

5 October 2012

Joshua Grainger  
fyi-request-586-42571db8@requests.fyi.org.nz

Dear Mr Grainger

**OIA Request – Delegations**  
**Our Ref: OIA353/1**

1. I am writing in response to your Official Information Act request of 2 October 2012 seeking:
  - (a) a list of all powers that have been delegated by the Solicitor-General to Deputy Solicitors-General under s 9C(1) or s 9C(2) of the Constitution Act;
  - (b) for each power delegated, whether the delegation is general (to all Deputy Solicitor-Generals) or whether the delegation is specific (to a specific Deputy Solicitor-General), and if it is specific, which particular Deputy Solicitor-General has the power been delegated to;
  - (c) for each power delegated, whether any conditions have been put on these delegations under s 9C(4);
  - (d) if a delegation has ever been revoked under s 9C(3), and if so, the last time this occurred. If this has happened I would also request a short explanation of the reasons this occurred.
2. In reply to your requests at (a), (b) and (c), I have provided you with a summary list of the statutory powers of the Law Officers. It is divided into Attorney-General's non-delegable powers, Attorney-General's delegable powers and the Solicitor-General's powers.
3. As you will see the list is quite extensive. For this reason a system of general delegations has been adopted. Under s 9A of the Constitution Act, the Solicitor-General may perform the functions of the Attorney-General except where those functions are non-delegable. General delegations exist under s 9C of the Constitution Act delegating all of the Solicitor-General's powers to each of the Deputy Solicitors-General (except the power to delegate).

4. In reply to your request at (d), there has never been any revocation of delegations other than for administrative purposes, such as when the instruments of delegation were revised, and earlier instruments revoked. This last occurred in 2008.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Gunn', written in a cursive style.

Peter Gunn  
Crown Counsel

**Encl**

## Attorney-General's non-delegable powers and duties

Where a special patient held under the Act has been found fit for trial, the AG must order either that they stand trial or that they be held as a patient (s 192)	Armed Forces Discipline Act 1971
Where a special patient held under the Act has been found fit for trial, the AG must order either that they stand trial or that they be held as a patient (s 31)	Criminal Procedure (Mentally Impaired Persons) Act 2003
On receiving a certificate that a special patient is no longer unfit to stand trial, may send it to the Review Panel or may follow the procedure under the Criminal Procedure (Mentally Impaired Persons) Act 2003 (ss 77, 80); on receiving a certificate of clinical review of a restricted patient, must be consulted by the Minister of Health as to whether to revoke restricted status or refer the matter to the Tribunal (ss 78, 81); where the Tribunal determines that a special patient is no longer unfit to stand trial, it must send report to AG for purposes of Criminal Procedure (Mentally Impaired Persons) Act 2003 (s 80)	Mental Health (Compulsory Assessment and Treatment) Act 1992
Where the Commissioner is absent, the AG (but not SG) can fulfil his or her functions under ss 4A and 4F (s 5G)	New Zealand Security Intelligence Service Act 1969
The PCO is under the control of the AG (or when AG unavailable, the PM) (s 2); PCO drafts Bills and examining local Bills and reports to AG, and compiles statutes (s 4); PCO numbers set by AG (s 6); AG can authorise IRD to draft Bills (s 8A)	Statutes Drafting and Compilation Act 1920
AG's consent required for prosecutions under these sections (ss 20A, 42); AG may stay any proceeding but may not delegate a decision to stay a prosecution against the CLO (s 77A)	Summary Offences Act 1981
AG may stay any proceeding but may not delegate a decision to stay a prosecution against the CLO (s 77A); SG's consent required for an informant to appeal sentence, and AG's consent required if the defendant is the CLO (s 115A)	Summary Proceedings Act 1957

## Attorney-General's delegable powers and duties

AG has control of publication of Acts, regulations and other instruments (ss 4, 6, 14); directions for the form of publication (s 7); directions for place where publications available (s 9); control of sale (s 10)	Acts and Regulations Publication Act 1989
AG's consent required for any application to discharge an adoption (s 20); AG's consent required for prosecutions for obtaining adoption order by improper means (ss 27A-D)	Adoption Act 1955
AG's consent required for any application to the Family Court to refuse to recognise an overseas adoption, despite it being in accordance with the Hague convention (s 11)	Adoption (Intercountry) Act 1997
AG's consent required for any prosecutions for breaches of the Act, either within Ross Dependency by people who are not New Zealand citizens or residents, or for breaches occurring outside the Ross Dependency or on a non-NZ ship or aircraft (s 6)	Antarctica (Environmental Protection) Act 1994
AG's consent required for any prosecutions of people who are not New Zealand citizens or residents, or for breaches occurring outside the Ross Dependency or on a non-NZ ship or aircraft (s 3)	Antarctica Act 1960
AG's consent required for a Court Martial to try a person subject to the Act for treason, murder, manslaughter, sexual violation, or bigamy (s 74); AG receives a report from the Director of Military prosecutions (s 101J)	Armed Forces Discipline Act 1971
May order that a person serving a sentence under the Act at an overseas facility, who becomes mentally disordered, be transferred to a hospital (s 196)	Armed Forces Discipline Act 1971
AG's consent required prosecutions for hijackings and related offences under ss 4, 5, 5A, and 11 of the Act (s 18)	Aviation Crimes Act 1972
May apply to put a charitable trust into liquidation (s 25); Applications for a scheme for altering a charitable trust must be submitted to AG, who provides a report to the Court (s 32); opposition to such a scheme must be notified to the AG (ss 36-37); AG approves form of advertising for	Charitable Trusts Act 1957

meetings of contributors of trusts formed by voluntary subscription (s 43); approves a scheme to alter a trust raised by voluntary subscription (ss 47-48, 56); may dispense with need for meeting of contributors (s 50); may waive any procedural non-compliance with adopting a scheme (s 55); may conduct an inquiry into the management of a trust (s 58); has various powers to enforce a charitable trust (s 60)	
The GG may remove a member after consultation with the AG (schedule 1, cl 7)	Chartered Professional Engineers of New Zealand Act 2002
AG's consent required for prosecutions for offences outside NZ (s 5)	Chemical Weapons (Prohibition) Act 1996
The GG appoints the Principal Youth Court Judge on the advice of the AG (s 434); AG's consent required to prosecute offences occurring partly or wholly outside NZ (s 446B)	Children, Young Persons, and Their Families Act 1989
May authorise prosecution of an unruly person on an aircraft outside NZ (s 65D)	Civil Aviation Act 1990
AG's consent required for prosecutions (s 18)	Cluster Munitions Prohibitions Act 2009
AG must be consulted before a lawyer is appointed to the Commerce Commission Board (s 9); AG must be consulted before appointment of committee to hear cease and desist applications (s 74AA)	Commerce Act 1986
AG's consent required for prosecutions (s 7)	Continental Shelf Act 1964
AG's consent required for prosecutions in NZ for offences committed in the Cook Islands (s 155)	Cook Islands Act 1915
May appear in proceedings before the Copyright Tribunal if he or she thinks the case affects the public interest (s 212)	Copyright Act 1994
Offences under the Act must be reported to AG (s 69)	Corporations (Investigation and Management) Act 1989
AG's consent required for prosecutions: <ul style="list-style-type: none"> <li>• against diplomatic person (s 8A);</li> <li>• for limited offences after limitation period (s 10B);</li> <li>• for espionage or wrongful use of official information (s 78B);</li> <li>• for offences against administration of justice (s 106);</li> <li>• for blasphemous libel (s 123);</li> <li>• for exhibition or distribution of offensive</li> </ul>	Crimes Act 1961

<p>material (s 124);</p> <ul style="list-style-type: none"> <li>• for sexual conduct with children outside NZ (ss 144A-144B);</li> <li>• for certain offences committed on aircraft or ships (s 400)</li> </ul> <p>May give consent for any person to bring a prosecution (s 345); may stay any prosecution (s 378)</p>	
<p>AG may issue certificate that prosecution of person is underway or in contemplation, which prevents extradition (s 12); AG's consent required for prosecution of offences under Act (s 14)</p>	<p>Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Act 1980</p>
<p>May stay a proceeding (s 176); AG's consent required for sentence appeals in prosecutions of the CLO (s 246)</p>	<p>Criminal Procedure Act 2011</p>
<p>GG can remove a member of a Crown Entity with consultation with the AG (s 39)</p>	<p>Crown Entities Act 2004</p>
<p>Customs may continue to detain goods detained under s 166A on request of a foreign state to the AG (s 166D)</p>	<p>Customs and Excise Act 1996</p>
<p>Generally can sue and be sued on behalf of the Crown either personally or through lawyers (ss 14, 15, 20-24); may certify that discovery of a document would prejudice the prevention, investigation, or detection of offences (s 27)</p>	<p>Crown Proceedings Act 1950</p>
<p>May authorise the commissioner to apply for an interim foreign restraining order (s 128); may authorise the Commissioner to register a foreign restraining order in NZ (s 132); may authorise the Commissioner to register a foreign forfeiture order (s 140)</p>	<p>Criminal Proceeds(Recovery) Act 2009</p>
<p>Any High Court report finding corrupt or illegal practice shall be given to the AG (s 257)</p>	<p>Electoral Act 1993</p>
<p>May prevent entry into premises by certifying that it would be prejudicial to national security or investigation or detection of offences (s 22); advises the GG on the appointment of Judges (s 200); AG's approval needed to allow a Judge to work on a part time basis (s 200A)</p>	<p>Employment Relations Act 2000</p>
<p>May prevent a person being compelled to give evidence under s 185 by certifying that it would prejudice NZ security (s 186); may prevent a person being compelled to give evidence under s 192 by certifying that it would infringe the jurisdiction of NZ or would otherwise be</p>	<p>Evidence Act 2006</p>

prejudicial to the security or sovereignty of NZ or would be likely to be prejudicial to the trading, commercial, or economic interests of NZ (s 195)	
May be a party to proceedings under the Act, in order to represent the public interest (s 109)	Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
Advises the GG on the appointment of the Principal Family Court Judge (s 6)	Family Courts Act 1980
Must appear, if the Court requests, to argue questions of law or fact (s 161)	Family Proceedings Act 1980
AG's consent required to prosecute under the Act; the AG can delegate this power to the commissioner of Police (s 144)	Films, Videos, and Publications Classification Act 1993
AG's consent required for prosecution of certain offences under the Act (s 113ZE); every action against the Crown under s 171 to be served on AG (s 172)	Fisheries Act 1996
AG's consent required for prosecution of certain offences under the Act (s 25)	Flags, Emblems, and Names Protection Act 1981
AG's consent required for prosecutions for <ul style="list-style-type: none"> <li>• grave breaches of Conventions or First Protocol (s 3);</li> <li>• offences relating to the use of the red cross symbol (s 8)</li> </ul>	Geneva Conventions Act 1958
May give a certificate (that is sufficient evidence of its contents) as to a warrant (s 21)	Government Communications Security Bureau Act 2003
May prevent disclosure of information by certifying that disclosing it might prejudice the prevention, investigation, or detection of offences or involve the disclosure of proceedings of Cabinet, or any committee of Cabinet, relating to matters of a secret or confidential nature, and such disclosure would be injurious to the public interest (s 64)	Health and Disability Commissioner Act 1994
Must appoint a representative to attend conciliation conferences (s 126)	Health Practitioners Competence Assurance Act 2003
AG has general supervisory responsibilities over transfers and schemes for trust assets (s 11); when trust land is sold it must be held on same trust unless the AG approves a different one, and any question as to whether the trust terms permit sale must be determined by the AG (s 11A); AG may cancel or affirm Crown endowment status of land (s 11B); AG may designate sold land as having been crown endowment land (s 11C)	Health Sector (Transfers) Act 1993

<p>AG's consent required for the Court to direct that a head of a government department or other officer represent the public interest (r 4.27); may approve a relator proceeding (s 4.28); where a will does not dispose of the residue, the AG may claim it as bona vacantia for the Crown (r 27.26)</p>	<p>High Court Rules</p>
<p>Commission must inform AG of intention to investigate breach of Parts 1A and 2 (s 81) and certain complaints made before the Act (s 148M); AG may appear and be heard in person or by representative in a proceeding for breach of Parts 1A and 2 (s 92G); the Tribunal must notify the AG on the initiation of a proceeding for breach of Parts 1A and 2 (s 108A); AG must have opportunity to make submissions before the Tribunal grants a declaration under section 92J (s 108B); AG to be informed of every decision (s 116); may prevent the disclosure of information by certifying that it might prejudice the prevention, investigation, or detection of offences; or might involve the disclosure of proceedings of Cabinet, or any committee of Cabinet, relating to matters of a secret or confidential nature, and such disclosure would be injurious to the public interest (s 129); AG's consent required for a prosecution under ss 131 or 134 (ss 132, 135)</p>	<p>Human Rights Act 1993</p>
<p>May publish the decisions of the Tribunal, subject to any Tribunal direction (s 151); Chair of Tribunal appointed on AG's advice (s 219); agrees procedures to protect classified information with the Chief Justice or the Chair of the Tribunal (ss 260, 474)</p>	<p>Immigration Act 2009</p>
<p>AG may prevent disclosure of information by certifying that it might prejudice the prevention, investigation, or detection of offences or might involve the disclosure of proceedings of Cabinet, or any committee of Cabinet, relating to matters of a secret or confidential nature, and such disclosure would be injurious to the public interest (s 26); AG receives copy of IPCA recommendations and may table them in Parliament (s 29)</p>	<p>Independent Police Conduct Authority Act 1988</p>
<p>AG's consent required for prosecutions under secrecy or publication provisions (ss 28-29)</p>	<p>Inspector-General of Intelligence and Security Act 1996</p>
<p>AG's consent required for prosecutions (s 20)</p>	<p>Intelligence and Security Committee Act 1996</p>
<p>AG can carry out all powers, duties or functions conferred on a State under the Act (s 7); AG's consent required for prosecution of international</p>	<p>International Crimes and International Criminal Court Act 2000</p>



<p>crimes under ss 9, 10, 11 (genocide, crimes against humanity, war crimes) (s 13); AG may refuse assistance requested, if in his or her opinion it would be unjust or oppressive to comply (s 23); AG must either follow the request (so far as lawful), or must inform the ICC of the reasons for refusal (ss 27-30); if the AG gives approval for the request, then there is an extensive statutory procedure he or she must follow, which includes a number of procedural powers (ss 81-134); AG has the power to consult with the ICC if he or she believes that a request might compromise NZ security (ss 158-163); if request involves third party information AG must consult that third party (ss 164-165); may seek assistance from the ICC in an investigation or trial within NZ (s 173)</p>	
<p>Tribunal may request assistance from AG (or other person specified by AG) (ss 4-5); AG gives direction to enforce arrest warrants under Act (ss 6-10); has a number of powers to deal with a remanded person, including power to refuse to surrender them if it would be inappropriate or unjust (ss 12-18, 20); may order taking of evidence (ss 21-23); may obtain undertakings from the Tribunal that a witness will only be required to give evidence, and that a prisoner witness will not be released (ss 33-35); may make arrangements for the enforcement of forfeiture orders and search warrants, and the disposal of forfeit property (ss 41, 44, 47, 53, 55); has powers to decline requests from the Tribunal, but must inform the Tribunal either way (ss 57-59)</p>	International War Crimes Tribunals Act 1995
<p>May authorise Judges, Associate-Judges or Court of Appeal Judges to act part time (ss 4C, 26D, 57A); serves on the Rules Committee (s 51B); may institute proceedings to have someone declared a vexatious litigant (s 88B)</p>	Judicature Act 1908
<p>Must consult the Chief Justice about the appointment of a Judicial Conduct Commissioner or Deputy (ss 7, 8A); may refer a complaint to the JCC or initiate action independently (ss 12, 24, 34); may appoint a Judicial Conduct Panel on the recommendation of the JCC (ss 15, 18, 20-22); must appoint special counsel to appear at JCP (s 28); JCP must report to AG, who then has discretion to remove Judge (ss 32-33); receives a report from the JCC and tables it in Parliament (Schedule 2 (9)-(10))</p>	Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004
<p>Action for compensation under the Act must be served on the AG (s 173); may apply to the Court for Judgment against an absconder (s 176)</p>	Land Transfer Act 1952

May hear and determine complaints against the decisions of the Registrar-General (s 240)	Land Transport Act 1998
Issues Guidelines for the appointment of QCs (s 119, regulations); advises GG on appointments to the New Zealand Council of Legal Education and determines their salaries (s 282; schedule 5 (5))	Lawyers and Conveyancers Act 2006; Lawyers and Conveyancers Act (Lawyers: Senior Counsel and Queen's Counsel) Regulations 2008
May certify that a proceeding before the Privy Council is of such public importance that a grant of legal aid is in the public interest (ss 6, 7)	Legal Services Act 2011
May prevent the Ombudsman from recommending release by certifying that releasing certain information would be likely to prejudice the prevention, investigation, or detection of offences (s 31);	Local Government Official Information and Meetings Act 1987
AG's consent required for prosecutions (s 17)	Maritime Crimes Act 1999
AG may give consent for prosecution despite the fact that the person is not a NZ resident or citizen and that it occurred beyond NZ's territorial waters (s 224)	Maritime Transport Act 1994
AG must inform states parties if her or she receives information that someone is in NZ who is alleged to have breached articles of the Mercenary Convention and whether they are arrested and the results of preliminary inquiry (ss 15-17); AG's consent required for prosecutions under Act (s 19); AG must communicate result of prosecution to the UN (s 20)	Mercenary Activities (Prohibition) Act 2004
Transitional proceedings may continue against such persons as the AG certifies (s 6)	Ministry of Agriculture and Fisheries (Restructuring) Act 1995
AG's consent required for prosecutions (s 28A); AG's consent required for any prosecutions of undercover police officers (s 34A); may prevent extradition by certifying that proceedings are to be brought or considered for the offence within NZ (s 35C)	Misuse of Drugs Act 1975
The Act creates a broad framework for mutual assistance, within which the AG features in almost every section. The AG is responsible for requests made either to or from NZ. Perhaps the most important of these powers are the power to refuse requests (s 27)	Mutual Assistance in Criminal Matters Act 1992

AG must report to Parliament regarding any provision in a Bill that appears to be inconsistent with NZBORA (s 7)	New Zealand Bill of Rights Act 1990
AG is the chairperson of the Council and the SG is a member (ss 7, 10)	New Zealand Council of Law Reporting Act 1938
AG's consent required for prosecutions (s 15)	New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987
Where it is necessary to prove that a person was acting under an intelligence warrant, a certificate from the AG is conclusive evidence (s 4A)	New Zealand Security Intelligence Service Act 1969
AG's consent required in order to prosecute someone for carrying out a nuclear test in NZ (s 6)	Nuclear-Test-Ban Act 1999
May prevent the disclosure of certain information from being recommended, by certifying that it would be likely to prejudice the prevention, investigation, or detection of offences (s 31)	Official Information Act 1982
In certain cases, the Ombudsman must have the AG's consent to summon and examine a person (s 19); the AG may prevent the disclosure of certain matters by certifying that it is a matter of national security, cabinet deliberations, etc (s 20); AG may prevent the Ombudsman using his or her power to enter into premises, by giving notice that it might prejudice the security, defence, or international relations of New Zealand, including New Zealand's relations with the Government of any other country or with any international organisation (s 27)	Ombudsmen Act 1975
Parole Board members appointed by GG on advice from AG (s 111); Board must provide annual report to AG (s 19); Board members continue in office at expiry of term unless AG informs them that they are not reappointed and there is no successor (s 120); AG may advise the GG to remove a member for just cause (s 121)	Parole Act 2002
AG may request that the Court hear classified information in the absence of the parties or their lawyers or the public (s 29AB); AG and Chief Justice may agree ancillary procedures to protect classified information (s 29AC)	Passports Act 1992

<p>AG may give consent for a person to apply for revocation of a Patent despite their not being otherwise entitled to apply (s 41); AG may appear in any patent proceedings if in his or her opinion the public interest is engaged (s 76); Commissioner or the NZ Institute of Patent Attorneys may apply to remove a practitioner from the register (s 102)</p>	<p>Patents Act 1953</p>
<p>AG must be consulted on any request by the Governor for a trial, that is not a specified investigation trial, to take place in NZ (s 6); AG may exercise powers conferred on NZ by the Act (s 9); AG's consent required for attendance of overseas Pitcairn witnesses (ss 48-49); where a Pitcairn witness is a prisoner in NZ, the AG may seek an undertaking from the Pitcairn Court not to release him or her (s 52); AG may invite the Governor to make a request for NZ to enforce a sentence or hospital order (s 55); AG must be consulted on requests for enforcement of a Pitcairn sentence or hospital order (s 56); hospital orders expire when the AG directs, under s 116 of the Criminal Justice Act 1985, that the person either be brought before the appropriate court or be held as a patient, rather than as a special patient (s 66)</p>	<p>Pitcairn Trials Act 2002</p>
<p>AG's consent needed to prosecute a Police employee who offends overseas (ss 87-88, 92)</p>	<p>Policing Act 2008</p>
<p>AG may bring proceedings against a Harbour Board in relation to the operation of unauthorised commercial undertakings (s 36)</p>	<p>Port Companies Act 1988</p>
<p>AG may prevent disclosure of information by certifying that it might prejudice the prevention, investigation, or detection of offences or involve the disclosure of proceedings of Cabinet, or any committee of Cabinet, relating to matters of a secret or confidential nature, and such disclosure would be injurious to the public interest (s 95)</p>	<p>Privacy Act 1993</p>
<p>AG may apply to vary or give directions on the administration of a fund placed with the Public trust, raised by subscription for the benefit or relief of any person or class of persons (s 86)</p>	<p>Public Trust Act 2001</p>
<p>Actions against the Crown to be served on AG (s 63); AG's consent required for prosecutions</p>	<p>Radiocommunications Act 1989</p>

(s 134A)	
AG to provide certificate if satisfied that reprint is accurate (s 3)	Reprint of Statutes Act 1931
AG advises GG on appointment of Principal Environment Judge, Environment Judges, Alternate Environment Judges, Environment Commissioners and Deputy Environment Commissioners (ss 250-251, 253-254); AG may appear in proceedings to represent the public interest (s 274)	Resource Management Act 1991
AG may authorise appointment of issuing officers (s 108)	Search and Surveillance Act 2012
AG's consent required for prosecutions (s 12)	Secret Commissions Act 1910
Director must obtain AG's consent to enter into agreement with overseas agencies (s 51)	Serious Fraud Office Act 1990
AG's consent required for prosecutions (s 27)	Submarine Cables and Pipelines Protection Act 1996
AG's consent required for prosecutions under these sections (ss 20A, 42)	Summary Offences Act 1981
AG may stay any proceeding, but may not delegate a decision to stay a prosecution of the Crown Law Office (ss 77A, 159); where damages have been ordered against a Judge the Judge may apply to the Court for a certificate granting Crown indemnity, and the AG may oppose this application (s 197)	Summary Proceedings Act 1957
AG appoints Acting Judges of the SC on receiving certificate from Chief Justice and two other SC Judges (s 23)	Supreme Court Act 2003
AG's consent required for a Judge to act part time (s 7A); Court may refer any matter to the AG to consider whether any information should be laid or any prosecution commenced (s 280)	Te Ture Whenua Maori Act 1993
PM must consult AG and Minister of Foreign Affairs and Trade before designating an entity a terrorist entity and the AG and PM must notify leader of opposition (s 20); PM must consult AG before making final designation (s 22); PM must consult AG before refusing an application to revoke designation (s 34); AG may apply for all or part of evidence in a proceeding to be heard in	Terrorism Suppression Act 2002

<p>absence of the entity, its lawyers or the public (s 38); Chief Justice and AG may agree ancillary practices to protect classified information (s 40); third parties who apply for relief in relation to property in management under the Act must serve the AG (s 52); AG may apply to Court for forfeiture of property owned or controlled by a designated entity (ss 55-61); where there is information that a person alleged to have committed an offence under the Bombing Convention is in NZ, the AG has powers and duties to inform the States Parties and give consent to prosecutions (ss 63-68)</p>	
<p>Anyone dissatisfied with a decision of the Registrar may appeal to the AG who will determine the matter (s 19)</p>	<p>Transport (Vehicle and Driver Registration and Licensing) Act 1986</p>
<p>AG may appear and be heard at a review in order to represent the public interest (s 53)</p>	<p>Trans-Tasman Mutual Recognition Act 1997</p>
<p>The scheme of a company may be varied by the Court on application by the AG (among others), or under certain conditions by the AG on application from the company (s 15)</p>	<p>Trustee Companies Act 1967</p>
<p>AG's consent required for prosecutions (s 9)</p>	<p>United Nations Convention on the Law of the Sea Act 1996</p>
<p>AG's consent required for prosecutions of visiting forces and the AG must take into account relevant agreements (s 10); may order arrested member of visiting forces handed over to service authorities of the visiting force (s 11); where death of a visiting force member has occurred, AG's consent required for a Coroner's inquest (s 19); AG's certificate is conclusive proof of status of any force, person, or property or any matter or thing for the purposes of any of ss 13, 15, 16, or 21 (s 22)</p>	<p>Visiting Forces Act 2004</p>

## Solicitor-General's Powers

AG must supervise the Director of Military Prosecutions (s 101K)	Armed Forces Discipline Act 1971
The Registrar may refer rules or rule changes to the Solicitor-General, who may notify the society of the ways it does not comply (ss 14, 19)	Building Societies Act 1965
Offences under the Act must be reported to the SG (s 20)	Chateau Companies Act 1977
May apply to the Court for an order that a post-mortem be carried out (s 41); may authorise an inquiry into the death of someone who died outside NZ on a ship or aircraft (s 59); may order an inquiry if satisfied one is necessary and desirable in the interests of justice and the Coroner has failed or refused to order one (s 95); may order a further inquiry where new facts have been discovered or for other sufficient reasons (ss 96, 97); appointments of Coroners and the Chief Coroner must be given on advice of AG (ss 103-05); AG's consent required for a Coroner to act part time or to undertake other employment (ss 107-8); complaints about Coroners may be referred to AG (s 113); removal of Coroners by JCC must be reported to AG and AG can initiate removal where Coroner has committed an offence punishable by 2 or more years in prison (s 114)	Coroner's Act 2006
SG's consent required for certain further investigations of acquitted person (s 378C); may apply for a retrial of an acquitted person (s 378D); SG must appear at each Crown appeal, but can do so through counsel (s 390)	Crimes Act 1961
SG's consent required to file charges outside normal periods (s 25); SG's consent required for certain further investigations of acquitted person (s 153); may apply for a retrial of an acquitted person (s 154); is responsible for general oversight of public prosecutions, has powers to add, withdraw and amend charges, and must act independently (ss 185-193); approval needed for sentence appeals (s 246); may refer questions to the Court of Appeal or Supreme Court (ss 313, 317);	Criminal Procedure Act 2011

SG must appear at each Crown appeal, but can do so through counsel (s 322)	
Has rights to appeal on sentence (s 28H)	District Courts Act 1947
Schemes to vary school board trusts must be approved by SG (ss 113, 156C)	Education Act 1989
May apply to enforce a letter of request for examination of witness (s 192)	Evidence Act 2006
The Registrar may send the rules (or amendments to the rules) of a friendly society or credit union to the SG or any Crown counsel at Crown Law for approval (ss 16, 24)	Friendly Societies and Credit Unions Act 1982
SG's approval needed to prosecute the DoL or other agency designated to administer the Act, and SG must conduct proceeding (s 55)	Health and Safety in Employment Act 1992
SG may apply to have letters of request enforced (r 9.29); must, at the request of the Court, appoint counsel assisting the Court (r 10.22); SG must be notified and served in any proceeding disputing a patent (r 27.26)	High Court Rules
The SG must be heard before the Court refuses to take an action on the grounds that it would be contrary to public policy (article 6)	Insolvency (Cross-border) Act 2006
On the AG's orders, SG must apply to the Court to register a forfeiture order (s 42)	International War Crimes Tribunals Act 1995
SG serves on the Rules Committee (s 51B)	Judicature Act 1908
AG is the chairperson of the Council and the SG is a member (ss 7, 10)	New Zealand Council of Law Reporting Act 1938
Where irrelevant information has been seized, but it is not possible to return it to where it was seized, the SG must be consulted (s 4G)	New Zealand Security Intelligence Service Act 1969
SG must be informed of any proceeding to contest the validity of a patent (s 76)	Patents Act 1953
The SG is an "appropriate authority" in terms of the Act, to whom disclosure may be made in certain circumstances (ss 3, 6-11)	Protected Disclosures Act 2000
Offences under the Act must be reported to SG (s 23)	Public Service Investment Society Management Act (No 2) 1979
Where offender ordered to come up for sentence	Sentencing Act 2002



reoffends or fails to comply with certain orders, the SG, among others, may apply to the Court for an order that they come up for sentence (s 111)	
SG is one of the persons who may request that the Council consider issues relating to sentencing or parole guidelines (s 24)	Sentencing Council Act 2007
If the Director assumes responsibility for an investigation from Police, and seeks information from Police and is refused, he or she may refer the matter to the SG who will determine it (s 11); SG appoints the SFO prosecutions panel (s 48)	Serious Fraud Office Act 1990
SG's consent required for an informant to appeal sentence, and AG's consent required if the defendant is the CLO (s 115A)	Summary Proceedings Act 1957
The Board must report any suspected offences to the SG (s 21)	Trustee Companies Management Act 1975

