



Criminal Investigations (Bodily Samples) Amendment Act 2009 Commencement Order 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 2nd day of August 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 2(1) of the Criminal Investigations (Bodily Samples) Amendment Act 2009, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

Contents

		Page
1	Title	2
2	Commencement of Criminal Investigations (Bodily Samples) Amendment Act 2009 (except Part 2)	2

Order

- 1 Title**
This order is the Criminal Investigations (Bodily Samples) Amendment Act 2009 Commencement Order 2010.

- 2 Commencement of Criminal Investigations (Bodily Samples) Amendment Act 2009 (except Part 2)**
The Criminal Investigations (Bodily Samples) Amendment Act 2009, except for Part 2, comes into force on 6 September 2010.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order brings the Criminal Investigations (Bodily Samples) Amendment Act 2009 (except Part 2) into force on 6 September 2010.

The provisions brought into force by this order include a new Part 2B of the Criminal Investigations (Bodily Samples) Act 1995. Part 2B enables a constable to take a bodily sample from a person who has been arrested for, or whom a constable intends to charge with, a relevant offence. Prior judicial approval is not required for taking bodily samples under Part 2B. When Part 2 of the Criminal Investigations (Bodily Samples) Amendment Act 2009 is brought into force, the powers under Part 2B will be extended to cover imprisonable offences and not just the offences defined as relevant offences.

Part 2B also enables the Police to keep a database of DNA profiles derived from bodily samples taken under Part 2B and to store profiles on that database for a period specified in section 26A of the Act.

2010/220

**Criminal Investigations (Bodily Samples)
Amendment Act 2009 Commencement
Order 2010**

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 5 August 2010.
This order is administered by the Ministry of Justice.
