

Corrections Amendment Bill

Government Bill

As reported from the committee of the whole
House

This bill was formerly part of the Criminal Procedure (Reform and Modernisation) Bill as reported from the Justice and Electoral Committee. The committee of the whole House has further amended the bill and divided it into the following bills:

- the Criminal Procedure Bill comprising clauses 1 and 2, Parts 1 to 8, the Part 9 heading, clause 416, clause 417, clause 442, and Schedules 1, 1A, and 6
- the Bail Amendment Bill (No 3) comprising clauses 401 to 407A, and Schedule 2
- the Children, Young Persons, and Their Families Amendment Bill (No 3) comprising clauses 407B to 407D, and Schedule 3
- this bill comprising clauses 408 to 410A, and Schedule 3A
- the Crimes Amendment Bill (No 5) comprising clauses 410B to 411B, and Schedule 3B
- the Criminal Disclosure Amendment Bill comprising clauses 412 to 415B, and Schedule 3C
- the Criminal Procedure (Mentally Impaired Persons) Amendment Bill comprising clauses 417A to 417C, and Schedule 4
- the District Courts Amendment Bill (No 2) comprising clauses 418 to 420A, and Schedule 4A

- the Evidence Amendment Bill comprising clauses 421 to 423A, and Schedule 4B
 - the Juries Amendment Bill comprising clauses 424 to 427A, and Schedule 4C
 - the Justices of the Peace Amendment Bill comprising clauses 427B to 428
 - the New Zealand Bill of Rights Amendment Bill comprising clauses 428B and 429
 - the Sentencing Amendment Bill (No 6) comprising clauses 430 to 433A, and Schedule 4D
 - the Summary Proceedings Amendment Bill (No 4) comprising clauses 434 to 437B, and Schedule 5
 - the Victims' Rights Amendment Bill comprising clauses 438 to 441B, and Schedule 5A.
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Hon Simon Power

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Corrections Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

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3 Principal Act amended

This Act amends the Corrections Act 2004.

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409 New section 34A inserted

The following section is inserted after section 34:

“34A Detention of child or young person serving sentence of imprisonment

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“(1) Notwithstanding anything in this Act,—

“(a) any young person who is serving a sentence of imprisonment may be detained under that sentence in any residence approved by the chief executive of the department for the time being responsible for the administration of the Children, Young Persons, and their Families Act 1989 and the chief executive; and

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“(b) any child who is serving a sentence of imprisonment must be detained under that sentence in such a residence.

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“(2) The provisions of this Act and of the Parole Act 2002, and regulations made under those Acts, continue to apply, with any necessary modifications, to a child or young person who is detained for the time being in a residence in accordance with **subsection (1)**.

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“(3) For the purposes of this section, the terms **child**, **young person**, and **residence** have the same meanings as they have in the Children, Young Persons, and Their Families Act 1989.

“Compare: 1985 No 120 s 142A”.

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410 New section 190A inserted

The following section is inserted after section 190:

“190A Minister may approve subsidies for voluntary groups

“(1) The Minister may from time to time, with the concurrence of the Minister of Finance, approve the payment, out of money appropriated by Parliament for the purpose, of contributions towards the expenses of—

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“(a) any medical, psychological, social, therapeutic, cultural, educational, employment-related, rehabilitative, or reintegrative programme involved with the care of persons detained in or released from prisons or subject to community-based sentences:

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“(b) any organisation, whether formed before or after the commencement of this Act, that has as its object or one of its objects the assistance of persons detained in or released from prisons or subject to community-based sentences.

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“(2) In approving any contribution, the Minister may impose any conditions that the Minister thinks fit with respect to its expenditure and accounting for that expenditure.

“Compare: 1985 No 120 s 147”.

410A Further amendments to Corrections Act 2004

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The Corrections Act 2004 is amended as set out in **Schedule 3A**.

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Schedule 3A **s 410A**
Amendments to Corrections Act 2004

Section 19(7)(e)

Omit “Part 7 of the Summary Proceedings Act 1957” and substitute
 “**Sections 4A to 4F** of the Justices of the Peace Act 1957”. 5

Section 65(1)(a)

Omit “, summary hearing.”.

Section 141(1B) and (1C)

Omit “summary”.

Section 141A(2)

Omit “summary”. 10

Section 142

Omit “summary”.

Section 143

Subsection (2A): omit “summary”. 15
 Subsection (2B): insert “on conviction” after “liable”.

Section 144(2)

Omit “summary”.

Section 145

Omit “summary”. 20

Section 146

Omit “summary”.

Section 147

Omit “summary”.

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Section 148(4)

Omit “summary”.

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Legislative history

29 September 2011

Divided from Criminal Procedure (Reform and Modernisation) Bill (Bill 243–2) by committee of the whole House as Bill 243–3D
