and it was necessary to ensure that the central Parliaments would not have power to alter the constitutions and thus to encroach on the jealously guarded rights of the various State Parliaments. But New Zealand does not have a federal constitution and clearly we should never have been included in section 8.

10. To remedy the position it is necessary, therefore, not only to adopt the Statute of Westminster, but also to arrange for the United Kingdom Parliament to remove the restrictions imposed by the 1857 New Zealand Constitution Amendment Act. This is the purpose of the New Zealand Constitution (Request and Consent) Bill. The New Zealand Parliament will then have the legislative autonomy which in theory it has had for more than twenty-five years, but which in strict law it still has not. Obviously it is a better procedure to pass the Statute *and* at the same time additionally secure the power to repeal the 1857 Amendment. To deal with the Constitution Amendment alone would be to remove only one of several restrictions upon the autonomy of our Parliament and to put future New Zealand Parliaments in the position of having to make a fresh approach to the United Kingdom Parliament every time they found it necessary to have a particular restriction removed—a procedure undignified for New Zealand and inconvenient and time-wasting to the United Kingdom Parliament which passed the omnibus Statute of Westminster to avoid this very type of situation.*

11. The adoption of the Statute will not alter New Zealand's practical standing in Commonwealth and world affairs. Since the Peace Conference of 1919 New Zealand has been a fully sovereign country in world affairs, with the right to attend international conferences, make treaties, and send and receive foreign envoys. But the adoption of the Statute will make it impossible in the future for some foreign observers and States—unaware of the real nature of Dominion status and the modern Commonwealth—to argue, as they have done from time to time when it suited their purposes to embarrass us or Britain, that our non-adoption of the Statute and our consequent legislative inferiority should deny New Zealand the right of separate representation in world councils. It should be noted that it has been possible to achieve our present freedom in the international field without amending British or New Zealand statutes because the flexibility of the common law and the King's prerogative (foreign affairs being within the prerogative) were at our disposal. The paradox is that in internal affairs, however, we are confronted with the rigidity of several anachronistic statutes,

* It should be made clear that the Treaty of Waitangi will in no way be affected. The Treaty is not of its own force part of the law, but its principles are law because they have been written into the Acts of Parliament that particularly affect the Maori people. Most of such provisions are now to be found in the Native Land Act, 1931. In the Fisheries Act, 1908, it is provided that nothing in Part I of the Act (which relates to sea-fisheries) shall affect any existing Maori fishing-rights.