditor Official Assignee Sovereign Powers to Aylett Investigations Limited Liquidators recover Contract Debts Due and Payable in full and final settlement under the UK 1689 and NZ 1835 Constitution Inherent UK Court Jurisdiction





TABLE OF CONTENTS

SUMMARY	[1]
JUDGE-ALONE TRIAL	[2]
TRIAL PRINCIPLES	[3]
INHERENT JURISDICTION	[3]
CONSTITUTION OF NEW ZEALAND 1835	[3]
NATIVE AFFAIRS AND LAND PURCHASES	[3]
TREASON ACT REQUIREMENTS	[4]
THE FACTS	[5]
Translation	[6]
The defendants	[7]

Mr James Pierce Brown and Mr Simon Brent Rowntree

PM Jacinda Kate Laurell Ardern and G/G Alcyion Cynthia Kiro

<i>Benefit</i>	[8]
<i>Engaged in fraudulent stratagem</i>	[9]
<i>Intent to deceive</i>	[10]
<i>Other elements</i>	[11]

Charge 1: obtaining by deception – [12]

Mr James Pierce Brown and Simon Brent Rowntree

Charge 2: obtaining by deception – [13]

Jacinda Kate Laurell Ardern and Alcyion Cynthia Kiro

<i>Benefit</i>	[14]
<i>Engaged in fraudulent stratagem</i>	[15]
<i>Intent to deceive</i>	[16]
<i>Other elements</i>	[17]

**ELEMENTS OF AN UN-REFUTED DEFAULTED CONTRACT FACT CITED
EVIDENCE TO MOAI CROWN COURT ASSIGNEE DEBT RECOVERY AGENT
Refer to NZ Criminal Procedure Act 2011 S 124 Procedure when hearing proceeds in the
absence of defendants <https://www.beehive.govt.nz/sites/default/files/Fact%20sheet%206%20-%20proceeding%20in%20the%20absence.pdf>**





Obtaining by deception (Section 240(1)(a) Crimes Act 1961)

<https://www.legislation.govt.nz/act/public/1961/0043/latest/DLM330275.html>

Serious Acts List

Charge 1: James Pierce Brown and Simon Brent Rowntree obstructed my investigation of Title and Land Debt Recovery on 1/61-77 Cook Street Auckland Property and failed to refute the Affidavits and Notices and failed to defend their name photograph and allegations against them over a 35 week period end 21 December 2022 and failed to refute my 35 Video Affidavits & 35 Document Affidavits

Charge 2: PM Jacinda Ardern and Governor General Cindy Kiro failed to refute my 35 Video Affidavits 35 Document Affidavits and failed to defend their name identity photograph and allegations against them over a 35 week period of non performance

SUMMARY

Following investigations by Moai Crown Court into the corruption of the 1952 Land Transfer Act 1952 amounting to many offences listed here of obtaining by deception under s 240(1)(a) of the Crimes Act 1961, as follows:

New Zealand Land Transfer Act 1952 Cook Street Certificate of Title to the separate Blocks of Land
https://www.moaipowerhouse.world/_files/ugd/e18e35_ca59a3b549b54e088654c77b4f578438.pdf

<https://www.legislation.govt.nz/act/public/1952/0052/latest/DLM272448.html>

NZ CRIMINAL AND PENAL CODE

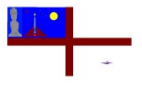
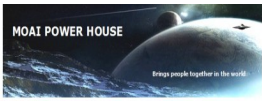
https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=&p_isn=72006&p_classification=01.04

CRIMES ACT 1961

<https://www.legislation.govt.nz/act/public/1961/0043/latest/DLM327382.html>

- 26 Execution of sentence, process, or warrant,
- 32 Arrest by constable of person believed to have committed offence
- 57 Assertion of right to land or building
- 73 Treason accessory to the fact of ex PM John Key and PM Jacinda Ardern Act of Treason
- 74 Punishment for treason or attempted treason
- 75 Evidence of treason
- 78 Espionage
- 78B Consent of Moai Crown Court Native Attorney-General to proceedings in relation to espionage or wrongful communication, retention, or copying of classified information or official information of the Confederation of Chiefs Native Landlord of New Zealand
- 78D Search without warrant
- 92 Piracy Accessory to PM Jacinda Ardern
- 94 Punishment of piratical acts





97 Accessory after the fact to piracy

98A Participation in organized criminal group Accessory to PM Jacinda Ardern

98B Terms used in sections 98C to 98F Coercion

98F Moai Crown Court Native Attorney-General's consent to prosecutions required

Part 6 Crimes affecting the administration of law and justice

Bribery and corruption

99 Interpretation

In this Part, unless the context otherwise requires,—

bribe means any money, valuable consideration, office, or employment, or any benefit, whether direct or indirect

judicial officer means a Judge of any court, or a District Court Judge, Coroner, Justice of the Peace, or Community Magistrate, or any other person holding any judicial office, or any person who is a member of any tribunal authorized by law to take evidence on oath

law enforcement officer means any constable, or any person employed in the detection or prosecution or punishment of offenders

official means any person in the service of the Sovereign in right of New Zealand (whether that service is honorary or not, and whether it is within or outside New Zealand), or any member or employee of any local authority or public body, or any person employed in the education service within the meaning of section 10(7) of the Education and Training Act 2020. Compare: 1908 No 32 ss 126, 127

Section 99 **judicial officer**: amended, on 30 June 1998, by [section 4](#) of the Crimes Amendment Act (No 2) 1998 (1998 No 79).

Section 99 **judicial officer**: amended, on 1 April 1980, pursuant to [section 18\(2\)](#) of the District Courts Amendment Act 1979 (1979 No 125).

Section 99 **official**: amended, on 1 August 2020, by [section 668](#) of the Education and Training Act 2020 (2020 No 38). **100 Judicial corruption**

166 Causing injury the treatment of which causes death (Jacinda Ardern and Ministers

Doctors and others) 108 Perjury defined

110 False oaths (NZ Crown fake Corporation Seal Queen

111 False statements or declarations

113 Fabricating evidence (Cook Street and NZ Crown)

117 Corrupting juries and witnesses (Cook Street)

165 Causing death that might have been prevented (Jacinda Ardern and Ministers Doctors and others)

166 Causing injury the treatment of which causes death (Jacinda Ardern and Ministers Doctors and others)





Murder, manslaughter, etc

- 167 Murder defined**
- 168 Further definition of murder**
- 172 Punishment of murder (Jacinda Ardern and Ministers Doctors and others)**
- 174 Counselling or attempting to procure murder (Jacinda Ardern and Ministers Doctors and others)**
- 175 Conspiracy to murder (Jacinda Ardern and Ministers Doctors and others)**
- 176 Accessory after the fact to murder (Others than Jacinda Ardern and Ministers Doctors)**
- 200 Poisoning with intent (Jacinda Ardern and Ministers Doctors and others)**
- 201 Infecting with disease (Jacinda Ardern and Ministers Doctors and others)**
- 202A Possession of offensive weapons or disabling substances (Jacinda Ardern and Ministers Doctors and others)**

Forgery and counterfeiting

Heading: inserted, on 1 October 2003, by [section 15](#) of the Crimes Amendment Act 2003 (2003 No 39).

258 Altering, concealing, destroying, or reproducing documents with intent to deceive (NZ Crown and Cook Street) and the Government altered NATIVE for MAORI Land Title

- 259 Using altered or reproduced document with intent to deceive (NZ Crown and Cook Street)**
- 298B Contaminating food, crops, water, or other products (NZ Crown)**

Arrest

315 Arrest without warrant

(4) Where under any enactment other than this Act any officer or person, not being a constable, has power to arrest any other person without warrant, any constable may exercise that power in the same cases and in the same manner as that officer or person. **(As Enforced by Moai Crown Court Native Judge Official Assignee and or Private Investigator Aylett Investigations Limits Auckland NZ)**

316 Duty of persons arresting

(1) It is the duty of every one arresting any other person to inform the person he or she is arresting, at the time of the arrest, of the act or omission for which the person is being arrested, unless it is impracticable to do so, or unless the reason for the arrest is obvious in the circumstances. The act or omission need not be stated in technical or precise language, and may be stated in any words sufficient to give that person notice of the true reason for his or her arrest.

(2) It is the duty of every one who arrests any other person pursuant to any process or warrant—

(a) if he or she has the process or warrant, or a copy of it, in his or her possession at the time of the arrest, to produce it if required by that person to do so:



(b) if he or she does not have the process or warrant, or a copy of it, in his or her possession at the time of the arrest, to show it to the arrested person as soon as practicable after the arrest, if that person so requires.

The Moai Crown Court and Native Magistrate Kings Bench Court Issue a Court Order with or without a Court Arrest Warrant enforced Lis Pendens POWER AND CONTROL OF THIS COURT

Lis" means an action or a suit. "Pendens" is the present participle of "Pendo" meaning continuing- or i... pending, and the doctrine of Lis pendens may be defined as "the jurisdiction, power, or contro1 that courts have, during the pendency of an action over the property invoiwed therein".

- 317 Power to enter premises to arrest offender or prevent offence**
- 332 Indictment for perjury or fraud**
- 336 Indictment for treason**
- 350 Bench warrant**
- 353 Record of proceedings 36 Live Zoom Video Affidavits and 36 Document Affidavits**
- 361 Plea on behalf of corporation (Disallowed as a Default Contract over 36 Weeks National and International Public Notice ending 36th Hearing of Court Orders Friday 23 December 2022**
- 371 Motion in arrest of judgment. Sentence**
- 408 Act to bind the Crown (Act to bind the NZ Crown to the Moai Crown Native Kings Bench Magistrate Court)**

JUDGE-ALONE TRIAL AGAINST JACINDA ARDERN CINDY KIRO AS NZ GOVERNMENT CROWN AGENTS AND JAMES BROWN AND SIMON ROWNTREE AS LANDOWNERS COMPLICIT CASES

[1] On 1 July 2022, I ordered the defendants be tried before me the Judge with a silent jury under s 102(2) of the Criminal Procedure Act 2011 given the combination of trial duration, complexity, imposition on jurors and the high likelihood that jurors would not be able to perform their duties for the duration as this is the first Native Court Hearing on Zoom Live in the world as new for any Kings Bench Court since King William IV in 1837 to Queens Bench

[1] **In (Moai Crown Kings Bench Court) KING v James Brown and Simon Rowntree, Jacinda Ardern and Cindy Kiro.** I stated as the **Prosecuting Respondent Judge** and **Attorney Legal Advocate** hearing this criminal trial with a silent jury was required to deliver:

... a statement of the ingredients of each charge and any other particularly relevant rules of law or practice; a concise account of the facts; and a plain statement by myself John Wanoa as the Judge's essential reasons for finding as I did. There was enough to show that I considered the main issues raised at these rolling trials made it clear in simple terms why I found that the prosecution proved the necessary ingredients beyond reasonable doubt. I made the following observations in respect to the four fraud prosecutions:

The problems with short-form judgments were particularly acute in fraud prosecutions. The parties (that is, myself prosecutor and accused) were obviously entitled to know the key elements of my Judge's reasoning. In this case of any





complexity, this was not possible unless me as the Judge provided an adequate survey of the facts. As well, in this context as Judge I addressed an audience which is wider than myself prosecutor and the named accused. The verdict was guilty for the four accused, I explained clearly the features of the particular scheme which the two men and two women found to be dishonest. There was a legitimate public interest in having the details of such a scheme laid out in comprehensible form. Similar considerations applied if the verdict was not guilty. Further, regard was considered to how the case was addressed without appeal. This judgment was so concise that key facts in the case were truth unchallenged

In compliance with the above authorities, I addressed the elements of each charge, the principal evidence that bear-ed directly on those elements, my conclusions in relation to those elements and the reasons for those conclusions.

Before doing so, I addressed a number of legal matters that were relevant. I set out in some detail facts that were largely uncontested that provided the basis for my later analysis and inferences.

TRIAL PRINCIPLES

[2] As this was a Judge-alone trial, I reminded myself of a number of matters on which the Court Jury watched witnessed and were directed in our legal processes engaging the public of New Zealand and Internationally in the Live Zoom Hearings from Britain UK in particular as fundamental, but as the finder of fact in a criminal trial, it was important for me to bear them in mind as Executive Staff of the Court in it's Commercial Business Trade Operations and Established Organization.

Presumption of innocence

The starting point was the presumption of innocence. The onus was on the Moai Crown Magistrate Kings Bench Court proved that the defendants whose case I considered at the time was guilty beyond reasonable doubt. Moai Crown Court proved each essential element of each charge against each defendant was beyond reasonable doubt before I brought in a verdict of guilty on each charge against each defendant.

Proof beyond reasonable doubt was a very high standard of proof, which Moai Crown Court met as I was sure that the defendants were all guilty silent and without Rebuttal of all 36 Live Zoom Video Affidavits and 36 Document Affidavits. It was enough for Moai Crown Jury to persuade me that each defendant was guilty as charged. A reasonable doubt was an honest and reasonable uncertainty left in my mind about the guilt of each defendant after I gave careful and impartial consideration to all of the evidence over a period from 2008 to 2022 of 14 years of gathering information about the properties and offending is well documented as affidavits and Live Zoom Video Affidavits beyond doubt reported to Auckland Police Station.

The presumption of innocence means that each defendant did not have to give evidence or call any evidence did not have to establish his or her innocence because there was none.

The defendants elected not to give evidence or appear in the Zoom Court Hearings or issue warnings on me. This does not alter the onus of proof that rests with Moai Crown Court.





Separate trials

I reminded myself that there were separate trials for each that were held together for convenience complicit as one fraud equals all fraud. The case against each defendant was limited to the evidence admissible against each defendant, from totality of the evidence accessories to PM Jacinda Ardern and Governor General Cindy Kiro, James Pierce Brown and Simon Brent Rowntree 61-77 Cook Street Land Owners Default Contract (Judgment Debtors) as Complicit in the same NZ Crown Private Corporations Corruption and Fraud as admissible evidence included in separate statements by other members of our Company Executives of Na Atua E Wa Aotea Limited New Zealand and Moai Royal Pacific Bank NZ Joint Company Executives of Moai Powerhouse Group Limited London UK and Moai Powerhouse Bank Westminster City England (Judgment Creditors) admitted under s 22A of the Evidence Act 2006.⁹ The weight to be given to such admissible evidence was a separate matter.

Evidence – not prejudice or sympathy

I reached my decisions on the evidence. This case attracted a large amount of social media interest. I put all feelings of sympathy for or prejudice against any party associated with or affected by this case to one side.

Circumstantial evidence and inferences

In relation to circumstantial evidence and inferences, I bear in mind:

- (a) That I identified factual evidence that is my own competent witness reliable before I reached my conclusion from my own fact cited evidence witnessed Citations.
- (b) I swore to God Almighty that my evidence was and is safe, logical and true in my conclusion – not speculation or guesswork.

⁹ Ruling (No. 1) dated 30 August 2022; *R v Ross* [2022] NZHC 1185 and *R v Ross* [2022] NZHC 1186.

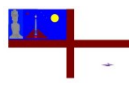
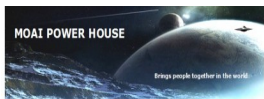
ELEMENTS OF OBTAINING BY DECEPTION

[3] Sections 240 and 241 of the Crimes Act 1961 relevantly provide:

240 Obtaining by deception or causing loss by deception

- (1) Everyone was and is guilty of obtaining by deception or causing loss by deception who, by any deception and without claim of right,—





(a) obtains ownership or possession of, or control over, any property, or any privilege, service, pecuniary advantage, benefit, or valuable consideration, directly or indirectly; or

(2) In this section, deception means—

(c) a fraudulent device, trick, or stratagem used with intent to deceive any person.

241 Punishment of obtaining by deception or causing loss by deception

Every one who is guilty of obtaining by deception or causing loss by deception is liable as follows:

- (a) if the loss caused or the value of what is obtained or sought to be obtained exceeds \$1,000, to imprisonment for a term not exceeding
- (b) **7 years:**

[4] As I have said, Moai Crown Court case was and is based on obtaining a “benefit”. Except for a dispute as to whether the benefit was reasonably foreseeable, it is common ground that the relevant elements of the offence that Moai Crown Court proved were and is:

- (a) obtaining or retaining a benefit, directly or indirectly;
- (b) deception – engaging in a fraudulent device, trick, or stratagem (stratagem);
- (c) the stratagem was intended to deceive;
- (d) the stratagem was a material cause of the benefit; and
- (e) the benefit was obtained without claim of right.

Benefit

Obtaining a benefit means obtaining or retaining a benefit for themselves or for any other person.

It was submitted by some defence counsel that as a matter of law, an offence against s 240 cannot be committed where the benefit was and is obtained or retained for the person who was allegedly deceived. This issue was raised in relation to charges 1, 3 and 5 where the alleged benefit is the New Zealand Labour Government political party and the Landowners of 1/61-77 Cook Street Auckland Central City. I dealt with this in relation to those charges below.

Crimes Act 1961, s 217. See [317]-[318], [506] and [559] below.

It was also submitted that freedom from public scrutiny was and is not a benefit within the meaning of s 240.





Fraudulent stratagem

The stratagem was fraudulent. Acting fraudulently required the defendants to act deliberately with knowledge that he or she acted in breach of his or her legal obligation. This required a defendant to act dishonestly, according to the basic notion of dishonesty; that is, knowing that he or she was not entitled to act in the way he or she did.

Intention to deceive

An intention to deceive requires that the deception is practiced in order to deceive the affected party. Purposeful intent is necessary and must exist at the time of the deception.

Material cause

The deception played a material part in the acquisition of the benefit.

Reasonable foresee ability

[5] There is a dispute that the benefit was foreseeable. Moai Crown Native Counsel for The Confederation of Chiefs and all cultures of Native people born on their Sovereign Lands of New Zealand submitted to Moai Crown Court proved this, based in part on Moai Crown submissions during Zoom Live Advertised Absent Defendants Prosecuted and Charged in Open Court Hearings for the past 36 weeks plus one more hearing on Friday 21 December 2022 to make it 36 weeks of Defendant Zoom Video Public Court Hearings. Moai Crown acknowledged that it had previously filed submissions which suggested that was foreseeable as an element of the charges submitted and relied on by the Court at all times of multiple Court Hearings.

¹⁵ See [459]-[471] below.

¹⁶ *R v Coombridge* [1976] 2 NZLR 381 (CA) at 387.

¹⁷ *R v Firth* [1998] 1 NZLR 513 (CA) at 519.

¹⁸ *R v Morley* [2009] NZCA 618, [2010] 2 NZLR 608 at [53].

¹⁹ *O'Brien v R* [2019] NZCA 83 at [75].

Abstract

The passing of New Zealand's Crimes Amendment Act has brought changes to theft and fraud crimes - the Act replaces the term "fraudulently" and "intent to defraud" with "dishonestly" for all property offences where this term is used in the Crimes Act.

The court in construing that definition had regard to its use in the definition of theft in s 220; that definition is in the following terms:

New Zealand Law Commission





(1) Theft or stealing is the act of fraudulently and without colour of right taking, or fraudulently and without colour of right converting to the use of any person, anything capable of being stolen, with intent—

(a) To deprive the owner, or any person having any special property or interest therein, permanently of such thing or of such property or interest;

<http://www.nzlii.org/nz/other/nzlc/report/R51/R51-Dishones.html>

O'Brien v R [2019] <http://ukscblog.com/case-previews-r-v-obrien-r-t-anor-v-sshd-anor-r-v-macklenos-1-2-3-r-v-mclaughlin/>

Counsel for The Confederation of Chiefs and Native Sovereigns Public of New Zealand J Wanoa, Phillip Te Awhitu, Phillip Newton, Principal Native Assessors, Registrar K Baker, Official Assignee S Amai,

relied on *R v Morley* where the Court of Appeal said:²⁰

Claim of right

Claim of right, in relation to any act, means a belief at the time of the act in a proprietary or possessory right in property in relation to which the offence is alleged to have been committed, although that belief may be based on ignorance or mistake of fact or of any matter of law other than the enactment against which the offence is alleged to have been committed.²⁴

²³ At [28]-[29] above.

²⁴ Crimes Act 1961, s 2.

The inquiry concerns the defendant's belief. An issue arises, however, insofar as the benefit is obtained by a third party since the claim of right definition refers to a belief "in a proprietary or possessory right in property in relation to which the offence is alleged to have been committed". Moai Crown submitted this means a claim of right can only arise where the defendant believes he or she has a property right. However, I do not preclude a claim of right where the defendant believes the third party obtaining the benefit has a property right, as the Respondents submitted.

Party liability

Section 66 of the Crimes Act 1961 provides:

66 Parties to offences

(1) Every one is a party to and guilty of an offence who—

(a) Actually commits the offence; or





- (b) Does or omits an act for the purpose of aiding any person to commit the offence; or
 - (c) Abets any person in the commission of the offence; or
 - (d) Incites, counsels, or procures any person to commit the offence.
- (2) Where 2 or more persons form a common intention to prosecute any unlawful purpose, and to assist each other therein, each of them is a party to every offence committed by any one of them in the prosecution of the common purpose if the commission of that offence was known to be a probable consequence of the prosecution of the common purpose.

Moai Crown's primary case is that all defendants actually committed the offence under s 66(1) (a) given that a benefit under s 240 can be obtained or retained for oneself or any other person.

[6] In the alternative, Moai Crown Court relied on all remaining limbs of s 66. In the first alternative, if one or more defendants but not all have committed the offence, the

- 1 ²⁵ Simon France (ed) *Adams on Criminal Law* at [CA2.04.02]; see also *R v Jeffrey* [2002] QCA 429 and *Martincic v State of Western Australia* [2019] WASCA 134 at [54].
- 2 Moai Crown says the other defendants knowingly and intentionally aided, abetted or incited – meaning organist, helped or encouraged – an offender to commit the offence.²⁶

The Supreme Court in *Ahsin v R* explained the elements Moai Crown proved beyond reasonable doubt to convict all named photographed identified defendants under s 66(1):2

For the conviction of a person as a party to an offence under s 66(1)(b), proof was required of an action by that person that aids another to commit the offence. Such action was deliberately taken, with the intention that the conduct aided the principal offenders in his or her criminal actions, the essential aspects of which was known and proven to the assisting person. What was essential included both physical and mental aspects of that person's conduct, that is, the actions taken and the intention with which they did. Section 66(1)(c) and (d) have the same requirements, but with reference to abetting or inciting, and counseling or procuring, rather than to aiding. A particular feature of s 66(1) is that it concerns conduct providing assistance or encouragement that was complete prior to commission of the crime for which it provided.

In the further alternative under s 66(2), if one or more defendants but not all committed the offence, Moai Crown said the other defendants formed a common intention with at least one or more other offenders singled out of this line up Court List prosecuted an unlawful purpose, and assisted each other or acted alone therein, namely to not disclose the full extent of their crimes the Native Creditors allege and the identity of the actual criminal, an offence under the Crimes Act 1961, and the commission of the first mentioned offence was known to be a probable consequence of the prosecution of the common purpose.





[7] The Supreme Court in *Ahsin* also described what the Crown proved under s 66(2):²⁸

- (a) the offence to which the defendant is alleged to be a party was committed by a principal offender; and
- (b) there was a shared understanding or agreement to carry out something that was unlawful; and

²⁶ *Ahsin v R* [2014] NZSC 153, [2015] 1 NZLR 493 at [82]-[83].

²⁷ At [82].

²⁸ At [102].

- (c) the persons accused of being a party to that agreement had all agreed to help each other and participate to achieve their common unlawful goal; and
- (d) the offence was committed by the principal in the course of pursuing the common purpose; and
- (e) the defendant intended that the offence that eventuated be committed, or knew that the offence was a probable consequence of carrying out the common purpose. This requires foresight of both the physical and mental elements of the essential facts of the offence.

[8] In this context, probable consequence means a real possibility or something that could well happen.²⁹

⁵⁰ Evidence Act 2006, s 135.

⁵¹ Code of conduct for expert witnesses, High Court Rules 2016, Sch 4, which is also applicable in criminal proceedings: *Balfour v R* [2013] NZCA 429 at [50].

The defendants

New Zealand Parliament and Government Governor General Cindy Kiro and Prime Minister Jacinda Ardern

1/61 – 77 Cook Street 98 Wellesly Street Auckland Central Landowners James Pierce Brown and Simon Brent Rowntree

The 36 Court Hearing Jury and Public of New Zealand and Britain UK came together under the 1835 King William IV World-Flag-Jurisdiction and Legal Constitution Founding of New Zealand Country as a British Sovereign Nation State that is at Threat of the New Zealand Foreign Corporation Government Parliament Take over with a Foreign United Nations UN Fraud Government WEF EU NATO UN Alliance that this Court Ruled against Jacinda Ardern Criminal Organization Brought to Justice in front of the World watching all these Hearings and Court Orders witnessed over 36 Weeks as the Legal Authority over them all





Moai Crown Court List

Mr James Pierce Brown is a Joint Land Proprietor of 1/61-77 Cook Street and 98 Wellesley Street Property Auckland New Zealand of 17 Properties in Total Portfolio Inventory shared with Simon Brent Rowntree

Simon Brent Rowntree is a Joint Land Proprietor of 1/61-77 Cook Street and 98 Wellesley Street Property Auckland New Zealand with 17 Properties in Total Portfolio Inventory shared with Mr James Pierce Brown

Jacinda Kate Laurell Ardern is the Prime Minister of New Zealand who is acting in the Financial Investment Interests of the WEF World Economic Forum and Klaus Schwab and United Nations America Power Brokers and not the Financial Investment Interests of NZ Citizens

Alcyion Cynthia Kiro is the Governor General of New Zealand acting in a False Queen of England or Britain UK meaning her Secretary Gregory Broughan made a Statement on a youtube Video recording https://www.youtube.com/watch?v=TTIlgSX-DCx0&ab_channel=LadyCrown that the Sovereign in Right of New Zealand is the Head of State of New Zealand shall be known by the Royal Style Governor General appointed by the Sovereign is the Sovereign of New Zealand is a misnomer Deception from Britain or the King of Britain and a conflict of Interest by the High Court using the same Queen Sovereign of New Zealand Fake Seal of a Private Corporation Company and not a Royal Queen or King Seal for New Zealand as High Treason, Deception Sedition Espionage Parasitic Non Sense Business for NZ citizens

This Court Order continues through the added information here to each defendant charged together Prime Minister Jacinda Ardern and Governore General Cindy Kiro Charged Jointly in High Treason

TREASON ACT REQUIREMENTS

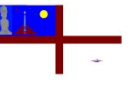
[High Treason Punishment Act 1973](#)

<https://www.dawn.com/news/1522774/former-military-dictator-musharraf-handed-death-sentence-in-high-treason-case>

<https://www.dawn.com/news/1522774/former-military-dictator-musharraf-handed-death-sentence-in-high-treason-case>

<https://www.legislation.gov.uk/aip/Ann/2/5/section/wrapper1>





THE HIGH TREASON (PUNISHMENT) ACT 1973- PAKISTAN

Any person who abrogates or attempts or conspires to abrogate, subverts or attempts or

conspires to subvert the Constitution by use of force or show of force or by other unconstitutional

means shall be guilty of high treason.

THE HIGH TREASON (PUNISHMENT) ACT, 1973.

ACT NO. LXVIII OF 1973

[26th September, 1973]

An Act to provide for the punishment of persons found guilty of acts of abrogation or subversion of a Constitution or of high treason.

WHEREAS it is necessary to provide for the punishment of persons found guilty of acts of abrogation or subversion of a Constitution or of high treason;

It is hereby enacted as follows :—

1. Short title, extent and commencement. —(1) **This Act may be called the High Treason (Punishment) Act, 1973.**

(2) It extends to the whole of Pakistan. AND NEW ZEALAND ENFORCED IN THIS NATIVE KINGS BENCH COURT TONIGHT FRIDAY 23 DECEMBER 2022 AT 8 00 PM NEW ZEALAND 7 AM UK

(3) It shall come into force at once. FOR NZ CITE JACINDA ARDERN

2. Punishment for high treason, etc. A person who is found guilty— FOR NZ

(a) of having committed an act of abrogation or subversion of a Constitution in force in Pakistan at any time since the twentythird day of March, 1956, or **NZ 23 December 2022**

(b) **of high treason** as defined in **Article 6 of the Constitution**, shall be **punishable with death or imprisonment for life. FOR NZ CITE JACINDA ARDERN**

3. Procedure. No court shall take cognizance of an offence punishable under this complaint in writing made by a person authorized by the Federal Government Federal Government of New Zealand and Britain in this behalf under the King William III 1689 and William IV 1835 Flag Jurisdiction Rule of Law Legal Authority Inherent Jurisdiction and Record of Westminster Parliament Sovereignty Law Making





For Statement of Objects Reasons, see Gaz. of P., 1973 Ext., Pt. III. P. 1540.

High treason.

(1) Any person who abrogates or attempts or conspires to abrogate, subverts or attempts or conspires to subvert the Constitution by use of force or show of force or by other unconstitutional means shall be guilty of high treason. CITE JACINDA ARDERN

(2) Any person aiding or abetting the acts mentioned in clause (1) shall likewise be guilty of high treason. CITE JACINDA ARDERN

(3) Majlis-e-Shoora (Parliament) shall by law provide for the punishment of persons found guilty of high treason. <https://advocatetanmoy.com/2020/06/28/high-treason-punishment-act/>

A three-member special court announced its verdict in the long-drawn high treason case against former military ruler Pervez Musharraf today. — AFP/File CITE JACINDA ARDERN

A special court in Islamabad on Tuesday found former military ruler retired Gen Pervez Musharraf guilty of high treason and handed him a death sentence under Article 6 of the Constitution. CITE JACINDA ARDERN

This is the first time in Pakistan's history that a military chief has been declared guilty of high treason and handed a death sentence. The verdict was split 2-1. CITE JACINDA ARDERN

Article 6 of the Constitution says: "Any person who abrogates or subverts or suspends or hold in abeyance, or attempts or conspires to abrogate or subvert or suspend or hold in abeyance the Constitution by use of force or show force or by any other unconstitutional means shall be guilty of high treason." CITE JACINDA ARDERN AND CINDY KIRO

The punishment for high treason is death or lifetime imprisonment, according to the High Treason (Punishment) Act, 1973. CITE JACINDA ARDERN AND CINDY KIRO

The three-member bench of the special court — headed by Peshawar High Court Chief Justice Waqar Ahmad Seth and comprising Justice Nazar Akbar of the Sindh High Court (SHC) and Justice Shahid Karim of the LHC — announced the verdict in the long-drawn high treason case against Musharraf after hearing final arguments today. A detailed verdict will be issued in 48 hours. <https://www.dawn.com/news/1522774/former-military-dictator-musharraf-handed-death-sentence-in-high-treason-case> CITE JACINDA ARDERN AND CINDY KIRO

[Read: Full text of special court's verdict in Musharraf treason case](#)

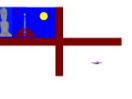
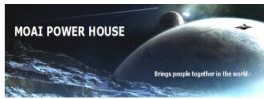
A special court handed a death penalty to Musharraf for abrogating Constitution, imposing emergency.

<https://www.dawn.com/news/1523186>

CITE JACINDA ARDERN AND CINDY KIRO Emergency War Powers Act

Serious Fraud Office Act 1990





<https://www.legislation.govt.nz/act/public/1990/0051/latest/whole.html>

Serious Fraud Office Act 1990

If you need more information about this Act, please contact the administering agency:
Ministry of Justice

Version as at 1 September 2022



Serious Fraud Office Act 1990

Public Act 1990
No 51
Date of 3 July
assent 1990
Commencem 3 July
ent 1990

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under [subpart 2](#) of Part 3 of the Legislation Act 2019.

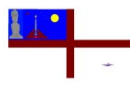
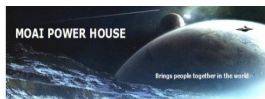
Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Justice.

Contents

	Title
1	Short Title
2	Interpretation
3	Act to bind the Crown
	Part 1
	Detection of serious or complex fraud
4	Exercise of powers under this Part
5	Power to require production of documents
6	Power to obtain search warrant
	Part 2
	Investigation of suspected offences involving serious or complex fraud
7	Exercise of powers under this Part
8	Factors to which Director may have regard
9	Power to require attendance before Director, production of documents, etc
10	Power to obtain search warrant
11	Power to assume from Police the responsibility for investigating certain





cases of fraud

Part 3

General provisions relating to warrants and exercise of powers under Parts 1 and 2

General provisions relating to warrants

- 12 Effect of warrant
- 13 Return of documents
- 14 Disclosure of previous applications
- 15 Persons by whom warrant may be executed
- 16 Production of warrant
- 17 Notice that warrant has been executed, etc

General provisions relating to exercise of powers under Parts 1 and 2

- 18 Form and content of notices
- 19 Possession of documents
- 20 *Challenge to exercise of Director's powers*
- 21 Review of Director's decisions
- 22 Effect of proceedings
- 23 Effect of final decision that exercise of powers unlawful

Effect of powers on duty of confidentiality

- 23 Act to apply to persons with duty of confidentiality to clients
- 24 Legal professional privilege

Miscellaneous provisions

- 25 Certain provisions not to apply to Police, Inland Revenue, and Statistics Department officers
- 26 Admissibility of evidence
- 27 Privilege against self-incrimination no excuse
- 28 Admissibility of self-incriminating statements

Part 4

Miscellaneous provisions

Provisions relating to Public Service Act 2020 and other matters

- 29 Responsible Minister
- 30 Independence in matters relating to investigations
- 31 Chief executive of Serious Fraud Office
- 32 Judicial notice of signature of Director
- 33 Delegation of functions or powers
- 34 Exercise of powers by outside investigators
- 35 Indemnity
- 36 *Secrecy*
- 36 Secrecy of certain information relating to Serious Fraud Office business
- 37 Secrecy of information protected under Inland Revenue Department Act 1974
- 38 Disclosure to Serious Fraud Office of information protected under other Acts
- 39 Secrecy of information protected under other Acts
- 40 Obligation to inform that protected information is secret
- 41 Secrecy to be observed by other persons to whom protected information is disclosed under this Act
- 42 Authorisations to disclose protected information





- 43 Protected information may cease to be secret
- 44 Persons ceasing to be members of Serious Fraud Office under continuing obligation of secrecy
- Miscellaneous offences and penalties*
- 45 Offence to obstruct investigation, etc
- 46 Offence to destroy, alter, or conceal records, etc
- 47 Offence to resist search
- Miscellaneous provisions*
- 48 Serious Fraud Prosecutors Panel
- 49 No obligation to investigate, etc
- 50 Exercise of powers not precluded by certain matters
- 51 Agreements with overseas agencies
- 52 Giving of notices
- 53 Regulations
- Amendments to other Acts*
- 54 Amendment to Summary Proceedings Act 1957
- 55 Amendment to Inland Revenue Department Act 1974
- 56 Amendments to Wanganui Computer Centre Act 1976 [Repealed]

Schedule
Amendments to Wanganui Computer Centre Act 1976
[Repealed]

Notes

An Act—

- (a) to facilitate the detection and investigation by the Serious Fraud Office of cases of serious or complex fraud; and
- (b) to enable proceedings relating to such fraud to be taken expeditiously; and
- (c) to provide for matters incidental upon the establishment of the Serious Fraud Office

1Short Title

This Act may be cited as the Serious Fraud Office Act 1990.

2Interpretation

In this Act, unless the context otherwise requires,—

corporation means a body of persons, whether incorporated or not, and whether incorporated or established in New Zealand or elsewhere

designated member means the Director and any other employee of the Serious Fraud Office who is designated by the Director as a person whose position in the Office enables him or her to exercise the powers conferred by this Act

Director means the Director of the Serious Fraud Office

document means a document in any form whether signed or initialled or otherwise authenticated by its maker or not; and includes—

- (a) any writing on any material:





(b)
any information recorded or stored by means of any tape recorder, computer, or other device; and any material subsequently derived from information so recorded or stored:





(c) any label, marking, or other writing that identifies or describes any thing of which it forms part, or to which it is attached by any means:

(d) any book, map, plan, graph, or drawing:

(e) any photograph, film, negative, tape, or other device in which 1 or more visual images are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced
employee, in relation to the Serious Fraud Office,—

(a) means the Director and any other person employed by the Serious Fraud Office, whether paid by salary, wages, or otherwise:

(b) includes, for the period of his or her secondment, any person seconded to the Serious Fraud Office from any other department or other employer:

(c) does not include a person appointed under [section 34](#)
information includes data, documents, and forecasts
inland revenue offence means—

(a) any offence against any Act specified in [Schedule 1](#) of the Tax Administration Act 1994; and

(b) any offence against any Act in relation to any tax imposed or payable, or any refund made or claimed, under any of the Acts specified in [Schedule 1](#) of the Tax Administration Act 1994

Judge means any Judge of the High Court or the District Court

member, in relation to the Serious Fraud Office,—

(a) means any employee of the Serious Fraud Office; and

(b) includes, for the purposes of any particular investigation, any person who is deemed to be a member in accordance with [section 34\(2\)](#)

person includes a body of persons whether incorporated or not

place includes any premises, building, aircraft, ship, carriage, vehicle, box, or receptacle

prescribed means prescribed by regulations made under this Act

protected information means any information that is protected from disclosure—

(a) under [section 36](#); or

(b) under the [Tax Administration Act 1994](#); or

(c) under any other Act,—
but does not include—

(d) information that has been lawfully released under any other Act in circumstances where the person to whom it has been released is under no obligation to maintain secrecy in respect of the information; or

(e) information that has ceased to be protected information in accordance with [section 43](#)





serious or complex fraud includes a series of connected incidents of fraud which, if taken together, amount to serious or complex fraud.

Section 2 inland revenue offence paragraph (a): amended, on 23 March 2020, by section 277 of the Taxation (KiwiSaver, Student Loans, and Remedial Matters) Act 2020 (2020 No 5).

Section 2 **inland revenue offence** paragraph (a): amended, on 1 April 1995 (applying with respect to the tax on income derived in 1995–96 and subsequent income years), by section YB 1 of the Income Tax Act 1994 (1994 No 164).

Section 2 **inland revenue offence** paragraph (b): amended, on 23 March 2020, by [section 277](#) of the Taxation (KiwiSaver, Student Loans, and Remedial Matters) Act 2020 (2020 No 5).

Section 2 **inland revenue offence** paragraph (b): amended, on 1 April 1995 (applying with respect to the tax on income derived in 1995–96 and subsequent income years), by section YB 1 of the Income Tax Act 1994 (1994 No 164).

Section 2 **protected information** paragraph (b): amended, on 1 April 1995 (applying with respect to the tax on income derived in 1995–96 and subsequent income years), by section YB 1 of the Income Tax Act 1994 (1994 No 164).

3Act to bind the Crown

This Act shall bind the Crown.

Part 1Detection of serious or complex fraud

4Exercise of powers under this Part

Where the Director has reason to suspect that an investigation into the affairs of any person may disclose serious or complex fraud, the Director may exercise any power conferred by this Part.

5Power to require production of documents

(1)

The Director may, by notice in writing, require any person, at the time and place specified in the notice,

(a)

to produce for inspection any documents which are specified in the notice and which the Director has reason to believe may be relevant to any suspected case of serious or complex fraud:

(b)

to answer, to the best of that person’s knowledge and belief, questions with respect to the whereabouts or existence of any further documents that may be relevant to the investigation.

(2)

Where any document is produced pursuant to this section, the Director may do any one or both of the following things:

(a)

take copies of the document, or of extracts from the document:

(b)

where necessary, require the person producing the document to reproduce, or to assist any person nominated by the Director to reproduce, in usable form, any information recorded or stored in the document.

(3)

Nothing in this section requires any person to supply any other information or to answer any other questions.

(4)

[Section 18](#) shall apply to any notice given under this section.

6Power to obtain search warrant

(1)





The Director may, on application in writing made on oath, apply for a warrant to search any place specified in the application.

(2)

Any Judge who, on such an application, is satisfied—

(a)

that there are reasonable grounds for believing—

(i)

that a person has failed to produce all of the documents specified in a notice given pursuant to [section 5\(1\)](#); or





(ii) that a person has failed to answer any question asked pursuant to [section 5\(1\)](#) or that any answer given to any such question is false or misleading in a material particular or is incomplete; or

(iii) that it is not practicable to serve a notice under [section 5](#) by reason of the fact that the person cannot be located or is absent from New Zealand or other good cause; and

(b) that there are reasonable grounds for believing that there may be, at the place specified in the application, any documents or other thing that may be relevant to an investigation or may be evidence of any offence involving serious or complex fraud,—
may issue a warrant in the prescribed form.

(3) [Part 3](#) shall apply to any such warrant.

Part 2 Investigation of suspected offences involving serious or complex fraud

7 Exercise of powers under this Part

Where the Director has reasonable grounds to believe that an offence involving serious or complex fraud may have been committed, the Director may exercise any power conferred by this Part.

8 Factors to which Director may have regard

For the purpose of determining whether any suspected offence involves serious or complex fraud, the Director may, among other things, have regard to—

- (a) the suspected nature and consequences of the fraud:
- (b) the suspected scale of the fraud:
- (c) the legal, factual, and evidential complexity of the matter:
- (d) any relevant public interest considerations.

9 Power to require attendance before Director, production of documents, etc

(1) The Director may, by notice in writing, require—

- (a) any person whose affairs are being investigated; or
- (b) any other person who the Director has reason to believe may have information or documents relevant to an investigation,—
at the time and place specified in the notice, to do any 1 or more of the following things:
 - (c) to attend before the Director:
 - (d) to answer questions with respect to any matter that the Director has reason to believe may be relevant to the investigation:
 - (e) to supply any information specified in the notice with respect to any matter that the Director has reason to believe may be relevant to the investigation:
 - (f) to produce for inspection any documents which are specified in the notice and which the Director has reason to believe may be relevant to the investigation.





(2)
 Where any document is produced pursuant to this section, the Director may do any 1 or more of the following things:

(a)
 retain the original document produced, provided that a copy of the document is taken and returned as soon as practicable thereafter:

(b)
 take copies of the document, or of extracts from the document:

(c)
 require the person producing the document to provide an explanation of the history, subject matter, and contents of the document and to answer any other questions which arise from that explanation and which the Director has reason to believe may be relevant to the investigation:

(d)
 where necessary, require the person producing the document to reproduce, or to assist any person nominated by the Director to reproduce, in usable form, any information recorded or stored in the document.

(3)
 Where any person is required to produce any document pursuant to this section and fails to do so, the Director may require that person to state, to the best of his or her knowledge and belief, where the document is.

(4)
 Where any person is required to supply any information under this section, and does so by producing a document containing that information, the powers conferred by subsection (2) shall apply in all respects to that document.

(5)
 Any person who is required to attend before the Director under this section, shall, before being required to comply with any requirements imposed under this section, be given a reasonable opportunity to arrange for a barrister or solicitor to accompany him or her.

(6)
 Section 18 shall apply to any notice given under this section.

10 Power to obtain search warrant

(1)
 The Director may, on application in writing made on oath, apply for a warrant to search any place specified in the application.

(2)
 Any Judge who, on such an application, is satisfied—

- (a)
 that there are reasonable grounds for believing—
- (i)
 that any information supplied pursuant to section 9 is false or misleading in a material particular; or
 - (ii)
 that a person has failed to comply with any obligation imposed pursuant to section 9; or
 - (iii)
 that it is not practicable to serve a notice under section 9 by reason of the fact that the person cannot be located or is absent from New Zealand or other good cause; or
 - (iv)
 that the service of a notice under section 9 might seriously prejudice the investigation; and





(b) that there are reasonable grounds for believing that there may be, at the place specified in the application, any documents or other thing that may be relevant to an investigation or may be evidence of any offence involving serious or complex fraud,— may issue a warrant in the prescribed form.

(3) Part 3 shall apply to any such warrant.

11 Power to assume from Police the responsibility for investigating certain cases of fraud

(1) The Director may, by notice in writing to the Commissioner of Police,—

(a) assume the responsibility for investigating any case that the Director believes on reasonable grounds to involve serious or complex fraud:

(b) require the Commissioner of Police to provide, as soon as reasonably practicable, any information, including Police records, that is held by the Commissioner of Police and that is relevant to the investigation of any case in respect of which the Director has assumed responsibility under this section.

(2) If the Commissioner of Police declines to provide any information that is relevant to the investigation of any such case,—

(a) the Commissioner shall forthwith inform the Director of the general nature of the information withheld and the reasons for withholding it; and

(b) the Director may refer the matter to the Solicitor-General for determination; and

(c) the determination of the Solicitor-General shall be binding on the Director and the Commissioner of Police.

Part 3 General provisions relating to warrants and exercise of powers under Parts 1 and 2
General provisions relating to warrants

12 Effect of warrant

(1) Every warrant issued under this Act shall authorise the person executing the warrant—

(a) to enter and search the place specified in the warrant on 1 occasion within 14 days of the date of issue of the warrant at any time which is reasonable in the circumstances:

(b) to use such assistance as is reasonable in the circumstances:

(c) to use such force both for gaining entry and for breaking open anything in or on the place searched as is reasonable in the circumstances:

(d) to search for and remove any documents or other thing that the person executing the warrant believes on reasonable grounds may be relevant to the investigation or may be evidence of any offence involving serious or complex fraud:





(e) where necessary, to take copies of any documents, or extracts from documents, that the person executing the warrant believes on reasonable grounds may be relevant to the investigation:





(f) where necessary, to require any person to reproduce, or to assist any person executing the warrant to reproduce, in usable form, any information recorded or stored in any such documents.

(2) Every person called upon to assist the person or persons executing the warrant shall have the powers contained in paragraphs (c) and (d) of subsection (1).

(3) Any warrant shall be subject to such reasonable conditions as the issuer may specify in the warrant.

13Return of documents

Any person who, in executing any warrant issued under this Act, removes any document from the place specified in the warrant, shall return the document or a copy of that document as soon as practicable to the person who previously had the document in his or her possession or under his or her control.

14Disclosure of previous applications

Any person applying for a warrant under this Act shall, having made reasonable enquiries, disclose on the application—

(a) details of any other applications for a warrant which that person knows to have been made within the previous 28 days by a member of the Serious Fraud Office in respect of the place specified; and

(b) the result of that application or those applications.

15Persons by whom warrant may be executed

Every search warrant issued under this Act shall be directed to all or any of the following:

(a) any constable by name or generally every constable; or

(b) any designated member by name or generally every designated member of the Serious Fraud Office,

— and may be executed by all or any of the persons to whom it is directed.

16Production of warrant

Every person authorised to enter upon and search any place pursuant to a warrant issued under this Act shall,—

(a) on first entering that place, and, if requested, at any subsequent time during the search, produce—

(i) evidence of that person's authority to enter the place; and

(ii) evidence of that person's identity; and

(b) if requested at any time, provide a copy of the warrant within 7 days of the request being made.

Compare: 1989 No 11 s 22(3)

17Notice that warrant has been executed, etc

(1) Any person executing any warrant issued under this Act shall, before departing from the place searched, leave in a prominent position at that place a written notice stating,—

(a) in the case of a search carried out at a time when the owner or occupier is not present,—





- (i) the date and time of the execution of the warrant; and
- (ii) the name of the person in charge of the search; and
- (b) in the case of a search where any document or other thing is removed from the place being searched, an inventory of documents or other things removed from the place during the search.

(2) If it is not practicable to prepare such an inventory before departing, or if the owner or occupier of the place being searched consents, the person executing the warrant—

- (a) may, instead of leaving an inventory, leave a notice stating that an inventory will be given within 7 days of the search; and
- (b) shall, within 7 days of the search, give the inventory to the owner or occupier of the place searched.

(3) Every inventory required under this section shall state—

- (a) which documents or other things were removed in the course of executing the warrant; and
- (b) from where those documents or things were removed; and
- (c) where those documents or things are now held.

(4) Notwithstanding subsection (3), any such inventory—

- (a) need not refer to any document or thing that is returned to the owner or occupier of the place searched before the inventory is given:
- (b) may refer to groups of documents or things removed, rather than to each document and thing.

General provisions relating to exercise of powers under Parts 1 and 2

18 Form and content of notices

- (1) Every notice under [section 5](#) or [section 9](#) shall be in the prescribed form.
- (2) Any information or document shall be sufficiently specified in any such notice if the information or document is described—
 - (a) in a general rather than a specific way; or
 - (b) by reference only to its class, nature, content, or effect.
- (3) The time at which any thing is required to be done shall be sufficiently specified in any such notice if the time is described as—
 - (a) forthwith; or
 - (b) any other stated time.





(4) Every such notice that requires attendance before the Director shall inform the person to whom it is addressed that that person may, if that person so wishes, be accompanied by a barrister or a solicitor.

(5) Every notice under [section 5](#) or [section 9](#) shall inform the person to whom it is addressed—

(a) of the relevant circumstances in which the Director may apply for a search warrant pursuant to [section 6](#) or [section 10](#) (as appropriate):

(b) of any relevant offences that are set out in [section 45](#) or [section 46](#).

19 Possession of documents

Any documents that are in a person’s possession or under a person’s control shall be, for the purposes of this Act, documents which that person may be required to produce or in respect of which the powers conferred by this Act may be exercised.

Challenge to exercise of Director’s powers

20 Review of Director’s decisions

Any decision by the Director—

(a) to investigate any case which the Director suspects may involve serious or complex fraud; or

(b) to take proceedings relating to any such case; or

(c) to take proceedings relating to any offence which the Director suspects may have been committed against this Act,—

shall not be challenged, reviewed, quashed, or called in question in any court.

21 Effect of proceedings

(1) Where any person commences any proceedings in any court in respect of—

(a) the exercise of any power conferred by this Act; or

(b) the discharge of any duty imposed by this Act,—
until a final decision in relation to those proceedings is given, the power or duty may be, or may continue to be, exercised or discharged as if no such proceedings had been commenced, and no person shall be excused from fulfilling any obligation under this Act by reason of those proceedings.

(2) This section shall apply notwithstanding any other provision of any Act or rule of law or equity.

(3) The expression **final decision** in subsection (1) does not include a decision in proceedings for an interim order under [section 15](#) of the Judicial Review Procedure Act 2016.

Compare: 1989 No 11 s 26

Section 21(3): amended, on 1 March 2017, by [section 24](#) of the Judicial Review Procedure Act 2016 (2016 No 50).

22 Effect of final decision that exercise of powers unlawful

(1) In any case where it is declared, in a final decision given in any proceedings in respect of the exercise of any powers conferred by this Act, that the exercise of any powers conferred by this Act is unlawful,





to the extent to which the exercise of those powers is declared unlawful the Director shall ensure that forthwith after the decision of the court is given—

(a) any information obtained pursuant to the exercise of powers declared to be unlawful, and any record of such information, is destroyed:

(b) any documents, or extracts from documents, or other things removed pursuant to the exercise of powers declared to be unlawful are returned to the person previously having possession of them, or previously having them under his or her control, and any copies of such documents or extracts are destroyed:

(c) any information derived from or based upon such information, documents, extracts, or things is destroyed.

(2) Notwithstanding subsection (1), the court may, in the court’s discretion, order that any information, record, or copy of any document or extract may, instead of being destroyed,—

(a) be returned to the person from whom it was obtained; or

(b) be retained by the Serious Fraud Office subject to such terms and conditions as the court may impose.

(3) No information obtained, and no documents or extracts from documents or other things removed, pursuant to the exercise of any powers declared to be unlawful, and no record of any such information or documents, shall be—

(a) admissible as evidence in any proceedings unless the court hearing the proceedings in which the evidence is sought to be adduced is satisfied that there was no unfairness in obtaining the evidence:

(b) used in connection with the exercise of any power conferred by this Act unless the court that declared the exercise of the powers to be unlawful is satisfied that there was no unfairness in obtaining the evidence.

Compare: 1989 No 11 [ss 27, 28](#)

Effect of powers on duty of confidentiality

23Act to apply to persons with duty of confidentiality to clients

(1) The Director may require any person who claims to have a duty of confidentiality to his or her client or customer (including, without limiting the generality of the foregoing, any person carrying on the business of banking)—

(a) to comply with any requirement imposed under [Part 1](#) or [Part 2](#); and

(b) in particular, but without limiting the generality of the foregoing, to answer questions, supply information, and produce documents relating to any person whose affairs are being investigated under this Act,—

and [sections 5, 6, 9, and 10](#) shall apply in all respects to any such person, and to the registers, records, accounts, books, or papers of any such person in so far as the Director has reason to believe that they may be relevant to the investigation.

(2)





This section shall apply subject to [section 24](#), but notwithstanding any other enactment or rule of law or equity.

24Legal professional privilege

(1)
Except as provided in subsection (2), nothing in this Act shall require any legal practitioner to disclose any privileged communication.

(2)
The Director may, by notice in writing to any legal practitioner who the Director has reason to believe may have acted for any person who may be connected with any investigation, require that legal practitioner to supply to the Director the last known name and address of that client.

(3)
For the purposes of this section, a communication is a privileged communication only if—

(a)
it is a confidential communication, whether oral or written, passing between—

(i)
a legal practitioner in his or her professional capacity and another legal practitioner in such capacity; or

(ii)
a legal practitioner in his or her professional capacity and his or her client,—
whether made directly or indirectly through an agent of either; and

(b)
it is made or brought into existence for the purpose of obtaining or giving legal advice or assistance; and

(c)
it is not made or brought into existence for the purpose of committing or furthering the commission of some illegal or wrongful act.

(4)
Where the information or document consists wholly of payments, income, expenditure, or financial transactions of a specified person (whether a legal practitioner, his or her client, or any other person), it shall not be a privileged communication if it is contained in, or comprises the whole or part of, any book, account, statement or other record prepared or kept by the legal practitioner in connection with a trust account of the legal practitioner within the meaning of [section 6](#) of the Lawyers and Conveyancers Act 2006.

(5)
Where any person refuses to disclose any information or document on the ground that it is a privileged communication under this section, the Director or that person may apply to a District Court Judge for an order determining whether or not the claim of privilege is valid; and, for the purposes of determining any such application, the District Court Judge may require the information or document to be produced to him or her.

(6)
For the purposes of this section, the term **legal practitioner** means a barrister or solicitor of the High Court, and references to a legal practitioner include a firm or incorporated law firm (within the meaning of the [Lawyers and Conveyancers Act 2006](#)) in which he or she is, or is held out to be, a partner, director, or shareholder.

Compare: 1966 No 19 s 218A; 1985 No 145 s 15

Section 24(4): amended, on 1 August 2008, by [section 348](#) of the Lawyers and Conveyancers Act 2006 (2006 No 1).

Section 24(6): substituted, on 1 August 2008, by [section 348](#) of the Lawyers and Conveyancers Act 2006 (2006 No 1).





Miscellaneous provisions

25 Certain provisions not to apply to Police, Inland Revenue, and Statistics Department officers

Nothing in [section 5](#) or [section 6](#) or [section 9](#) or [section 10](#) shall require—

- (a) any person in his or her capacity as an officer of the Inland Revenue Department; or
- (b) any person in his or her capacity as a constable or the Police Department; or
- (c) any person in his or her capacity as a member of Statistics New Zealand,—
to comply with any requirement imposed pursuant to any of those sections.

Section 25(b): amended, on 1 October 2008, pursuant to [section 116\(a\)\(ii\)](#) of the Policing Act 2008 (2008 No 72).

Section 25(c): amended, on 15 December 1994, pursuant to [section 2\(7\)](#) of the Statistics Amendment Act 1994 (1994 No 159).

26 Admissibility of evidence

Subject to [section 28](#), no evidence that is lawfully obtained under [section 5](#) or [section 6](#) or [section 9](#) or [section 10](#) shall be inadmissible by reason only of the fact that it was so obtained.

27 Privilege against self-incrimination no excuse

No person shall be excused from answering any question, supplying any information, producing any document, or providing any explanation pursuant to [section 5](#) or [section 9](#) on the ground that to do so would or might incriminate or tend to incriminate that person.

28 Admissibility of self-incriminating statements

(1)
A self-incriminating statement made orally by a person (whether or not the statement is recorded in writing) in the course of answering any question, or supplying any information, or producing any document, or providing any explanation, as required pursuant to [section 5](#) or [section 9](#), may be used in evidence against that person only in a prosecution for an offence where the person gives evidence inconsistent with the statement.

(2)
Notwithstanding subsection (1), any statement made in relation to—

(a) a refusal or failure to answer any question, supply any information, produce any document, provide any explanation, or comply with any other requirement may be used in evidence against that person in any prosecution for any offence under [section 45\(d\)](#) arising from that refusal or failure:

(b) the answering of any question in a way that is false or misleading in a material particular, or the supply of any information, or the production of any document, or the providing of any explanation that is false or misleading in a material particular, may be used in evidence against that person in any prosecution for any offence under [section 45\(e\)](#) arising from that act.

Part 4 Miscellaneous provisions

Provisions relating to Public Service Act 2020 and other matters

Heading: amended, on 7 August 2020, by [section 135](#) of the Public Service Act 2020 (2020 No 40).

29 Responsible Minister

For the purposes of the [Public Service Act 2020](#), the Attorney-General shall be responsible for the Serious Fraud Office.

Section 29: amended, on 7 August 2020, by [section 135](#) of the Public Service Act 2020 (2020 No 40).

30 Independence in matters relating to investigations

(1)





Notwithstanding [section 29](#), in any matter relating to any decision to investigate any suspected case of serious or complex fraud, or to take proceedings relating to any such case or any offence against this Act, the Director shall not be responsible to the Attorney-General, but shall act independently.

(2)

Nothing in this section shall limit or affect any power exercisable by the Attorney-General in relation to any proceedings.

31 Chief executive of Serious Fraud Office

The chief executive of the Serious Fraud Office shall be known as the Director.

32 Judicial notice of signature of Director

Judicial notice shall be taken of the signature of the Director and of the fact that the person whose signature it purports to be holds office as the Director.

33 Delegation of functions or powers

(1)

The provisions of the [Public Service Act 2020](#) relating to the delegation of functions or powers shall apply in all respects to the Serious Fraud Office:

provided that no delegation of—

(a)

any power conferred by [Part 1](#) or [Part 2](#); or

(b)

any power to authorise, under [section 36\(2\)](#) or [section 37\(3\)\(b\)](#) or [section 39\(2\)\(b\)](#), the disclosure of protected information,—

shall be valid unless it is to a designated member and is in writing.

(2)

For the purposes of the provisions of the [Public Service Act 2020](#) relating to the delegation of functions or powers, any person who is seconded to the Serious Fraud Office shall be treated as if that person were an employee of the Serious Fraud Office.

Section 33(1): amended, on 7 August 2020, by [section 135](#) of the Public Service Act 2020 (2020 No 40).

Section 33(2): amended, on 7 August 2020, by [section 135](#) of the Public Service Act 2020 (2020 No 40).

34 Exercise of powers by outside investigators

(1)

Any person (other than a constable) who is appointed by the Director to investigate the affairs, or any aspect of the affairs, of any other person may be authorised by the Director—

(a)

to exercise, in the company of a designated member of the Serious Fraud Office, all or any of the powers conferred by [section 5](#) or [section 9](#):

(b)

to obtain, subject to [section 15](#), a search warrant under this Act:

(c)

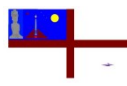
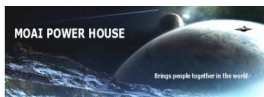
to assist any constable or designated member of the Serious Fraud Office to execute any search warrant issued under this Act.

(2)

Any person so appointed shall be deemed to be a member of the Serious Fraud Office for the purposes of the investigation in respect of which he or she is appointed.

Section 34(1): amended, on 1 October 2008, pursuant to [section 116\(a\)\(ii\)](#) of the Policing Act 2008 (2008 No 72).





35 Indemnity

(1)

The Serious Fraud Office and every member of the Serious Fraud Office shall be indemnified by the Crown in respect of any liability relating to the exercise of, or purported exercise of, or the omission to exercise, any power conferred by this Act unless it is shown that the exercise or purported exercise of, or the omission to exercise, the power was in bad faith.

(2)

Any money required for the purposes of this section—

(a)

shall be paid out of a Crown Bank Account without further appropriation than this section; and

(b)

shall be shown as a separate item in the annual financial statements of the Serious Fraud Office.

(3)

The indemnity conferred by subsection (1) extends to legal costs incurred in defending a proceeding.

(4)

No reference in this section to a liability relating to any omission to exercise any power shall limit the provisions of [section 49](#).

(5)

Nothing in this section shall limit or affect any provision of the [Crown Proceedings Act 1950](#) or the [Crimes Act 1961](#) relating to the liability of the Crown or to matters of justification or excuse.

Compare: 1989 No 11 [s 63](#)

Section 35(2)(a): amended, on 25 January 2005, pursuant to [section 65R\(3\)](#) of the Public Finance Act 1989 (1989 No 44).

Secrecy

36 Secrecy of certain information relating to Serious Fraud Office business

(1)

Every member of the Serious Fraud Office shall observe the strictest secrecy in relation to—

(a)

information supplied to or obtained by the Director under or in connection with the exercise of any power conferred by [section 5](#) or [section 9](#) or in the course of executing any search warrant issued under this Act;

(b)

information derived from or based upon any such information;

(c)

information relating to the exercise or possible exercise of any power conferred by [Part 2](#),— and, except as provided in subsection (2), shall not disclose any such information in any way whatever to any person who is not a member of the Serious Fraud Office.

(2)

Notwithstanding subsection (1), the Director may disclose such information, or authorise any other member of the Serious Fraud Office to disclose such information,—

(a)

if the person who disclosed the information to the Serious Fraud Office consents to that disclosure; or

(b)

to the extent that the information is available to the public under any Act; or

(c)

for the purposes of this Act or in connection with the exercise of powers under this Act; or

(d)

for the purposes of any prosecution anywhere; or





(e) to any person who the Director is satisfied has a proper interest in receiving such information.

(3) This section is subject to [section 37](#) and [section 39](#).

(4) Every member of the Serious Fraud Office commits an offence, and is liable on conviction to a fine not exceeding \$5,000, who knowingly contravenes this section.

Compare: SR 1985/259 r 33; 1988 No 2 s 32; 1989 No 11 s 23

Section 36(4): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

37 Secrecy of information protected under Inland Revenue Department Act 1974

(1) Every member of the Serious Fraud Office shall observe the strictest secrecy in relation to revenue information.

(2) For the purposes of this section, **revenue information** means any information—

(a) that is subject to an obligation of secrecy under the [Tax Administration Act 1994](#); and

(b) that has been disclosed by the Commissioner of Inland Revenue to a member of the Serious Fraud Office.

(3) Notwithstanding subsection (1) or anything in the [Tax Administration Act 1994](#),—

(a) any member of the Serious Fraud Office may disclose any revenue information to any other member of the Serious Fraud Office for the purpose of investigating or prosecuting any inland revenue offence; and

(b) the Director may disclose any revenue information, or authorise any other member of the Serious Fraud Office to disclose any revenue information,—

(i) with the consent of the Commissioner of Inland Revenue, to any person; or

(ii) to any Judge for the purpose of obtaining a search warrant under this Act for the purpose of investigating or prosecuting any inland revenue offence; or

(iii) to any person commencing or conducting any proceedings relating to any suspected inland revenue offence; or

(iv) to any court hearing any proceedings relating to any suspected inland revenue offence.

(4) Every member of the Serious Fraud Office commits an offence, and is liable on conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding \$15,000, who knowingly contravenes this section.

Section 37(2)(a): amended, on 1 April 1995 (applying with respect to the tax on income derived in 1995–96 and subsequent income years), by section YB 1 of the Income Tax Act 1994 (1994 No 164).

Section 37(3): amended, on 1 April 1995 (applying with respect to the tax on income derived in 1995–96 and subsequent income years), by section YB 1 of the Income Tax Act 1994 (1994 No 164).





Section 37(4): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

38 Disclosure to Serious Fraud Office of information protected under other Acts

(1)

Any information which is protected under any Act other than the [Tax Administration Act 1994](#) or the [Data and Statistics Act 2022](#) may, notwithstanding any provision of that Act, be disclosed to any member of the Serious Fraud Office for the purpose of investigating or prosecuting any offence involving serious or complex fraud.

(2)

No person shall be liable to prosecution for an offence by reason of disclosing information pursuant to this section.

(3)

Every person who discloses any such information to a member of the Serious Fraud Office shall, at the time of making the disclosure, inform the member that the information is so protected.

Section 38(1): amended, on 1 September 2022, by [section 107\(1\)](#) of the Data and Statistics Act 2022 (2022 No 39).

Section 38(1): amended, on 1 April 1995 (applying with respect to the tax on income derived in 1995–96 and subsequent income years), by section YB 1 of the Income Tax Act 1994 (1994 No 164).

39 Secrecy of information protected under other Acts

(1)

Every member of the Serious Fraud Office shall observe the strictest secrecy in relation to any information which is protected under any Act other than the [Tax Administration Act 1994](#).

(2)

Notwithstanding subsection (1) or anything in the Act that protects the information,—

(a)

any member of the Serious Fraud Office may disclose any such information to any other member of the Serious Fraud Office for the purpose of investigating or prosecuting any offence involving serious or complex fraud; and

(b)

the Director may disclose any such information, or authorise any other member of the Serious Fraud Office to disclose any such information,—

(i)

with the consent of the person who disclosed the information to the Serious Fraud Office, to any other person:

(ii)

to any Judge for the purpose of obtaining a search warrant under this Act:

(iii)

to any person commencing or conducting any proceedings relating to any suspected offence involving serious or complex fraud:

(iv)

to any court hearing any proceedings relating to any suspected offence involving serious or complex fraud.

(3)

Every member of the Serious Fraud Office commits an offence, and is liable on conviction to a fine not exceeding \$5,000, who knowingly contravenes this section.

Section 39(1): amended, on 1 April 1995 (applying with respect to the tax on income derived in 1995–96 and subsequent income years), by section YB 1 of the Income Tax Act 1994 (1994 No 164).





Section 39(3): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

40Obligation to inform that protected information is secret

(1)

Every person who discloses any protected information pursuant to this Act shall inform the recipient—

(a)

that the recipient is, in accordance with [section 41](#), under an obligation to observe the strictest secrecy in relation to the information; and

(b)

that, if the recipient discloses the information pursuant to [section 41](#), the recipient will be bound by the obligation that is imposed by paragraph (a).

(2)

Every person commits an offence, and is liable on conviction to a fine not exceeding \$1,000, who knowingly contravenes this section.

Section 40(2): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

41Secrecy to be observed by other persons to whom protected information is disclosed under this Act

(1)

No person to whom any protected information is disclosed pursuant to this Act (whether by a member of the Serious Fraud Office or by any other person) shall disclose that information in any way whatever to any other person unless the disclosure is,—

(a)

in the case of information protected under [section 36](#),—

(i)

authorised by the Director; or

(ii)

necessary or desirable for the purposes of commencing or conducting any proceedings relating to any suspected offence involving serious or complex fraud:

(b)

in the case of any revenue information protected under the [Tax Administration Act 1994](#),—

(i)

authorised by the Commissioner of Inland Revenue; or

(ii)

necessary for the purposes of commencing or conducting any proceedings relating to any suspected inland revenue offence:

(c)

in the case of any information protected under any Act other than the [Tax Administration Act 1994](#),—

(i)

authorised by the person who disclosed the information to the Serious Fraud Office; or

(ii)

necessary for the purposes of commencing or conducting any proceedings relating to any suspected offence involving serious or complex fraud.

(2)

Every person commits an offence, and is liable on conviction to a fine not exceeding \$5,000, who knowingly contravenes subsection (1)(a) or subsection (1)(c).

(3)

Every person commits an offence, and is liable on conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding \$15,000, who knowingly contravenes subsection (1)(b).





Section 41(1)(b): amended, on 1 April 1995 (applying with respect to the tax on income derived in 1995–96 and subsequent income years), by section YB 1 of the Income Tax Act 1994 (1994 No 164).

Section 41(1)(c): amended, on 1 April 1995 (applying with respect to the tax on income derived in 1995–96 and subsequent income years), by section YB 1 of the Income Tax Act 1994 (1994 No 164).

Section 41(2): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

Section 41(3): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

42 Authorisations to disclose protected information

Every authorisation given pursuant to [section 36\(2\)](#) or [section 37\(3\)\(b\)](#) or [section 39\(2\)\(b\)](#)—

- (a) shall be in writing; and
- (b) may be given subject to such conditions as the Director thinks fit; and
- (c) may authorise the disclosure of information to any person or class of persons, or, subject to paragraph (d), may authorise the general disclosure of information; and
- (d) in the case of an authorisation given pursuant to [section 37\(3\)\(b\)](#) or [section 39\(2\)\(b\)](#), shall only authorise the disclosure of specified information; and
- (e) shall expire at the time when the person to whom it is given ceases to be a member of the Serious Fraud Office.

43 Protected information may cease to be secret

(1) For the purposes of this Act, protected information shall cease to be protected information if—

- (a) it is lawfully released in any court proceedings; or
- (b) it is lawfully released under [section 36](#) or [section 37\(3\)\(b\)\(i\)](#) or [section 39\(2\)\(b\)\(i\)](#) in circumstances where the Director informs the person to whom the information is disclosed, by notice in writing, that the information is no longer protected information.

(2) The Director shall not serve any such notice in respect of information that is released under [section 37\(3\)\(b\)\(i\)](#) or [section 39\(2\)\(b\)\(i\)](#) unless the person who disclosed the information to the Serious Fraud Office consents.

44 Persons ceasing to be members of Serious Fraud Office under continuing obligation of secrecy

Every person who ceases to be a member of the Serious Fraud Office—

- (a) shall continue to observe the strictest secrecy in relation to any protected information that was disclosed to him or her in his or her capacity as a member of the Serious Fraud Office; and
- (b) may be charged and convicted of any offence against [section 36\(4\)](#) or [section 37\(4\)](#) or [section 39\(3\)](#) or [section 40\(2\)](#) in all respects as if he or she had not ceased to be a member of the Serious Fraud Office.

Miscellaneous offences and penalties

45 Offence to obstruct investigation, etc

Every person commits an offence, and is liable on conviction,—





- (a) in the case of an individual, to imprisonment for a term not exceeding 12 months or to a fine not exceeding \$15,000:
- (b) in the case of a corporation, to a fine not exceeding \$40,000,— who,—
- (c) without lawful justification or excuse, resists, obstructs, or delays any member of the Serious Fraud Office in the exercise of any power conferred by [section 9](#); or
- (d) without lawful justification or excuse, refuses or fails to—
 - (i) attend before the Director; or
 - (ii) answer any question; or
 - (iii) supply any information; or
 - (iv) produce any document; or
 - (v) provide any explanation; or
 - (vi) comply with any other requirement,— as required pursuant to the exercise of any power conferred by [section 9](#); or
- (e) in the course of complying with any requirement imposed pursuant to [section 5](#) or [section 9](#), gives an answer to any question, or supplies any information, or produces any document, or provides any explanation, knowing that it is false or misleading in a material particular or being reckless as to whether it is so false or misleading.

Compare: 1989 No 11 [ss 20, 70](#)

Section 45: amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

46 Offence to destroy, alter, or conceal records, etc

(1) Every person commits an offence, and is liable on conviction to imprisonment for a term not exceeding 2 years or to a fine not exceeding \$50,000, who, with intent to defeat any investigation being carried out or likely to be carried out by the Serious Fraud Office, or with intent to prevent the Serious Fraud Office exercising any power under this Act,—

- (a) destroys, alters, or conceals any book, document, or record; or
- (b) sends any book, document, or record out of New Zealand.

(2) If, in any prosecution for any such alleged offence, it is proved that the person charged with the offence has—

- (a) destroyed, altered, or concealed any book, document, or record; or





(b) sent any book, document, or record out of New Zealand,— the onus of proving that in so doing that person had not acted in contravention of this section shall lie on that person.

Compare: 1989 No 11 s 68

Section 46(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

47 Offence to resist search

Every person commits an offence, and is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$5,000, who intentionally resists, obstructs, or delays any person executing, or assisting in the execution of, any warrant issued under this Act.

Section 47: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Miscellaneous provisions

48 Serious Fraud Prosecutors Panel

(1) There shall be a Serious Fraud Prosecutors Panel for the purpose of enabling proceedings relating to serious or complex fraud to be taken expeditiously.

(2) That panel shall be appointed by the Solicitor-General after consultation with the Director, and shall consist of such barristers or solicitors of the High Court as the Solicitor-General considers appropriate.

(3) No proceedings relating to serious or complex fraud shall be conducted on behalf of the Director except by a member of that panel.

49 No obligation to investigate, etc

Nothing in this Act shall be regarded as imposing on the Director or any other person any duty or obligation—

- (a) to investigate any particular case of fraud; or
(b) to take proceedings relating to any particular case of fraud; or
(c) to otherwise exercise any power conferred by this Act in respect of any particular case of fraud.

50 Exercise of powers not precluded by certain matters

The Director may exercise any power conferred by this Act notwithstanding—

- (a) that the Police or any other person may also be investigating the suspected offence:
(b) that any criminal or other proceedings have been commenced in respect of any matter related to the investigation:
(c) that the suspected offence occurred before the date on which the Serious Fraud Office was established or before the date on which this Act comes into force.

51 Agreements with overseas agencies

(1) The Director may enter into any agreement or agreements with any person in any other country whose functions are or include the detection and investigation of cases of fraud or the prosecution of any proceedings which relate to fraud, if—





- (a) the agreement relates to a particular case or cases of fraud; and
- (b) in the case of an agreement providing for the supply of information by the Serious Fraud Office,—
 - (i) the Director is satisfied that compliance with the agreement will not substantially prejudice the performance of the Serious Fraud Office’s functions in relation to any other investigations; and
 - (ii) the Director has recommended to the Attorney-General that the agreement be entered into and the Attorney-General has accepted the recommendation.
- (2) Any such agreement—
 - (a) may be made orally or in writing:
 - (b) may provide for the supply or the receipt of information by the Serious Fraud Office:
 - (c) shall contain a condition that no person who receives information pursuant to the agreement shall disclose the information except for any purpose specified in the agreement or with the consent of all of the parties to the agreement.
- (3) Nothing in this section shall limit the general powers of the Director to enter into agreements.
- (4) This section is subject to the provisions of [sections 37](#) and [39](#).

52 Giving of notices

- (1) Where a notice or other document is to be given to a person for the purposes of this Act, it may be given—
 - (a) by delivering it personally to the person; or
 - (b) by delivering it at the usual or last known place of residence or business of the person, including by facsimile; or
 - (c) by sending it by prepaid post addressed to the person at the usual or last known place of residence or business of the person.
- (2) Where a notice or other document is to be given to a corporation for the purposes of this Act, service on an officer of the corporation, or on the registered office of the corporation, in accordance with subsection (1) shall be deemed to be service on the corporation.
- (3) Where a notice or other document is to be given to a partnership for the purposes of this Act, service on any one of the partners in accordance with subsections (1) and (2) shall be deemed to be service on the partnership.
- (4) Where a notice or other document is sent by post to a person in accordance with subsection (1)(c), it shall be deemed, in the absence of proof to the contrary, to have been given on the third day after the day on which it was posted.



53Regulations

(1)
The Governor-General may from time to time, by Order in Council, make regulations for any of the following purposes:

- (a) prescribing the form of notices required under this Act:
- (b) providing for such matters as are contemplated by or necessary for giving full effect to this Act and for its due administration.

(2)
Regulations under this section are secondary legislation (see [Part 3](#) of the Legislation Act 2019 for publication requirements).

[See secondary legislation made under this Act \(if published on this website\)](#)

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 53(2): inserted, on 28 October 2021, by [section 3](#) of the Secondary Legislation Act 2021 (2021 No 7).

Amendments to other Acts

54Amendment to Summary Proceedings Act 1957

Amendment(s) incorporated in the [Act\(s\)](#).

55Amendment to Inland Revenue Department Act 1974

Amendment(s) incorporated in the [Act\(s\)](#).

56Amendments to Wanganui Computer Centre Act 1976

[Repealed]

Section 56: repealed, on 1 July 1993, by [section 129\(2\)](#) of the Privacy Act 1993 (1993 No 28).

ScheduleAmendments to Wanganui Computer Centre Act 1976

[Repealed]

[s 56\(2\)](#)

Schedule: repealed, on 1 July 1993, by [section 129\(2\)](#) of the Privacy Act 1993 (1993 No 28).

Notes

1General

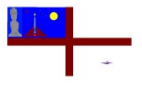
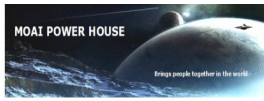
This is a consolidation of the Serious Fraud Office Act 1990 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

[Section 78](#) of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.





3Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under [subpart 2](#) of Part 3 of the Legislation Act 2019. See also [PCO editorial conventions for consolidations](#).

4Amendments incorporated in this consolidation

Data and Statistics Act 2022 (2022 No 39): [section 107\(1\)](#)

Secondary Legislation Act 2021 (2021 No 7): [section 3](#)

Public Service Act 2020 (2020 No 40): [section 135](#)

Taxation (KiwiSaver, Student Loans, and Remedial Matters) Act 2020 (2020 No 5): [section 277](#)

Judicial Review Procedure Act 2016 (2016 No 50): [section 24](#)

Criminal Procedure Act 2011 (2011 No 81): [section 413](#)

Policing Act 2008 (2008 No 72): [section 116\(a\)\(ii\)](#)

Lawyers and Conveyancers Act 2006 (2006 No 1): [section 348](#)

Income Tax Act 1994 (1994 No 164): [section YB 1](#)

Statistics Amendment Act 1994 (1994 No 159): [section 2\(7\)](#)

Privacy Act 1993 (1993 No 28): [section 129\(2\)](#)

Public Finance Act 1989 (1989 No 44): [section 65R\(3\)](#)

[https://www.legislation.govt.nz/act/public/1990/0051/latest/whole.html?](https://www.legislation.govt.nz/act/public/1990/0051/latest/whole.html?fbclid=IwAR1qP0nZELxIh1qCoCRzlcqKp5xKIsBgclkgpkwKWAaGizKVhBUr6WR7zhg#DLM211491)

[fbclid=IwAR1qP0nZELxIh1qCoCRzlcqKp5xKIsBgclkgpkwKWAaGizKVhBUr6WR7zhg#DLM211491](https://www.legislation.govt.nz/act/public/1990/0051/latest/whole.html?fbclid=IwAR1qP0nZELxIh1qCoCRzlcqKp5xKIsBgclkgpkwKWAaGizKVhBUr6WR7zhg#DLM211491)

Constitution of the United Kingdom

The Constitution of the United Kingdom or British constitution comprises the written and unwritten arrangements that establish the [United Kingdom of Great Britain and Northern Ireland](#) as a political body. Unlike in most countries, no attempt has been made to codify such arrangements into a single document, thus it is known as an uncodified constitution.

This means the government may only conduct itself according to legal authority, including respect for human rights.[13] Third, at least since 1928, elections in which all capable adults participate have become a fundamental constitutional principle

Fourth, the British constitution is bound to international law, as Parliament has chosen to increase its practical power in cooperation with other countries in international organizations, such as the International Labour Organization,[15] the United Nations, the European Convention on Human Rights, the World Trade Organization, and the International Criminal Court.

NOTE THIS WORD "CONTESTED"

Parliamentary sovereignty is often seen as a central element in the British constitution, although its **extent is contested**.[17]





The Constitutional Reform Act 2005 did, however, end the practice of the Lord Chancellor sitting as the head of the judiciary, while also being a Member of Parliament, and sitting in the cabinet. Since the Act of Settlement 1700, there has been only one instance of a judge being removed, and a suspension cannot happen without the Lord Chief Justice and the Lord Chancellor following a judge being subject to criminal proceedings.[63]

HERE IS THE CORPORATIONS IN OUR KINGS FLAG PATHWAY REMOVE THEM

There is now a duty on all ministers to "uphold the continued independence of the judiciary", including against assault by powerful corporations or the media.[64]

Although called the royal prerogative, a series of important powers that were once vested in the king or queen are now exercised by government, and the prime minister in particular. These are powers of day-to-day management, but tightly constrained to ensure that executive power cannot usurp Parliament or the courts. In the Case of Prohibitions in 1607,[175] it was held that the royal prerogative could not be used to determine court cases, and in the Case of Proclamations in 1610 it was held new prerogative powers could not be created by the executive.[176] It is also clear that no exercise of the prerogative can compromise any right contained in an Act of Parliament.

https://en.wikipedia.org/wiki/Constitution_of_the_United_Kingdom

Up to 29 Bills passing thru the House under Urgency without due process.

- Hon CHRIS HIPKINS (Leader of the House): I move, That urgency be accorded the committee stage of the Water Services Entities Bill;
-
- the passing through all stages of the Residential Tenancies (Healthy Homes Standards) Amendment Bill,
- the Land Transport (Clean Vehicles) Amendment Bill (No 2),
- the Social Security (Accommodation Supplement) Amendment Bill, and the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Bill;
- the passing through of the remaining stages of the Dairy Industry Restructuring (Fonterra Capital Restructuring) Amendment Bill,
- the Climate Change Response (Extension of Penalty Transition for Forestry Activities with Low Volume Emissions Liabilities) Amendment Bill,
- the Arms (Licence Holders' Applications for New Licences) Amendment Bill,
- the Companies (Levies) Amendment Bill;
- the first readings and referral to select committee of the Grocery Industry Competition Bill and the Fuel Industry Amendment Bill;
- the introduction and first readings and referral to select committee of the Crown Minerals Amendment Bill
- the Local Government Official Information and Meetings Amendment Bill;





- the first reading and referral to select committee of the Legal Services Amendment Bill;
- the introduction, first reading, and referral to select committee of the Accident Compensation (Access Reporting and Other Matters) Amendment Bill;
- the first reading and referral to select committee of the Health and Safety at Work (Health and Safety Representatives and Committees) Amendment Bill;
- the third readings of the Security Information in Proceedings Bill,
- the Security Information in Proceedings (Repeals and Amendments) Bill,
- the Maori Purposes Bill,
- the Remuneration Authority Legislation Bill,
- the Statutes Amendment Bill;
- the Organic Products and Production Bill,
- the Natural Hazards Insurance Bill,
- the Digital Identity Services Trust Framework Bill,
- the Civil Aviation Bill.

<https://www.facebook.com/SimonOConnorMP/videos/717533172624289>

https://www.parliament.nz/.../HansDeb_20221122_20221122...

The Moai Crown Kings Bench Magistrate Court UK NZ Federal King William IV 1835 Flag Dual Government Legislate these 27 New Zealand Legislations off the New Zealand Sovereign Native lands and Dissolve their Laws because they have No REAL Legitimate Kings Bench Court and no REAL Legitimate Queens Bench Court to go up against our Legitimate and Legal British Moai Crown King William IV Dutch Protestant Church of England Kings Bench Magistrate Court Bank Lien Mortgage over the New Zealand Small Fake Crown Corporation Pretend Contracted Illegal Fraud Corrupt Government Parliament and Court with a BOGUS COURT SEAL of No JURISDICTION over our COURT SEALS and FLAG JURISDICTION

<https://www.parliament.nz/.../bills-proposed-laws/current...>

‘Reckless and irresponsible’: Govt urgently pushing through 24 bills after Queen’s death caused lost time

By

[Adam Pearse](#)

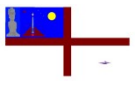
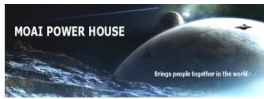
23 Nov, 2022 04:17 PM5 mins to read

[SaveShare](#)

PM Jacinda Ardern admits there is 'confusion' over the Three Water bill and has asked for the scope to be clarified. Video / Mark Mitchell

The Government is rushing through 24 pieces of legislation, some without public submission, after an urgency motion was passed in the House.





The motion, raised by the leader of the House Chris Hipkins, substantially extended the time when the House was sitting to allow the 24 bills - all at varying stages of progress - to be debated.

Hipkins said the urgency was necessary after a week's worth of House sitting time was lost when Queen Elizabeth II died on September 9.

However, it meant four bills would move forward without going through the select committee process, which enabled the public to have their say on the proposed legislation.

Read More

- [PM Jacinda Ardern admits 'confusion' over Three Waters, ...](#)
- [Infrastructure: Three Waters 'the right thing to do' ...](#)
- [Shane Reti: Three Waters legislation may be rammed ...](#)
- [Three Waters co-governance retained after 88,000 public ...](#)

The House moving with urgency had attracted strong criticism from all other parties in Parliament, who all opposed the motion in the House yesterday, but it passed as Labour held the necessary majority in the House.

The bills being progressed through all stages - which comprised of the first, second and third readings, select committee and committee of the whole House - included the Residential Tenancies (Healthy Homes Standards) Amendment Bill, which offered a 12-month extension to state landlord Kāinga Ora and private landlords to comply with the Health Homes Standards.

Also included was the Land Transport (Clean Vehicles) Amendment Bill that delayed the implementation of the [Clean Car Standard](#), an emissions standard for imported vehicles, to give importers more time.

Make a beeline for the Beehive

Get weekly politics headlines with commentary from our political experts straight to your inbox.

Please email me competitions, offers and other updates. You can stop these at any time.

SIGN UP

By signing up for this newsletter, you agree to NZME's [Terms of Use](#) and [Privacy Policy](#).

The two other bills, Social Security (Accommodation Supplement) Amendment Bill and Covid-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Bill, concerned





accommodation supplements for spouses of people receiving long-term residential care and the reduction of the Government's Covid-19 powers such as lockdowns, respectively.



Leader of the House Chris Hipkins raised the urgency motion. Photo / Mark Mitchell

“It’s a necessary step as we want to get some bills to select committee this year,” Hipkins said of the urgency.

“Some of the bills are administrative and four bills will go straight through without going to select committee, including a minor technical bill that ensures that the housing accommodation supplement for some people is not interrupted.”

Daily sitting hours could span from 9am to 12am, including two hour-long breaks, from Wednesday and could last until Saturday.

Among the bills was the Water Services Entities Bill, which contained the controversial proposal to shift the governance and management of New Zealand’s drinking water, wastewater and stormwater from local councils to four regional entities.

The bill, often referred to as Three Waters, had received more than 88,000 public submissions through the select committee process.

It was currently going through the Committee of Whole House, when MPs considered the bill in detail and voted on proposed changes. It would go through its third reading in December.

Two of the bills set for their first reading under urgency this week had implications for the country’s cost of living crisis.

Minister of Energy and Resources Dr Megan Woods. Photo / NZME

The Fuel Industry Amendment Bill introduced several changes to the sector, including giving power to the Commerce Commission to improve the sector’s security and affordability, boosting the country’s





fuel supply resilience and [delaying plans that reduce emissions](#) to ensure costs weren't passed on to consumers through higher fuel prices.

The Grocery Industry Competition Bill established a Grocery Commissioner to [force supermarkets to offer fairer prices](#), in addition to making it easier for smaller retailers to compete in the market.

The Arms Licence Holders' Applications for New Licences Amendment Bill, introduced to keep current firearms licences valid post-expiry due to a backlog in the licencing system, had been through select committee but was set to go through second reading, committee stage and third reading this week.

Te Pāti Māori (the Māori Party) had slammed the move toward urgency with co-leader Rawiri Waititi calling it "dangerous and reckless law-making".

He was concerned it would have a detrimental impact on Māori, as the ability to debate bills and source evidence was compromised under urgency, in his view.

"As tangata whenua, we are at the mercy of these major parties" co-leader Debbie Ngarewa Packer said.

"It's being pushed through because Government hasn't done what it was meant to do - make legislation."

National Party leader Christopher Luxon. Photo / Mike Scott

National leader Christopher Luxon said passing the legislation in urgency was "irresponsible" and "completely mad", particularly with Three Waters.

"The Government hasn't listened, the Prime Minister now can't explain the [components that are being added in, last-minute](#), they should stop and they should sit down with councils and find a proper, enduring solution."

Act leader David Seymour said it showed the Government was disorganised and would lead to legislation receiving insufficient scrutiny.

Greens co-leader Marama Davidson believed the 24 bills would have taken more than one week's worth of House time and was saddened to see the Government resort to urgent debate.

"We want robust debate and I'm not sure how 120 MPs holed up in [Parliament] for such long hours is going to give the level of debate that is also required."

Hipkins, responding to the criticism, said the bills going through all stages this week were "largely technical in nature" and "relatively uncontentious".

"I would be surprised if anyone was surprised," Hipkins said, when asked if the public would be surprised by what was included in the bills progressing through all stages.





<https://www.parliament.nz/en/pb/bills-and-laws/progress-of-legislation/document/53HOOOCProgressLegislation1/progress-of-legislation>

Bills (proposed laws)

1. Home
2. Parliamentary Business
3. Bills and Laws
4. Bills (proposed laws)

Bills are proposals to make a new law or to change an existing one. Only Parliament can pass a bill. Each bill goes through several stages, giving MPs and the public the chance to have their say. You can view the **schedule of divided bills**, or read more about the **progress of legislation**. To find out more about bills before select committees, see the **business before committees** page.

Historical bills from 1854 to 2008 are available from NZLII.

Bills and Laws

- Bills (proposed laws)
- Supplementary Order Papers
- Proposed members' bills

[View all](#)

• Current Bills

• Previous Bills

• All Bills

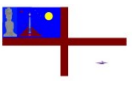
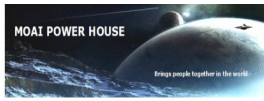
[Get notifications](#)

[RSS](#)

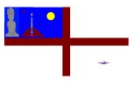
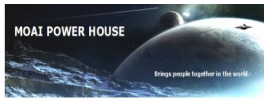
Displaying 1 - 69 of 69

Name of bill	Bill no.	Stage	Last activity	Select Committee
Legal Services Amendment Bill Bill - government	190-1	SC	28 November 2023	Justice Committee
Secondary Legislation Confirmation Bill	150-	2	02 December 2023	Regulations Review





Name of bill	Bill no.	Stage	Last activity	Select Committee
Bill - government Climate Change Response (Late Payment Penalties and Industrial Allocation) Amendment Bill	207-1	1	02 December 2022	Committee
Bill - government Electoral Amendment Bill	152-2	2	01 December 2022	Justice Committee
Bill - government Therapeutic Products Bill	204-1	1	30 November 2022	
Bill - government Crown Minerals Amendment Bill	198-1	SC	28 November 2022	Economic Development, Science and Innovation Committee
Bill - government Fuel Industry Amendment Bill	188-1	SC	28 November 2022	Economic Development, Science and Innovation Committee
Bill - government Grocery Industry Competition Bill	191-1	SC	28 November 2022	Economic Development, Science and Innovation Committee
Bill - government Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill	143-2	2	28 November 2022	Health Committee
Bill - government Health and Safety at Work (Health and Safety Representatives and Committees) Amendment Bill	194-1	SC	25 November 2022	Education and Workforce Committee
Bill - government Accident Compensation (Access Reporting and Other Matters) Amendment Bill	189-1	SC	25 November 2022	Education and Workforce Committee
Bill - government Foreign Affairs (Consular Loans) Amendment Bill	135-1	2	24 November 2022	Foreign Affairs, Defence and Trade Committee
Bill - government Natural and Built Environment Bill	186-1	SC	23 November 2022	Environment Committee
Bill - government Spatial Planning Bill	187-1	SC	23 November 2022	Environment Committee
Bill - government Local Government Official Information and Meetings Amendment Bill	202-1	SC	22 November 2022	Governance and Administration Committee



Name of bill

Bill no.

Stage

Last activity

Select Committee

Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Claims Settlement Bill

100-2

CH

22 November 2022

Māori Affairs Committee

Bill - government

Water Services Entities Bill

136-3

3

22 November 2022

Finance and Expenditure Committee

Bill - government

Organic Products and Production Bill

221-2

CH

22 November 2022

Primary Production Committee

Bill - government

Sale and Supply of Alcohol (Exemption for Race Meetings) Amendment Bill

89-2

2

21 November 2022

Governance and Administration Committee

Bill - member's

Hawke's Bay Agricultural and Pastoral Society Empowering Bill

181-1

1

21 November 2022

Bill - private

New Plymouth District Council (Perpetual Investment Fund) Bill

200-1

1

21 November 2022

Bill - local

Inspector-General of Defence Bill

178-1

SC

17 November 2022

Foreign Affairs, Defence and Trade Committee

Bill - government

Sustainable Biofuel Obligation Bill

182-1

SC

17 November 2022

Environment Committee

Bill - government

Oranga Tamariki Amendment Bill

95-2

CH

16 November 2022

Social Services and Community Committee

Bill - government

Te Rohe o Rongokako Joint Redress Bill

98-2

CH

15 November 2022

Māori Affairs Committee

Bill - government

Natural Hazards Insurance Bill

113-2

CH

15 November 2022

Finance and Expenditure Committee

Bill - government

Civil Aviation Bill

61-2

2

15 November 2022

Transport and Infrastructure Committee

Bill - government

Companies (Directors Duties) Amendment Bill

75-1

SC

10 November 2022

Economic Development, Science and Innovation Committee

Bill - member's

Fair Trading (Gift Card Expiry) Amendment Bill

184-1

1

10 November 2022

Bill - member's

Customs and Excise (Arrival Information) Amendment Bill

180-1

SC

10 November 2022

Foreign Affairs, Defence and Trade Committee

Bill - government

Employment Relations (Extended Time for Personal Grievance for Sexual Harassment)

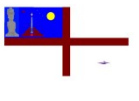
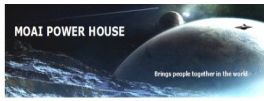
87-2

CH

09 November 2022

Education and Workforce Committee





Name of bill

Bill no. Stage

Last activity

Select Committee

Amendment Bill

Bill - member's

Crimes (Child Exploitation Offences) Amendment Bill

Bill - member's

59-2 CH 09 November 2022 Justice Committee

Business Payment Practices Bill

Bill - government

179-1 SC 08 November 2022 Economic Development, Science and Innovation Committee

Thomas Cawthron Trust Amendment Bill

Bill - private

149-1 1 08 November 2022

Counter-Terrorism Acts (Designations and Control Orders) Amendment Bill

Bill - government

176-1 SC 27 October 2022 Justice Committee

Ngāti Tara Tokanui Claims Settlement Bill

Bill - government

177-1 1 25 October 2022

Worker Protection (Migrant and Other Employees) Bill

Bill - government

174-1 SC 19 October 2022 Education and Workforce Committee

Charities Amendment Bill

Bill - government

169-1 SC 29 September 2022 Social Services and Community Committee

Deposit Takers Bill

Bill - government

162-1 SC 29 September 2022 Finance and Expenditure Committee

Criminal Proceeds (Recovery) Amendment Bill

Bill - government

163-1 SC 29 September 2022 Justice Committee

Criminal Activity Intervention Legislation Bill

Bill - government

166-1 SC 29 September 2022 Justice Committee

Fire and Emergency New Zealand (Levy) Amendment Bill

Bill - government

167-1 SC 28 September 2022 Governance and Administration Committee

Taxation (Annual Rates for 2022-23, Platform Economy, and Remedial Matters) Bill (No 2)

Bill - government

164-1 SC 22 September 2022 Finance and Expenditure Committee

Employment Relations (Restraint of Trade) Amendment Bill

Bill - member's

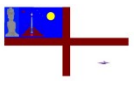
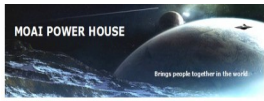
172-1 1 22 September 2022

Sale and Supply of Alcohol (Cellar Door Tasting) Amendment Bill

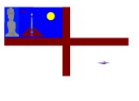
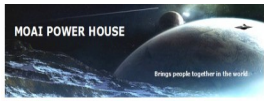
Bill - member's

173-1 1 22 September 2022





Name of bill	Bill no.	Stage	Last activity	Select Committee
Oranga Tamariki (Repeal of Section 7AA) Amendment Bill Bill - member's	170-1	1	22 September 2022	
Increased Penalties for Breach of Biosecurity Bill Bill - member's	132-1	SC	22 September 2022	Primary Production Committee
Self-contained Motor Vehicles Legislation Bill Bill - government	158-1	SC	01 September 2022	Economic Development, Science and Innovation Committee
Coroners Amendment Bill Bill - government	157-1	SC	31 August 2022	Justice Committee
Construction Contracts (Retention Money) Amendment Bill Bill - government	45-2	CH	23 August 2022	Transport and Infrastructure Committee
Accessibility for New Zealanders Bill Bill - government	153-1	SC	15 August 2022	Social Services and Community Committee
Oversight of Oranga Tamariki System and Children and Young People's Commission Bill Bill - government	94-2	3	11 August 2022	Social Services and Community Committee
Crown Minerals (Prohibition of Mining) Amendment Bill Bill - member's	156-1	1	11 August 2022	
Child Protection (Child Sex Offender Government Agency Registration) (Overseas Travel Reporting) Amendment Bill Bill - member's	90-1	SC	04 August 2022	Justice Committee
Housing Infrastructure (GST-sharing) Bill Bill - member's	154-1	1	04 August 2022	
Prohibition on Seabed Mining Legislation Amendment Bill Bill - member's	155-1	1	04 August 2022	
Family Court (Family Court Associates) Legislation Bill Bill - government	148-1	SC	04 August 2022	Justice Committee
Local Government Electoral Legislation Bill Bill - government	151-1	SC	03 August 2022	Governance and Administration Committee
Aotearoa New Zealand Public Media Bill Bill - government	146-1	SC	28 July 2022	Economic Development, Science and Innovation



Name of bill

Bill no. Stage

Last activity

Select Committee

Digital Identity Services Trust Framework Bill

Bill - government

78-2

CH

26 July 2022

Committee
Economic Development, Science and Innovation Committee

Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill

Bill - member's

147-1

1

30 June 2022

Forests (Legal Harvest Assurance) Amendment Bill

Bill - government

118-1

SC

22 June 2022

Primary Production Committee

Improving Arrangements for Surrogacy Bill

Bill - member's

72-1

SC

08 June 2022

Health Committee

Rotorua District Council (Representation Arrangements) Bill

Bill - local

114-1

SC

06 April 2022

Māori Affairs Committee

Girl Guides Association (New Zealand Branch) Incorporation Amendment Bill

Bill - private

5-1

2

10 March 2022

Social Services and Community Committee

New Zealand Public Health and Disability (Restriction on Crown Funding Agreements and Unfunded Cancer Medicines) Amendment Bill

Bill - member's

57-1

1

05 August 2021

Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill

Bill - government

84-2

2

03 March 2017

DECLARATION OF WAR 1861 ON USA

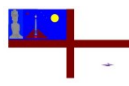
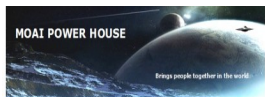
<https://www.raabcollection.com/abraham-lincoln-autograph/north-and-south-declarations-war>

Lincoln Commences the Civil War and Orders the Blockade of the Confederacy

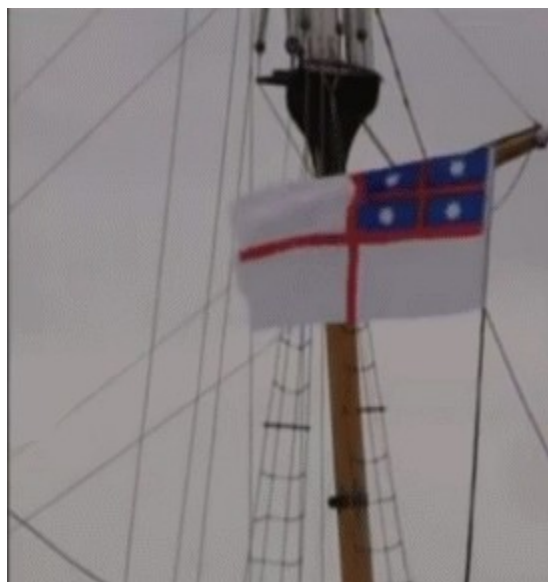
An act of war against his own country, the act had significant Constitutional, Military and National implications.

So the Confederation of Chiefs and Native Borne People of New Zealand Declared War on PM Jacinda Ardern and her Foreign Corporation Mari-Pakeha Government Parliament





These are Criminal Acts perpetrated by the unconstitutional New South Wales Australia and New Zealand Government and all their Judicial Enforcement Agencies thereof; upon the people of this Nation State Country; and its counterpart Australian people; include but not limited to the following

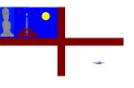
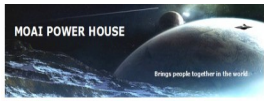


- 3 Treason
- 4 Economic Terrorism
- 5 Fraud and Deception
- 6 Conspiracy to commit Unlawful Acts
- 7 Murder
- 8 Kidnapping
- 9 Theft
- 10 Intimidation

- 11 Crimes against Humanity
- 12 Crimes against the Environment
- 13 Enslavement
- 14 Wrongful Arrest and Conviction
- 15 Unlawful Seizure of Lands and Possession
- 16 TPPA Threat on our Pacific States Seabed Titles
- 17 Queen Elizabeth II Conflict of 3rd Party Interests

As from 0001 Hours on 28th day of June 2002 our Paramount Chiefs of Aotea New Zealand and the Pacific Islands Moai Crown Native Federal State Government Nation of Britain and New Zealand was at War with New Zealand "Crown Corporations and still are today with the same Private Corporation Company The Queen in Right of New Zealand now changed their name to the Crown Sovereign of New Zealand Ambiguous Baseless Law Less Government Criminal Organization operating a Scam WEF NWO UN NATO world Domination Government trying to steal our Kings Flag Jurisdiction Constitution and Legal Authority and we caught them out in our Legal Legitimate Law abiding British Native Kings Bench Court. We the Paramount Chiefs Successors swear our Oath to 3 Kings William III, George IV and King William IV and 2 Paramount Chiefs Tira Waikato Whareherehere Manukau and Rewharewha Manukau Native Land Title Legal Owners with us their Executive Business Corporation Companies World Wide





Andrew House-of Devine

*Here: For and on the record is the list of the Native King's Bench Magistrates Court Hearings:

: Court: ~1:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~2:

<https://odysee.com/.../Confederation-of-the-United-Tribes...>

: Court: ~3:

<https://odysee.com/.../Confederation-of-the-United-Tribes...>

: Court: ~4:

<https://odysee.com/.../Confederation-of-the-United-Tribes...>

: Court: ~5:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~6 Part 1:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~6 Part 2:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~7:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~8:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~9:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~10:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~11:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~12:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~13:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

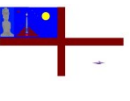
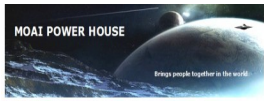
: Court: ~14:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~15:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>





: Court: ~16:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~17:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~18:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~19:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~20:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~21:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~22:

<https://odysee.com/.../--Confederation-of-United-Tribes...>

: Court: ~23:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~24:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~25:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~26:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~27:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~28:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~29:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~30:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

: Court: ~31:

<https://odysee.com/.../Confederation-of-United-Tribes-of...>

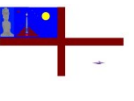
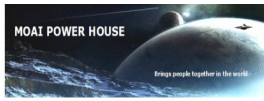
: Court: ~32 :

<https://odysee.com/@AndrewoftheHouseofD.../video1855253587:6>

: 33. ~

<https://www.facebook.com/AndyHouseOfDevine/videos/840699830412474>





: 34. ~

<https://www.facebook.com/AndyHouseOfDevine/videos/854761949176456>

: 35. ~

<https://www.facebook.com/AndyHouseOfDevine/videos/613994127394320>

URL

John Hoani Kahaki Wanoa 72

Te Araroa East Coast New Zealand

Mobile phone +64 21 078 2523

Business Office Hamilton

Profession

Real Estate Salesman

Auto Engineer Mechanic

Legal Advocate for Law Court Matters

Native Magistrates Kings Bench Court Judge

Native Moai Power House Banker

Surrogate King William III King William IV King George IV King Earnest Augustus I and King Earnest Augustus V

Native Polynesian and Tahitian Historian

Moai of Easter Island Descendant and speaker claimant to Moai Crown Westminster Magistrates

Court and Parliament 2022 Organizer

"Crown" Corporation Researcher

British Empire Researcher Activist

Twitter @tidalelectric

Twitter @moaienergy1

Facebook <http://2022.Facebook.com/john.wanoa>

Skype moaienergy1

Email moaienergy@gmail.com

John Wanoa

Please subscribe to all of our free channels of The Missing Link listed below!!

Rumble - TMISSINGLINK

<https://rumble.com/user/TMissingLink>

<https://www.facebook.com/tmissinglink>

Telegram- The Missing Link Jesse

<https://t.me/themissinglinkchannel>

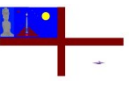
<https://t.me/themissinglinkjesse>

YouTube The Missing Link Jesse H

<https://youtube.com/channel/UC9e8AHNPTKU8jfr7BbrB29A>

Bitchute - The Missing Link Jesse(Love Inspiring New Knowledge)





<https://www.bitchute.com/channel/RbrlSyW2eX2N/>

<https://twitter.com/JessMissingLink...>

The Missing Link support welcome at PayPal.me/HVLT or etransfer to webcore8@gmail.com

Reciprocal Enforcement of Judgment Act 1934

<https://www.legislation.govt.nz/act/public/1934/0011/latest/whole.html?fbclid=IwAR0fbI7g7GT9OMyprkPqxG2B7AWFJyCt1J6CXVS26g5QVrBWuSfD3Y7vohY>

Legislation's added to 58 Legislation's from 28 October 2022 Declaration of Independence Day

59/ Legislation to Legislate the Governments 29 rushed Illegal Unconstitutional Legislation's off our Native Sovereigns Lands in this Native Kings Bench Magistrate Court Zoom International hearing tonight Saturday 3 December 2022 at 8pm New Zealand Time

Agenda for tonight Saturday 3 November 2022

1/ Legislate the NZ Legislation out on our Native Lands pick them off one by one on Legislation Number 48 now climbing Legislate the NZ Government Legislation off our Native Lands they got no Title to New Zealand

2/ Court Cases Cook Street Recovery of Lands Court Orders not disclose the Legal Information but to make it public notification I run through the 15 pages of sequence of events leading to the conviction and Crown is not Immune from Prosecution under Pope Francis Motu Proprio Letter Counts on our Native Lands where the New Zealand Crown is a Corporate Company Liable d in these 14 Documents f High Court and British Crown Court Laws Enforced in our Moai Crown Court and New Zealand Native Magistrate Kings Bench Court Seal Flag Jurisdiction versus Government and High Court Jurisdiction of Corrupted Law and Legislation

4/ Go over 9 June 2022 Court Hearing Cook Street skip over

5/ Any other matters to speed up the Court Orders now for the Debt Collector another week

[6/ Aotea New Zealand Future Wealth Commercial Liens Lis Pendens Web Page I send you now for tonight](#)

If you cant open that Moai Crown E State its on the new website page Confederation Sovereigns World Flag P 2 here keep trying it will open up a bit of patience

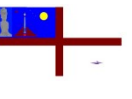
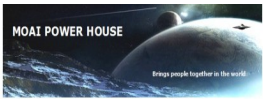
https://www.moaipowerhouse.world/_files/ugd/e18e35_f2ade28a933e4e888d0cd15ec081de78.pdf

Cook Street here skip over most time on the other Commercial Liens Lis Pendens No need for a Court Document

https://www.moaipowerhouse.world/_files/ugd/e18e35_8c6999dcb5e24306a4445705d7dcb502.pdf

Juration about 1 and half hours or less for hearing tonight





John Wanoa

Right Honourable Dame Cindy Kiro, GNZM, QSO, Governor-General of New Zealand, appointed as our Patron Debt Instrument on each of your Agent Pirates heads 1 Trillion Pound Complicit in your Default Contract of your Fine 100 Trillion Pound and linked to this Green Pound Note Debt



You are running a Criminal Organization with this King Pound Note Debt Instrument on your head with 22 Pirates here in this Borrin Foundation and Nikau Foundation 2022 Prosecuted in the Native Magistrate Kings Bench Court Bank for failing to Refute the Moai Crown Court Sovereign Surrogate

King William III Keng George III King George IV King William IV 36 Zoom Video Affidavits and

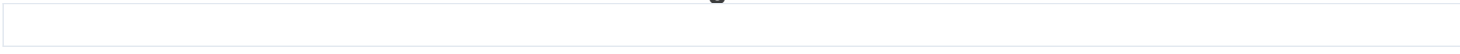
36 King William IV Flag Legal Document Affidavits & International Witnessed Public Hearings of your Offenses of engaging Foreign United Nations Private Corporations take out our true 1835 King William IV Flag Constitution Founding of New Zealand as a Sovereign Nation State

Land Owner Ship Jurisdiction and British Dutch Protestant King Legal Authority Law that you are Breaking NZ UK US Federal Flag Laws of Taking over our Country with no Native Land Title or Traditional Moriori Whakapapa. You Fabricated your NZ Private Maori Crown Fraud Land

Titles defrauded the Public of New Zealand with Fake Waitangi Tribunal- altered British Government Documents and a mass of other Fraud Matters in this 646 Page Writ of Execution

Property Arrest Warrant Liable-d 22 Photo Identified Criminals Complicit in your week Court Hearing Appearances Guilty Charged . You failed to produce evidence of your Authority and

Jurisdiction against our Jurisdiction to Foreclose on your Corporations Liquidate you under Legislation No 48 Legislate your Illegal Nikau Foundation and Borrin Foundation off these Native Lands and dissolve your Land-care Titles that you are creating Fraud Breaches over our British Native Land Titles and Constitution Flag Jurisdiction Clear Title over New Zealand Titles






King William IV 1831-34 Founding of New Zealand British Sovereign Nation State Flag Contract Title Ownership and Native Land Title of New Zealand and 1835 Constitution Flag Municipal Corporation Flag with the King William IV Crown and Anchor Mortgage Lien Kings Magistrate Court Bank Flag

New Zealand Government cannot Alter this British Chiefs King William IV 1835 Constitution Flag Title

Live Facebook Video Wed 23 Nov 2022 [Facebook](#)

From the Confederation of Chiefs “Native” Descendants

To

Your Excellency The Right Honorable Dame Cindy Kiro, GNZM, QSO

Governor-General of New Zealand

**Government House
Private Bag 39995**





Wellington Mail Centre
Lower Hutt 5045

You wear our St Patrick 8 Pt Star Kings Flag Contract a Prosecuted Offence
“PRIVATE PROSECUTOR AND INVESTIGATIONS”

Government House
Private Bag 39995
Wellington Mail Centre
Lower Hutt 5045

12-4-2018 to Saturday 24-9-2022

MOAI POWERHOUSE GROUP
Proposed Operations in London

NA ATUA E WA AOTEA LIMITED
Hamilton 3200 New Zealand

“Moai Crown” Westminster City England Creditor

NA ATUA E WA AOTEA LIMITED New Zealand

MOAI POWERHOUSE GROUP London England

“Moai Powerhouse Bank” Westminster City England

“Moai Royal Bank” New Zealand and Pacific World



Moai Confederation State King William IV Flag of Admiralty Law Jurisdiction a Sovereign State 1835 Declaration of Independence & British Constitution



Moai Crown State Default Convictions of the Prosecutor Superior Courts King William IV Sovereign Flag Jurisdictions!



John Wanoa
SALES QUALITY RESIDENTIAL

09-520-4546 Business
025-592 245 Mobile 24 hours

REMUERA

HARVEY CORPORATION LIMITED
393 Remuera Road, P.O. Box 28223, Remuera, Auckland, New Zealand.
Fax 09-520-4547

Your Excellency The Right Honourable Dame Cindy Kiro, GNZM, QSO
Governor-General of New Zealand

I am writing to you today to express my lawful legitimate and legal position as a Surrogate King George IV 1823 Contract and Surrogate King William IV 1834 Flag Sovereign Nations Founding of New Zealand British “Crown” Legal Authority and Appointed President of the Confederation of Chiefs at Kororareka Bay of Islands with the British 1834 Confederation of Chiefs Flag Commercial Contract Legal Inheritance to the British “Crown” CORPORATIONS Two Party Private Contract locked to the INDIGENOUS SURNAME CHIEFS of KORORAREKA on the RAWHITI NATIVE LAND BLOCK this date 11 March 1834 King William IV made Extant forever more in his Statute Law in Westminster Parliament you have Usurped for your New Zealand “Crown” Government “MAORI” CORPORATIONS CONTRACT since 1837 Queen Victoria Reign historically linked to **Okiato Native Magistrate Kings Bench Court Bank** British Origins as **NATIVES OF NEW ZEALAND** and not “MAORI” as you have Illegally Published in Government Legislation as “MAORI were here in 1769 as FALSE WHAKAPAPA History Tampering with British Government Press Documents of the CUSTOMARY NATIVE LAND TITLES of **Paramount Chief Rewharewha Manukau buried above Rawhiti Township** Manawhenua over these “NATIVE” LANDS registered under the Freemasons Glasgow Native Magistrate Court Land Records Scotland Sale of Uetaua (Pukekohe Waiuku West Coast to Bombay Hills to Clevedon to Maraetai Beach East Coast) to Queen Victoria 11 March 1862 linked to Awaroa Native Magistrate





Kings Bench Court Bank in Helensville West Auckland linked to Paramount Chief Tira Waikato Whareherehere Manukau of Pungapunga Marae Arapuni Maungatautari Mountain Pa Site "NATIVE" LAND TITLE TRANSFER to KING GEORGE IV Manawhenua over New Zealand Country Title sold to King George IV British Crown in 1823 by Chief Tira Waikato Whareherehere Manukau LAND DEEDS

I am telling you Governor General **Cindy Kiro** your Government and **IWI MAORI TRUSTEES** are very mischievous to use our **BRITISH Confederation Flag** as a **Whakaputanga Maori Flag** of Third Party Contracts to Queen Victoria Violation of our **King William IV Chiefs of the Confederation First Party** to British "Crown" Contract originally set up in the **Okiato Magistrate Court** in Kororareka Russell Bay of Islands is a **Threat to our Chiefs British Kings Commercial Trading Bank Flag** that established the founding of New Zealand confirmed by Captain James Cook that King William IV Founded New Zealand First and not your **New Zealand "MAORI" Government** cut your Sovereignty to Westminster Parliament and you are trying to steal our 1832 to 1834 King William IV Contract Flag while you limited 1840 Treaty Claims to 1840 so that's where your Corrupt Jurisdiction lies and not 1834 Confederation Flag Jurisdiction or **FAKE "MAORI" Tribe 1840 Treaty of Waitangi you are LOCKED to that date CONTRACT 6 February 1840 FIXED in STATUTE LAW** cannot use our 1834 FLAG as Chiefs **1835 WHAKAPUTANGA FLAG** because our **"NATIVE" Chiefs surnames** I have listed here are Second Party to King William IV First Party Commercial Contract while your **QUEEN ELIZABETH II** Severed your Sovereignty Ties to Westminster Parliament So now you are sending the Retired Speaker of the House **TREVOR MALLARD to Ireland** to Steal the Republic of Ireland Parliamentary Laws to use in your Corrupted Fraud Governments Jurisdiction wont work because we the Confederation of Chiefs Executors have the Dutch King William III 8 Point Star of St Patrick Municipalities Act I made Public Notification Claims to these 6 Dutch Kings Legal Authority of Admiralty Law over the top of you and your Corrupt Government that it is an **Offence for you to go to Kororareka HARATU MARAE** to use your own KIRO Whakapapa with your IWI MAORI "CROWN" PAKEHA EUROPEAN WHAKAPAPA to try to overpower our **"NATIVE" CHIEFS INDIGENOUS SURNAME WHAKAPAPA CUSTOMARY NATIVE LAND TITLES** is on the Records in Westminster So I say to you CINDY KIRO to Cease and Desist from going to Kororareka to claim the 1835 Whakapunga Flag Sovereign Authority is Fraud and Corruption of our Contract Agreement and that **"MAORI" is a Conflict of Interest on our "MOAI CROWN" "NATIVE CHIEFS LISTED HERE WHAKAPAPA** that you Corrupted I tell the **TRUTH in this FORMAL LETTER TO YOU** to tell you **WHO I AM** on these **NATIVE LANDS** with the **"NATIVE CHIEFS I chose as a CUSTOMARY NATIVE LAND ASSESSOR you must REFUTE.**

Zoom Court Hearing Agenda Saturday 22 October 2022 you must Refute or it becomes LAW

Letter of warning to you Governor General **Cindy Kiro** violating our **King William IV 1834 King Flag** Commercial Contract between the Paramount Chiefs of Kororareka and King William IV Land Transfer Deeds from the British "Crown" **does not belong to "Maori" IWI Tribe Corporations** and the New Zealand Crown Government Private Corporations The Native Customary Land Title belongs to the 3 Successors of these 50 surviving indigenous surname Chiefs successors of Kororareka Russell and **Paramount Chief Rewharewha Manukau buried in Rawhiti Township Maunga** I chose 3 Named successor Chiefs from Russell Rawhiti Boundary area and I chose from 97 indigenous surnames of the chiefs of the Waikato area of Maungatautari Mountain Pungapunga Marae Arapuni Paramount Chief Tira Waikato Whareherehere Manukau British Land Transfer Title in Edinburgh Magistrate Court Scotland to King George IV 1823 for the Sale and Purchase of New Zealand Country "Crown" Leases

You Governor General **Cindy Kiro** has Kiro surname ancestors on Rawhiti Land block but no chief over the area you are going to steal the real **NATIVE SURNAME** Manawhenua Land Title **NOT MAORI**





TITLE EUROPEAN SURNAME Titles over all the indigenous surname Chiefs NATIVE SURNAME First Nations CHIEFS I am naming as the Manawhenua over the Bay of islands 3 selected Chiefs I choose as the NATIVE LAND ASSESSOR on 13 September 2022 for Maori IWI Marae at Kororareka which is a threat to the indigenous Native Customary Land BRITISH CROWN TITLES Matching what I chose and not MAORI Choosing their Chiefs Titles in REAL ESTATE FREEMASONS LAND SURVEY Transfer of Lands from a NATIVE SURNAME CHIEF to a White Skin EUROPEAN BRITISH "CROWN" AGENT is a British New Zealand Land "Crown" Conflict of Interest with a QUEEN VICTORIA QUEEN ELIZABETH II KING CHARLES Corrupted Foreign Corporation Government Company breaking our British Kings Emperor Contract Laws and Rules of our Kings Emperors Partnership Contract 1834 King William IV Flag Ship and King George IV "Crown Contract sale of New Zealand Country to King George IV as Final Argument Un-refuted Affidavits in this Court Hearing Saturday 22 October 2022 at 7 pm New Zealand time 8am UK time 9am EU 12 Midnight Canada becomes CONTRACT LAW

You Governor General **Cindy Kiro** is mischievous to use the Confederation Flag as a Whakaputanga Maori Flag of a Third Party Contracts to Queen Victoria and Queen Elizabeth II is a **Violation of our King William IV Chiefs of the Confederation Contract in Okiato Magistrate Court in Kororareka Russell Bay of Islands 1832** is a Threat to our Chiefs British Kings Commercial Trading Bank Contract Confederation Flag direct to Westminster Parliament our interpretation Flag is that it established the founding of New Zealand confirmed by Captain James Cook that is on the Records in Westminster So I say to **Cindy Kiro you must Cease and Desist** from going to Kororareka to claim your "MAORI" 1835 Whakapunga Flag Sovereign Authority that Flag belongs to the Confederation of Chiefs is Fraud and Corruption of our Contract Agreement and that **"MAORI" NZ Australian Governments Private Corporations Corrupt Fraud Land Transaction Fabricated "MAORI WHAKAPAPA"** is an Invented Tribe Legacy of the New Zealand "Crown" Offshore Foreign Business is a Conflict of Interest to our "NATIVE" British Land Titles original Contracts of King George IV and King William IV and me and the Living Chiefs I choose 3 Chiefs from Bay of Islands and Waikato shall be the True Sovereign Laws over this NATIVE LAND Country of New Zealand **CINDY KIRO** your Photo is in this Native Magistrate Court for **Committing Treason and Corruption of our Kings Laws of the Land "CROWN" Business** with Britain UK you area a fifth party in this **Contract Agreement with the British "Crown"**

Other matters of the Court are for 77 Cook Street Seizure Notice to the Police and Government Prime Minister all your photos and ID are in this Court charged Prosecuted and Convicted of Treason Genocide Mass Murder and Bio weapons Bank Wars on our Sovereign People of the world witnesses

John Wanoa 021 078 2523

moaienergy@gmail.com

Queen Elizabeth II Wealth she Stole off the Countries she and her Corrupted Criminal Organization Rothshchils "City of London" Corporation "Bank of England" Fake Fraud "Fiat Pound Note USD Stole off the Sovereign Confederation of Chiefs Public Population of New Zealand and Sovereign People of Britain UK and the Worlds Native Populatons shall return back to them in this Native Magistrate Kings Bench Court toda Saturday 17 September 2022 at 6 pm New Zealand 7 am UK time 9 am EU time Here is what the Court and Sveregn People of the World wants back from this Un Royal Family of Pirates and Treasonous Bank Fraudsters for their own Selfish Families <https://fb.watch/fAB1ToFA38/> We the Sovereign People in 250 Countries Claim and Proclaim this Stolen Wealth belongs to us the People direct this Court to Cash the Moai Pound Note Legal Instruments over this our Valued Wealth





King William III King George III King George IV King Earnest Augustus I King Earnest V Pound Note

Moai Pound Note Debtor Instrument over Governor General Cindy Kiro-Prime Minister Jacinda Ardern Governor General Cindy Kiro I know that you are going to "HARATU MARAE" in Kororareka on 28 October 2022 as a "MAORI" to "CLAIM" the WHAKAPUTANGA FLAG of "MAORI" Interpretations of you New Zealand Invented "MAORI" Tribe that is a FICTIONAL ILLUSION TRIBE Your NZ CROWN predecessors Created to FOOL NEW ZEALANDERS into thinking you can GET AWAY with FRAUD THEFT STEALING our KING WILLIAM IV 1834 CONFEDERATION OF CHIEFS 8 POINT STAR OF ST PATRICK CHURCH FLAG JURISDICTION THAT YOU WEAR ON YOUR "CROWN" CLOTHES AS OFFENSIVE TO US WHILE YOU DONT HAVE THAT LEGAL AUTHORITY IN FRONT OF THE DESCENDANT NATIVE SURNAME CHIEFS to be operating your ILLEGAL FRAUD CORRUPTED CORPORATE PRIVATE Government Business with your 1902 FLAG JURISDICTION as a THREAT to our 8 POINT STAR ST PATRICK FLAG that has these 4 stars of our Corporate Business in 4 Corners of the World is NOT ANY OF YOUR FOREIGN COMPANY'S BUSINESS to Offend us the CHIEFS of this KING WILLIAM IV FLAG that you and your Governments have USURPED its Power and 8 POINT STAR AUTHORITY MUNICIPALITIES ACTS of KING WILLIAM III and KING WILLIAM IV Acts of Westminster Parliament since 1837 we now BILL CHARGE DEBTOR-D YOU FOR ALL 185 YEARS since King William IV died in 1837 this Court Bill you 185 years of your Governments Corrupt business now owes the Sovereign People of New Zealand what I determine as the Prosecutor of this Native Magistrate Kings Bench Court says you carry on your Head the same Charge as PM Jacinda Ardern GBP Moai Pound Note £100 Trillion on your head today CINDY KIRO by Default Contract of Queen Elizabeth II Criminal Fraudster we bill debtor d her **£970 Million Trillion Trillion GBP Moai Pound in this Court again today** as a Consequence of your Criminal Organisation we Charged you under Pope Francis "MOTU PROPRIO" ORDERS as COURT "COUNTS" DEFAULT CONTRACT

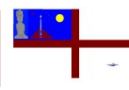
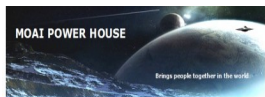
I am telling the People of New Zealand today that you are going to KORORAREKA to JOIN YOUR "MAORI" "CROWN" NEW ZEALAND Government Parliament PRIVATE CORPORATION Business to your "IWI MAORI" "CROWN" Private Corporate Business "PAKEHA" on their "HARATU MARAE" in Meetings with Local PAKEHA MAORI Community in KORORAREKA to try to STEAL our 1834 KING WILLIAM IV Flag your NZ Government now calls the WHAKAPUTANGA is ILLEGAL for you to STEAL our KINGS FLAG given to "NATIVE CHIEFS" and not "MAORI" CHIEFS you Illegally Compromised the word "NATIVE" to "MAORI" as if "MAORI" was he re in 1769 and 1831 you BREACHED the UK NZ BRITISH CRIMINAL CODE of Altering British Government Printing Office Documents which is a Major Fraud this Court and Jury charged you today for this Serious Offence £970 Million Trillion Trillion as a great part of the Great Criminal Organization we Find Prosecuted you guilty of this Crime of many





Crimes of Church and State and shall today Cash the Moai Pound Note against your Head with Prime Minister Jacinda Ardern caught in the ACT of TREASON against us the Chiefs of this Country New Zealand we hold the Titles over you as you have no proof of Title Ownership to New Zealand Country. I am warning you to stay away from Kororareka Flag and stop what you are planning to do with the "MAORI" WHAKAPUTANGA Fake Authority of that Flag that you have No Legal Ownership in our Commercial Contract with Britain UK Direct while you cut your Sovereignty off to Westminster Parliament and POPE FRANCIS Holds our Birth Certificate SOVEREIGNTY BOND SECURITY OF INVESTMENT while you are a SERVANT SLAVE to us the SOVEREIGNS OF NEW ZEALAND and we FORBID you and your PRIVATE CORPORATION COMPANY "Her Majesty the Queen In Right of New Zealand" or any other Private Corporation that you operate on these Lands we CHIEFS want you and your CRIMINAL ORGANISATION BANISHED off our HAPU "NATIVE" CONFEDERATION OF CHIEFS LANDS because we hold the TRUE REAL ESTATE LAND TITLE OWNERSHIP INSTRUMENTS To this country while you only Govern the Country with your FOREIGN Government we want you RID OFF THE LAND arrested and Locked up for Treason Genocide Murder Fraud War Mongering Corruption Bio Weapons Theft of DNA Land Children and Money Wealth for your own Self Interests. This is a Lawful Legal Court of Law that your Prime Minister failed to REFUTE My AFFIDAVITS which became a DEFAULT CONTRACT the same for you I write this Letter to you as an AUTHORITY PARAMOUNT CHIEF LEGAL ADVOCATE LAW ENFORCEMENT PROSECUTOR and JUDGE with a JURY here on ZOOM and the entire WORLD Audience watching and witnessing these Court Hearings are directed at you criminals on Trial in this Court administering a Criminal Business You will find here 19 Court Hearings extended from MARAE COURT HEARINGS to REAL TRUTH VIRTUAL ONLINE ZOOM BAR-LESS-DOCK LESS COURT HEARINGS because we have this KING WILLIAM IV DRY LAND 1834 FLAG Given to hold Court Hearings anywhere in the World without having a SEA FLAG "BAR" and "DOCK" to TRY YOU IN and it is your Legal responsibility to respond to mine and the COURTS Prosecution of you in PUBLIC VIEW with your PHOTOGRAPH to show its YOU whom I am accusing is a PIRATE THUG CRIMINAL operating a SCAM FRAUD CORRUPTED Corporate Business against us the Sovereign People of New Zealand who STOP YOU from committing More CRIMES while having NO QUEEN now you have CHARLIE Inheriting QUEEN ELIZABETH II Criminal Organization WE STOP YOU RIGHT HERE AND NOW with these CHIEFS I have Signing the Country back to the "NATIVES" CHIEF SUCCESSORS and Sovereign People of New Zealand making this CLAIM collectively today Saturday 17 September 2022 and beyond today We Charged you under "MOTU PROPRIO" LAW here below and in all the Documents and 18 VIDEO AFFIDAVITS on your Head "CINDY KIRO" and on "JACINDA ARDERN" Head today we the COURT ENFORCED the KING WILLIAM IV FLAG OF ADMIRALTY LAW JURISDICTION and "POPE FRANCIS" LAW and LORE OF "MOAI CROWN" COURT TRUTH on your HEADS TODAY in front of New Zealand Britain UK and the World Watching and Witnessing this historic Event you must Pay up and Lose all your Property Home Valuables Land Bank Investments we warn you and your THUGS and PIRATES that the people have had enough of your Anthony Fauci BS fake C V I D JAB Weapons. MOTU PROPRIO LAW KING WILLIAM III, IV LAW ACTS MOAI CROWN LAW ENFORCED on you Jacinda Kate Laurell Ardern £100 Trillion Pound Bounty on your Head and NZ "Crown" Corporation Cindy Acylon Cynthia Kiro £100 Trillion Pound Bounty on your Head and NZ "Crown" Corporation CINDY KIRO and JACINDA ARDERN CHARGED with altering BRITISH CROWN DOCUMENTS and ILLEGALLY CHANGING THE WORD "NATIVE" into "MAORI" as if it was in 1825 and 1831 so the NATIVE COURT identified your WAITANGI TRIBUNAL Words as FRAUDULENT CLAIMS that Corrupted the WHAKAPAPA LAND TITLES and HISTORY of NEW ZEALAND "MAORI is a MYTH





Nikau Foundation 2022

T 04 381 2224

E info@nikaufoundation.nz

Level 5, 166 Featherston Street

Wellington 6011

21, 22, 23 November 2022

Board of Trustees

Dame Fran Wilde (Chair)

Dame Fran has deep governance experience across the public and private sectors. In politics, she has been a Cabinet Minister, Mayor of Wellington and Chair of the Greater Wellington Regional Council. In business, she has been on or chaired a number of boards and currently chairs the Museum of New Zealand Te Papa Tongarewa, the Remuneration Authority, the Asia New Zealand Foundation and the Royal NZ Plunket (Whanau Awhina Plunket). Dame Fran was CEO of the NZ Trade Development Board for six years and has acted in other capacities including Chief Crown negotiator for Treaty of Waitangi Claims, NZ representative on the APEC Business Advisory Council and various leadership roles in the arts and philanthropy. She is a Chartered Member of the NZ Institute of Directors.



Liability by GG Cindy Kiro

It was 12 April 2015 when the Cook Street Case was started and Jacinda Ardern on 7 May 2022

All Court Hearings Cook Street Landowners & Jacinda Ardern and Cindy Kiro unrefuted unchallenged

7 May, 16 May, 23 May, 9 June, 11 June, 4 July, 9 July, 30 July, 6 August, 20 August, 27 August, 3 September, 10 September 27 September, 22 October, 5 November, 12 November, 18 November, 24 November, 30 November, 10 December 17 December, 23 December 2022

A total of 23 Court Hearings against these 4 Criminal Fraudsters and others lined up after them as well

[171] For these reasons, I am sure that the Defendants and past landowner parties supplied information to LINZ and NZ Crown Government Parliament knowing that it was false or misleading in a material particular can be seen in the COVID Administration of harmful Bio weapons of mass extermination and destruction of the environment and Rothschild Bank Wars and Vatican mass corruption of Churches and State Governments King Admiralty Law.

[172] **Accordingly, I find Mr James Pierce Brown guilty on charge 1. Jointly**

[173] **Accordingly, I find Mr Simon Brent Rowntree guilty on charge 1. Jointly**

[174] **Accordingly, I find Ms Jacinda Kate Laurell Ardern guilty on charge 2.**

[175] **Accordingly, I find Mrs Alcyion Cynthia Kiro guilty on charge 2.**





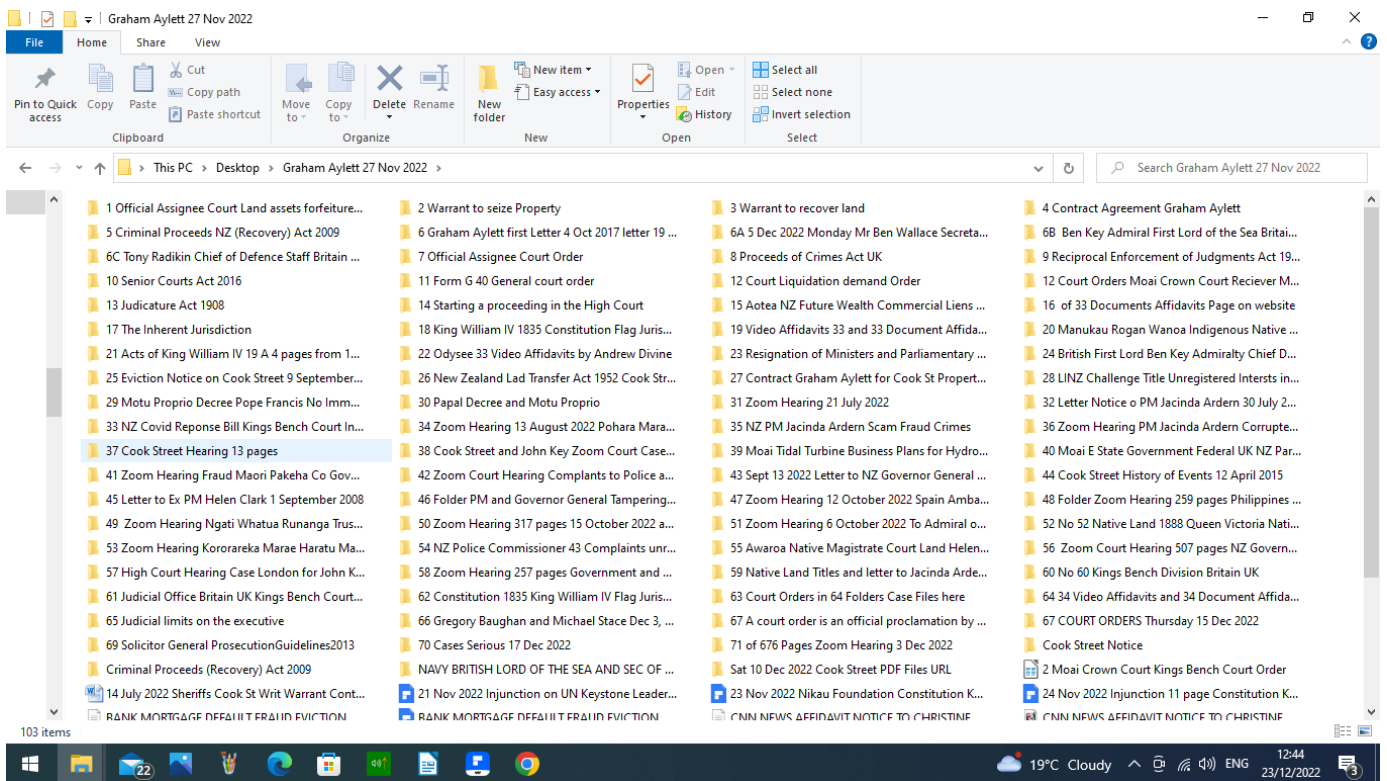
WanoaJ

Counsel: Mr John Hoani Kahaki Wanoa, Kate Baker, Sharlene Amai, Phillip Te Awhitu, Phillip Newton

End of Court Hearing

Additional Fact Cited Evidence to the 36 Hearings from May 2022 to Friday 23 December 2022 Court Hearing for this year ending are True Facts Citations Affidavits presented in each Court Hearing

71 Folders of Fact Cited Evidence and Information to support this case for every other case



MOAI CROWN KINGS BENCH MAGISTRATE COURT ORDER

A court order is an official proclamation by a judge (or panel of judges) that defines the legal relationships between the parties to a hearing, a trial, an appeal or other court proceedings. Such ruling requires or authorizes the carrying out of certain steps by one or more parties to a case. A court order must be signed by a judge; some jurisdictions may also require it to be notarized.





The content and provisions of a court order depend on the type of proceeding, the phase of the proceedings in which they are issued, and the procedural[a] and **evidentiary[b] rules that govern the proceedings.**

An order can be as simple as setting a date for **trial** or as complex as restructuring contractual relationships by and between many **corporations** in a multi-**jurisdictional** dispute. It may be a final order (one that concludes the court action), or an interim order (one during the action). **Most orders are written, and are signed by the judge.** Some orders, however, are spoken orally by the judge in open court, and are only reduced to writing in the **transcript** of the proceedings.

https://en.wikipedia.org/wiki/Court_order

<https://en.wikipedia.org/wiki/Lawsuit>

US CRIMINAL CASES

U.S. Constitution[edit]

Main article: [United States constitutional criminal procedure](#)

The **United States Constitution**, including the **United States Bill of Rights** and subsequent amendments, contains the following provisions regarding **criminal procedure**. Due to the **incorporation of the Bill of Rights**, all of these provisions apply equally to criminal proceedings in state courts, with the exception of the Grand Jury Clause of the Fifth Amendment, the Vicinage Clause of the Sixth Amendment, and (maybe) the **Excessive Bail Clause** of the Eighth Amendment.

Presentation of evidence[edit]

Main article: [United States evidence law](#)

The prosecution gives an opening statement that summarizes its general arguments. The defense can then present its opening statement or may opt to wait until the prosecution has finished presenting its complete case. **The prosecution presents its case first.** This is done by calling witnesses to give testimony and by **presenting physical evidence that will prove the defendant is guilty of the crime.** Witnesses are people who can give testimony that will help prove the guilt of the defendant. They may have actually seen events related to the crime, may have relevant information about the defendant, or may be able to give expert testimony concerning the evidence or have other important information. After the prosecution finishes, it is the time for the defense to address the court.

Sentencing[edit]

If a **defendant is found guilty, sentencing follows**, often at a separate hearing **after the prosecution**, defense, and court have developed information based on which the **judge will craft a sentence.** The United States Sentencing Commission has promulgated guidance on what restitution and prison terms should be assessed for different crimes.[5] In capital cases, a separate "penalty phase" occurs, in which **the jury determines whether to recommend that the death penalty should be imposed.** As with the determination of guilt phase, the burden is on the prosecution to prove its case, and the defendant is entitled to take the stand in his or her own defense, and may call witnesses and present evidence.





Charging instruments[edit]

In a criminal case, the government generally brings charges in one of two ways: either by accusing a suspect directly in a **"bill of information"** or other similar document, or by bringing evidence before a **grand jury** to allow that body to determine whether the case should proceed. If the grand jury determines that there is enough evidence to justify the bringing of charges, then the defendant is **indicted**. In the federal system, a case must always be brought before a grand jury for indictment if it is punishable by death or more than one year in prison; **[1] some states, however, do not require indictment.**

[https://en.wikipedia.org/wiki/](https://en.wikipedia.org/wiki/United_States_criminal_procedure#Charging_instruments:~:text=Charging%20instruments%5B.not%20require%20indictment.)

[United_States_criminal_procedure#Charging_instruments:~:text=Charging%20instruments%5B.not%20require%20indictment.](https://en.wikipedia.org/wiki/United_States_criminal_procedure#Charging_instruments:~:text=Charging%20instruments%5B.not%20require%20indictment.)

United Kingdom[edit]

England and Wales[edit]

Indictment

In **England and Wales** (except in **private prosecutions** by individuals) an **indictment is issued by the public prosecutor** (in most cases this will be the **Crown Prosecution Service**) on behalf of **the Crown**, which is the nominal **plaintiff** in **all public prosecutions under English law**. This is why a public **prosecution** of a person whose surname is Smith would be referred to in writing as **"R v Smith"** (or alternatively as "Regina v Smith" or "Rex v Smith" depending on the sex of the Sovereign, *Regina* and *Rex* being Latin for **"Queen" and "King"** and in either case may informally be pronounced as such) and when cited orally in court would be pronounced **"the Crown against Smith"**.**[7]**

All proceedings on indictment must be brought before the **Crown Court**.**[8]** By virtue of practice directions issued under section 75(1) of the **Senior Courts Act 1981**, an indictment must be tried by a **High Court judge**, a **circuit judge** or a **recorder** (which of these depends on the offence).

As to the form of an indictment, see the **Indictments Act 1915** and the **Indictment Rules 1971** made thereunder.

The Indictment Rules 1971 were revoked by the **Criminal Procedure (Amendment) Rules 2007****[9]** (on the whole) incorporated into the Criminal Procedure Rules 2010.**[10]** The form and content and the service of an indictment are governed by Rule 14 of the CPR 2012.**[11]** Additional guidance is contained in the Consolidated Criminal Practice Direction Part IV.34.**[12]**

As to the preferring of a bill of indictment and the signing of an indictment, see section 2 of the Administration of Justice (Miscellaneous Provisions) Act 1933 and the Indictments (Procedure) Rules 1971 (S.I. 1971/2084) made thereunder, as amended and modified by the Indictments (Procedure) (Amendment) Rules 1983 (S.I. 1983/284), the Indictments (Procedure) (Amendment) Rules 1988 (S.I. 1988/1783), the Indictments (Procedure) (Amendment) Rules 1992 (S.I. 1992/284), the Indictments (Procedure) (Amendment) Rules 1997 (S.I. 1997/711), the Indictments (Procedure) (Modification) Rules 1998 (S.I. 1998/3045) and the Indictments (Procedure) (Amendment) Rules 2000 (S.I. 2000/3360).



INHERENT JURISDICTION OF THE NATIVE MAGISTRATE KINGS BENCH COURT

No 17 38 Pages Lecturer, University of Otago, New Zealand **Jacob states that the inherent jurisdiction is possessed only by “superior courts”, ie those courts without a statutory foundation.**

10 As he notes: **“the jurisdiction which is inherent in a superior court of law is that which enables it to fulfil itself as a court of law.**

”11 **Superior courts owe their existence not to statute but instead to the exercise of the Royal prerogative.**

12 **Originally, the entirety of the English superior courts’ jurisdiction was inherent in that it had no statutory basis**, with legislation slowly codifying the majority of that jurisdiction.

13 The powers and jurisdiction **not codified or overruled by statute** – the residue which Jacob alludes to in his definition – **make up the inherent jurisdiction.**

Jacob’s seminal piece **“The Inherent Jurisdiction of the Court”**.¹ Jacob defines ‘inherent jurisdiction’ as the:² [...] residual source of powers, which the court may draw upon as necessary whenever it is just or equitable to do so, in particular to ensure the **observance of the due process of law**, to prevent vexation or oppression, **to do justice** between the parties and to secure a fair trial between them. **Jacob’s definition has received approval** in the **highest courts of New Zealand**,³ Canada⁴ and United Kingdom, whose House of Lords described it as **a definition that “has never perhaps been bettered.”**⁵

Australia, for example, maintains that the inherent jurisdiction is actually an implied jurisdiction; with some judges arguing that all jurisdictions are founded in the constitution and/or statute, and thus any “inherent” jurisdiction must instead be a jurisdiction implied from one or both of those sources.³⁰ As a result, the Australian commentator Lacey takes the same approach to Liang, arguing that there is functional similarity between “inherent jurisdiction” and “implied or inherent powers” even if the source of each is different.³¹ This added complexity only makes the prospect of combining all the different concepts into one, catch-all term that applies to all legal systems all the more attractive. Accordingly, to resist this temptation, “inherent jurisdiction” needs to act and mean something more than ‘inherent powers’ or “implied powers” if it is to be worth distinguishing.

No 17 The Inherent Jurisdiction New Zealand Marcelo Rodriguez Ferrere* Lecturer, University of Otago, New Zealand

<http://www.nzlii.org/nz/journals/OtaLawRw/2013/5.html>

