

New Zealand Treaty List

31 March 1948

PREFATORY NOTE

This list is the result of an examination of New Zealand's formal obligations and commitments. Some States find it a simple matter to list their formal international undertakings. The facts, however, of New Zealand's growth from a subordinate part of the British Empire to a fully self-governing member of the British Commonwealth of Nations introduce a complication, because certain agreements which New Zealand had no share in making might or might not be binding by "inheritance." To appreciate the nature of many of the older agreements recorded in this publication it is therefore useful to recall the stages by which the New Zealand Government shared increasingly in the making by the United Kingdom of agreements affecting New Zealand, and finally achieved the right to make its own international agreements.

The starting-point may be taken as 1839, the year before New Zealand became a Colony, when, in accordance with the Durham report, certain matters were handed over to the control of the colonial Legislatures, but others were reserved to the Imperial Parliament as being of imperial rather than of purely colonial concern. Among these latter were control over external relations, including the negotiation of treaties and the appointment of diplomatic representatives. Nor was any change made at that time in the established practice that agreements concluded by the King on the advice of the United Kingdom Government automatically applied to the Colonies unless the agreement expressly provided to the contrary. In practice, however, the distinction between matters of imperial and colonial concern proved untenable, and colonial Governments found that to have no share in the conduct of their external relations was to have incomplete control even