

Crimes Amendment Bill (No 2)

Government Bill

As reported from the committee of the whole
House

This bill was formerly part of the Criminal Procedure Legislation 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:

- Criminal Procedure Amendment Bill comprising clauses 1 and 2, Part 1, and Schedule 1
- Auctioneers Amendment Bill comprising subpart 1 of Part 2
- this bill comprising subpart 2 of Part 2, and Schedule 2
- Criminal Disclosure Amendment Bill comprising subpart 3 of Part 2
- Evidence Amendment Bill comprising subpart 3A of Part 2
- Juries Amendment Bill comprising subpart 4 of Part 2
- Misuse of Drugs Amendment Bill comprising subpart 5 of Part 2
- Sentencing Amendment Bill comprising subpart 5A of Part 2
- Summary Offences Amendment Bill comprising subpart 6 of Part 2

Hon Chester Borrows

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Schedule 2

Further amendments to Crimes Act 1961

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Crimes Amendment Act (No 2) **2013**.

2 Commencement

This Act comes into force on **1 July 2013**.

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3 Principal Act

This Act amends the Crimes Act 1961 (the **principal Act**).

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21 Section 8 amended (Jurisdiction in respect of crimes on ships or aircraft beyond New Zealand)

- (1) Replace section 8(2) with: 5
- “(2) If a person does or omits to do any act to which this section applies, and that act or omission would, if it occurred within New Zealand, be an offence, under this Act or any other enactment (whether that enactment was passed before or after the commencement of this Act), punishable by imprisonment for life or by 2 or more years’ imprisonment, then, subject to the provisions of this Act and that other enactment, the person is liable on conviction as if the act or omission had occurred in New Zealand. 10
- “(2A) If any proceedings are taken by virtue of the jurisdiction conferred by this section, it is a defence to prove that the act or omission would not have been an offence under the law of the country of which the person charged was a national or citizen at the time of the act or omission, if it had occurred in that country.” 15 20
- (2) In section 8(3), replace “a crime” with “an offence punishable by imprisonment for life or by 2 or more years’ imprisonment”.
- (3) In section 8(7), replace “crime” with “offence”.

22 Section 411 amended (Consequential amendments) 25

Repeal section 411(2).

23 Consequential amendment to Crimes Amendment Act (No 4) 2011

- (1) This section amends the Crimes Amendment Act (No 4) 2011.
- (2) In the Schedule,— 30
- (a) repeal the item relating to section 8 of the principal Act;
- (b) repeal the item relating to section 411(2) of the principal Act.

24 Further amendments to principal Act

Amend the principal Act as set out in **Schedule 2**.

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Schedule 2**s 24****Further amendments to Crimes Act 1961****Section 86**

In section 86(3), replace “a crime” with “an offence”.

Section 182

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In section 182(2), replace “crime” with “offence”.

Section 216F

In section 216F(2), replace “a crime” with “an offence”.

Section 233

In section 233(1)(b), replace “crime” with “imprisonable offence”. 10

Section 246

In section 246(1), replace “crime” with “imprisonable offence”.

In section 246(2), replace “a crime” with “an imprisonable offence” in each place.

In section 246(3), replace “crime” with “imprisonable offence”. 15

In section 246(4), replace “crime” with “imprisonable offence” in each place.

Section 251

In section 251(1)(a), replace “a crime” with “an offence”.

In section 251(1)(b), replace “a crime” with “an offence” in each 20 place.

In section 251(2)(b), replace “a crime” with “an offence”.

Section 272

In section 272, replace “a crime” with “an offence”.

Section 312

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In section 312, replace “crime punishable by imprisonment” with “imprisonable offence”.

In section 312, replace “a crime in respect of” with “an offence in respect of”.

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Section 312—*continued*

In section 312, replace “for that crime” with “for that offence”.

In section 312, replace “committed the crime” with “committed the offence”.

Legislative history

8 May 2013

Divided from Criminal Procedure Legislation Bill (Bill 74–2) by committee of the whole House as Bill 74–3C
