

Sentencing Amendment Bill

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
- Crimes Amendment Bill (No 2) 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
- this bill comprising subpart 5A of Part 2
- Summary Offences Amendment Bill comprising subpart 6 of Part 2

Hon Chester Borrows

Sentencing Amendment Bill

Government Bill

Contents

	Page
1 Title	1
2 Commencement	1
3 Principal Act	2
• • • • •	
32B Section 81B amended (Procedure if offender convicted in District Court and court believes offender could be sentenced to life imprisonment)	2
32C Section 90 amended (Procedure if offender convicted in District Court and court believes offender could be sentenced to preventive detention)	2
• • • • •	

The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Sentencing Amendment Act **2013**.
- 2 Commencement**
This Act comes into force on **1 July 2013**. 5

3 Principal Act

This Act amends the Sentencing Act 2002 (the **principal Act**).

.

32B Section 81B amended (Procedure if offender convicted in District Court and court believes offender could be sentenced to life imprisonment)

5

In section 81B(2) (as inserted by section 5 of the Sentencing Amendment Act (No 2) 2011), replace “endorse on the charging document a statement” with “make an entry in the permanent court record”.

32C Section 90 amended (Procedure if offender convicted in District Court and court believes offender could be sentenced to preventive detention)

10

Replace section 90(2) (as amended by section 7 of the Sentencing Amendment Act (No 2) 2011) with:

“(2) The court must transfer the offender to the High Court for sentence and make an entry in the permanent court record to the effect that the court has declined jurisdiction on the ground that it has reason to believe that the offender should be considered for a sentence of preventive detention.”

15

.

20

Legislative history

8 May 2013

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