

Births, Deaths, Marriages, and Relationships Registration (Preventing Name Change by Child Sex Offenders) Amendment Bill

Member's Bill

Explanatory note

General policy statement

This Bill seeks to protect vulnerable members of society from child sex offenders by preventing those individuals convicted of a child sex offence(s) from changing their name. This will ensure that the appropriate agencies can properly manage these offenders to assist in their rehabilitation and to maintain public safety.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides for the Bill to come into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the Bill amends the Births, Deaths, Marriages, and Relationships Registration Act 1995 (the **principal Act**).

Clause 4 replaces the definition of eligible person in section 21 with a definition that excludes child sex offenders, whose convictions for those offences have not been quashed, from using the process in sections 21A and 21B to change their names. *Clause 4* also inserts new definitions into section 21 of terms that are used in the replacement definition of eligible person.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Births, Deaths, Marriages, and Relationships Registration (Preventing Name Change by Child Sex Offenders) Amendment Act **2015**.

2 Commencement

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

3 Principal Act

This Act amends the Births, Deaths, Marriages, and Relationships Registration Act 1995 (the **principal Act**).

4 Section 21 amended (Definitions for sections 21A and 21B)

(1) In section 21, replace the definition of **eligible person** with:

eligible person—

(a) means a person—

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- (i) whose birth is registered; or
 - (ii) who is a New Zealand citizen or is entitled, under the Immigration Act 2009, to be in New Zealand indefinitely; but
 - (b) does not include a person who is a child sex offender
- (2) In section 21, in their appropriate alphabetical order, insert:
- child sex offender** means a person—
- (a) who has been convicted of a relevant offence; and
 - (b) whose conviction for the relevant offence has not been quashed
- relevant offence** has the same meaning as in section 107B of the Parole Act 2002