

Misuse of Drugs Amendment Act (No 2) 2003

Public Act 2003 No 107
Date of assent 30 October 2003

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Misuse of Drugs Amendment Act (No 2) 2003.
- (2) In this Act, the Misuse of Drugs Amendment Act 1978 is called “the principal Act”.

2 Commencement

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

3 Section 13 repealed

- (1) The principal Act is amended by repealing section 13.
- (2) Section 10(3) of the Misuse of Drugs Amendment Act 1978 is consequentially amended by omitting the words “sections 12 and 13”, and substituting the expression “section 12”.

4 New section 26 substituted

The principal Act is amended by repealing section 26, and substituting the following section:

“26 Restriction on admissibility of evidence of private communications lawfully intercepted

- “(1) Even if the communication was intercepted under an interception warrant or an emergency permit, evidence of a private communication intercepted by means of an interception device, or of its substance, meaning, or purport, may not be given in any court unless the evidence relates to—
- “(a) a specified offence; or
 - “(b) a conspiracy to commit a specified offence; or
 - “(c) a terrorist offence; or
 - “(d) a conspiracy to commit a terrorist offence; or
 - “(e) a serious violent offence; or
 - “(f) a conspiracy to commit a serious violent offence; or
 - “(g) a drug dealing offence; or
 - “(h) a prescribed cannabis offence; or
 - “(i) offences of 2 or more of those kinds.
- “(2) In subsection (1), serious violent offence, specified offence, and terrorist offence have the meanings given to those terms by section 312A of the Crimes Act 1961.”

Legislative history

21 October 2003

Divided from Counter-Terrorism Bill (Bill 27-2),
third reading
