

New Zealand Order of Merit (Modernisation of Titular Titles) Bill

Member's Bill

Explanatory Note

In March 2009, the New Zealand Order of Merit was changed to restore titular titles. That is, the recipients of the highest honours were redesignated Knights and Dames and are entitled to use the appellations of "Sir" and "Dame" before their names.

This Bill further amends the honours system to allow Knights and Dames to use a Te Reo Māori form of appellation, "Tā" and "Kahurangi", if they wish. This reinforces the indigenous nature of the Order and acknowledges that the honours system may evolve to reflect New Zealand's present-day culture. Further, the adoption of an explicitly indigenous appellation may mean some people may be more willing to accept the highest honours.

In addition, the Bill removes the following discriminatory elements of the titular titles and highest honours:

- First, only men are entitled to be conferred with the Accolade of Knighthood (that is, the "dubbing" of shoulders with the ceremonial sword).
- Secondly, only wives of Knights are entitled to the courtesy title "Lady". Husbands of Dames do not receive a courtesy title, nor do (opposite-sex or same-sex) civil union or de facto partners.

These elements are inconsistent with the prohibitions on gender, marital status and sexual orientation discrimination in the New Zealand Bill of Rights Act 1990. This Bill allows women to also receive the Accolade and to be "dubbed". It also removes courtesy titles for wives of any Knights, honoured after the date the Bill is passed (existing courtesy titles may continue to be used), so the spouses, civil union partners and de facto partners of Knights and Dames are all treated in the same manner.

[Member of Parliament]

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the New Zealand Order of Merit (Modernisation of Titular Titles) Bill 2009.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Purpose

The purpose of this Act is:

- (a) to amend the Statutes of the New Zealand Order of Merit to provide for titular titles in Te Reo Māori, namely "Tā" and "Kahurangi";
- (b) to remove discriminatory elements of the titular titles and highest honours.

4 Act to bind Crown

This Act binds the Crown.

5 Te Reo Māori Titular Titles

- (1) Clause 20 of the Statutes of the New Zealand Order of Merit (SR 1996/205) is revoked and the following clause is substituted:

"20. Ordinary and Additional members of the first and second levels of this Order may use the following appellations before their forenames from the date of their appointment:

(a) in the case of a man of, "Sir" or "Tā"; and

(b) in the case of a woman, "Dame" or "Kahurangi"."

(2) Clauses 3(2)(c) and 4(2)(c) of the Additional Statutes of The New Zealand Order of Merit (2009/90) are amended by inserting after the word "Sir" wherever it appears, the words "or "Tā"".

(3) Clauses 3(3)(b) and 4(3)(b) of the Additional Statutes of The New Zealand Order of Merit (2009/90) are amended by inserting after the word "Dame" wherever it appears, the words "or "Kahurangi"".

6 Accolade of Knighthood

Clause 16 of the Statutes of the New Zealand Order of Merit (SR 1996/205) is revoked and the following clause is substituted:

"16. It shall be competent for Our Chancellor of this Order to perform in Our Name, and on Our behalf, the ceremony of investing persons admitted to this Order with the insignia of their dignity and confer the Accolade of Knighthood on Knights Grand Companions, Dames Grand Companions, Knights Companions and Dames Companions if such Knights or Dames have not previously received the Accolade."

7 Removal of Courtesy Titles

(1) Wives of Ordinary and Additional members admitted to the first and second levels of the New Zealand Order of Merit after the commencement of this Act are not entitled to use the courtesy title of "Lady" before their surname.

(2) For the avoidance of doubt, wives of Ordinary and Additional members admitted to the first and second levels of the New Zealand Order of Merit before the commencement of this Act may continue to use before their surname (while it remains the same as that of their husband) the courtesy title of "Lady".