

Customs and Excise (Child Sex Offender Register Information Sharing) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The purpose of the Bill is to protect vulnerable children and young people from harm. The Bill aims to ensure that individuals listed on the New Zealand Child Sex Offender registry are subject to Customs Service Border Alerts. The purpose of the border alert is to ensure overseas jurisdictions are notified of the impending arrival of the New Zealand Child Sex Offender, where deemed appropriate by local authorities. This Bill is a safeguard to guarantee the destination jurisdiction will always receive important travel alert information.

Border alerts will also operate to remove any possibility of a registered Child Sex Offender's non-compliance with the current requirements to notify Police when travelling overseas.

To achieve this aim, the Bill provides for the exchange of information between customs and police for the purposes of locating a registered offender and ensuring offenders' compliance with the Child Protection (Child Sex Offender Government Agency Registration) Act 2016.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause, which provides for this Act to commence on the day after the date on which it receives the Royal assent.

Clause 3 identifies the Customs and Excise Act 2018 as the Act being amended by the Bill (the **principal Act**).

Clause 4 inserts *new section 311A* into the principal Act to provide for information matching between Customs and Police to ensure that Police are able to locate regis-

tered child sex offenders and monitor their compliance with their registration requirements under the Child Protection (Child Sex Offender Government Agency Registration) Act 2016.

Erica Stanford

Customs and Excise (Child Sex Offender Register Information Sharing) Amendment Bill

Member's Bill

Contents

| | Page |
|--|------|
| 1 Title | 1 |
| 2 Commencement | 1 |
| 3 Principal Act | 1 |
| 4 New section 311A inserted (Information matching for purposes of Child Protection (Child Sex Offender Government Agency Registration) Act 2016) | 2 |
| 311A Information matching for purposes of Child Protection (Child Sex Offender Government Agency Registration) Act 2016 | 2 |

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Customs and Excise (Child Sex Offender Register Information Sharing) Amendment Act **2022**.

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 Customs and Excise Act 2018 (the **principal Act**).

4 New section 311A inserted (Information matching for purposes of Child Protection (Child Sex Offender Government Agency Registration) Act 2016)

After section 311, insert:

- 311A Information matching for purposes of Child Protection (Child Sex Offender Government Agency Registration) Act 2016** 5
- (1) The purpose of this section is to facilitate the exchange of information between Customs and the Commissioner of Police to —
- (a) enable the Commissioner of Police to locate any person who is a registrable offender; and 10
- (b) ensure that registrable offender’s compliance with the Child Protection (Child Sex Offender Government Agency Registration) Act 2016.
- (2) For the purpose of this section, the Commissioner of Police may supply to the chief executive of Customs any identifying information about a registrable offender. 15
- (3) If, in relation to a registrable offender, identifying information is supplied in accordance with **subsection (2)**, the chief executive of Customs may compare that information with any information held by Customs that relates to that person.
- (4) If Customs has information relating to a registrable offender, the chief executive of Customs may, for the purpose of this section, supply to the Commissioner of Police any of the following information held by Customs: 20
- (a) the registrable offender’s arrival and departure information:
- (b) information provided by the registrable offender when arriving in or, as the case may be, departing from New Zealand. 25
- (5) The chief executive of Customs and the Commissioner of Police may, for the purpose of this section, determine by written agreement between them—
- (a) the frequency with which information may be supplied; and
- (b) the form in which information may be supplied; and
- (c) the method by which information may be supplied. 30
- (6) In this section **registrable offender** has the meaning given in section 7 of the Child Protection (Child Sex Offender Government Agency Registration) Act 2016.