

Reprint
as at 29 June 2009

**Summary Proceedings Amendment
Act 1976**

Public Act 1976 No 169
Date of assent 17 December 1976

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

This Act is administered in the Ministry of Justice

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An Act to amend the Summary Proceedings Act 1957

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1 Short Title and commencement

- (1) This Act may be cited as the Summary Proceedings Amendment Act 1976, and shall be read together with and deemed part of the Summary Proceedings Act 1957 (hereinafter referred to as the principal Act).
- (2) Sections 3, 15 to 17, and 20 of, and the Schedule to, this Act shall come into force on a date to be appointed by the Governor-General by Order in Council, and different dates may be so appointed for the commencement of any of those sections or that Schedule.
- (3) Except as provided in subsection (2) of this section, this Act shall come into force on the day on which it receives the Governor-General's assent.

2 Summons following arrest

3 Summary procedure for minor offences

Section 3(6) was repealed, as from 30 June 1998, by section 6(4) Summary Proceedings Amendment Act (No 2) 1998 (1998 No 77).

4 Repeal of summary procedure for certain traffic offences

- (1) Section 21 of the principal Act is hereby repealed.
- (2) Section 3 of the Summary Proceedings Amendment Act 1969 is hereby consequentially repealed.
- (3) Notwithstanding subsections (1) and (2) of this section, any offence that is being dealt with in accordance with section 21 of the principal Act on the day preceding the day on which this Act receives the Governor-General's assent shall continue to be dealt with in accordance with that section as if subsections (1) and (2) of this section had not been enacted.

5 Power to clear Court and forbid report of proceedings

6 Criminal Records

7 Warrant of commitment under Part 3 of principal Act may be addressed to any constable or bailiff

8 Extension of time to pay

9 Transfer of enforcement to another Court

10 Execution of warrant of seizure

11 Remission of sum adjudged to be paid

12 Right of appeal against sentence for contempt of Court

Section 12(2) was repealed, as from 3 June 1998, by section 2(b) Summary Proceedings Amendment Act 1998 (1998 No 61).

13 Notice of appeal**14 Transmission of notice of appeal to Supreme Court****15 Plea of guilty before or during preliminary hearing***[Repealed]*

Section 15: repealed, on 29 June 2009, by section 17 of the Summary Proceedings Amendment Act (No 2) 2008 (2008 No 41).

16 Committal without consideration of evidence*[Repealed]*

Section 16: repealed, on 29 June 2009, by section 17 of the Summary Proceedings Amendment Act (No 2) 2008 (2008 No 41).

17 Written statements*[Repealed]*

Section 17: repealed, on 29 June 2009, by section 17 of the Summary Proceedings Amendment Act (No 2) 2008 (2008 No 41).

18 Person may be released on summons on Sunday**19 Amendments to Crimes Act 1961****20 Amendments and repeals consequential upon sections 15 to 17 of this Act**

(1)

(2)

(3) The following enactments are hereby consequentially repealed:

(a) The Summary Proceedings Amendment Act 1963:

(b) Section 12(2) of the Crimes Amendment Act 1973.

Schedule
Amendments of principal Act

Schedule Summary Proceedings Act 1957: items repealed, on 29 June 2009, by section 17 of the Summary Proceedings Amendment Act (No 2) 2008 (2008 No 41).

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Schedule

So much of the Schedule as related to section 5 of the principal Act was repealed, as from 30 June 1998, by section 2(2)(a) Summary Proceedings Amendment Act (No 2) 1998 (1998 No 77).

So much of the Schedule as related to section 181(1) of the principal Act was repealed, as from 30 June 1998, by section 41(2)(a) Summary Proceedings Amendment Act (No 2) 1998 (1998 No 77).

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Notes**1 General**

This is an eprint of the Summary Proceedings Amendment Act 1976. It incorporates all the amendments to the Act as at 29 June 2009. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about officialisation, please see “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

3 List of amendments incorporated in this eprint (most recent first)

Summary Proceedings Amendment Act (No 2) 2008 (2008 No 41): section 17
