

Privacy Amendment Act 2006

Public Act 2006 No 11
Date of assent 9 April 2006

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Privacy Amendment Act 2006.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**
This Act amends the Privacy Act 1993.
- 4 Notice of adverse action proposed**
 - (1) Section 103(1) is amended by omitting “subsections (1A), (1B), and (2)” and substituting “subsections (1A) to (2A)”.

- (2) Section 103 is amended by inserting the following subsection after subsection (2):
- “(2A) Nothing in subsection (1) prevents any sworn member of the police or any bailiff from immediately executing a warrant to arrest an individual in respect of the non-payment of the whole or any part of a fine if the discrepancy arises in respect of arrival and departure information supplied under section 280D of the Customs and Excise Act 1996 and if, before executing the warrant, the individual concerned is—
- “(a) informed of the intention to execute the warrant; and
 - “(b) given an opportunity to confirm—
 - “(i) whether or not he or she is the individual named in the warrant; and
 - “(ii) that neither of the following circumstances applies:
 - “(A) the fine has been paid;
 - “(B) an arrangement to pay the fine over time has been entered into.”
- (3) Section 103 is amended by adding the following subsection:
- “(5) In this section,—
- “**bailiff** means a bailiff of the District Court or of the High Court
- “**fine** means—
- “(a) a fine within the meaning of section 79 of the Summary Proceedings Act 1957 or an amount of reparation;
 - “(b) a fine or other sum of money to which any of sections 19 to 19E of the Crimes Act 1961 applies;
 - “(c) a fine to which any of sections 43 to 46 of the Misuse of Drugs Amendment Act 1978 applies
- “**reparation** means—
- “(a) any amount that is required to be paid under a sentence of reparation; or
 - “(b) any amount that is required to be paid under any order of reparation as defined in section 145D of the Sentencing Act 2002.”

5 Schedule 3 amended
Schedule 3 is amended by—

- (a) omitting from the item relating to the Customs and Excise Act 1996 “Sections 280 and 280B” and substituting “Sections 280 to 280D”; and
- (b) omitting from the item relating to the Immigration Act 1987 “141A” and substituting “141A, 141 AD, and 141AE”.

Legislative history

14 May 2003	Introduction (Bill 41-1)
19 June 2003	First reading and referral to Law and Order Committee
26 July 2004	Reported from Law and Order Committee (Bill 41-2)
14 June 2005, 23 June 2005, 22 March 2006, 28 March 2006	Committee of the whole House
28 March 2006	Divided from the Courts and Criminal Matters Bill (Bill 41-2) as Bill 41-3F
30 March 2006	Third reading
