

# **Dog Control (Category 1 Offences) Amendment Bill**

Member's Bill

## **Explanatory note**

### **General policy statement**

There is a general concern about the impact of delays in court proceedings on pound facilities and animal welfare. This Bill seeks to reduce the time it takes for charges under the Act (excluding specific charges) to be heard by allowing category 1 offences to be heard by Justices of the Peace and Community Magistrates. This will free up court time while bringing cases to closure earlier.

Justices of the Peace and Community Magistrates are authorised under the Criminal Procedure Act 2011 to sit as judicial officers in the District Court criminal jurisdiction where this is specifically authorised by the legislation that creates the offence.

In the 2015/16 year there were 456 charges under the Act. Of these, 427 were for Category 1 offences. By amending the Act we can reduce time for these cases to be resolved while also allowing Judges to deal with more complex cases.

### **Clause by clause analysis**

*Clause 1* is the Title clause.

*Clause 2* is the commencement clause, and provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

*Clause 3* states that the Bill amends the Dog Control Act 1996 (the **principal Act**)

*Clause 4* inserts a new *section 64A* into the principal Act to provide the District Court presided over by 2 or more Justices of the Peace or 1 or more Community Magistrates with jurisdiction in respect of category 1 offences under the Act, subject to certain exceptions.



*Ian McKelvie*

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### **Contents**

	Page
1 Title	1
2 Commencement	1
3 Principal Act	1
4 New section 64A and cross-heading inserted	1
<i>Category 1 offences</i>	
64A Jurisdiction for category 1 offences	2

### **The Parliament of New Zealand enacts as follows:**

#### **1 Title**

This Act is the Dog Control (Category 1 Offences) Amendment Act **2018**.

#### **2 Commencement**

This Act comes into force on the day after the date on which it receives the Royal assent. 5

#### **3 Principal Act**

This Act amends the Dog Control Act 1996 (the **principal Act**).

#### **4 New section 64A and cross-heading inserted**

After section 64, insert: 10

*Category 1 offences***64A Jurisdiction for category 1 offences**

- (1) The District Court presided over by 2 or more Justices of the Peace or 1 or more Community Magistrates has jurisdiction in respect of any category 1 offence under this Act. 5
- (2) **Subsection (1)** does not apply to the following offences:
  - (a) section 32(2):
  - (b) section 54(2):
  - (c) section 57(2).
- (3) In this section, **category 1 offence** has the same meaning as in section 6(1) of the Criminal Procedure Act 2011. 10