



Criminal Procedure Amendment Rules 2021

Patsy Reddy, Governor-General

Order in Council

At Wellington this 19th day of April 2021

Present:

The Right Hon Jacinda Ardern presiding in Council

These rules are made under section 386 of the Criminal Procedure Act 2011, section 148 of the Senior Courts Act 2016, and section 228(1) of the District Court Act 2016—

- (a) on the advice and with the consent of the Executive Council; and
- (b) with the concurrence of the Right Honourable the Chief Justice, the Chief District Court Judge, and at least 2 other members of the Rules Committee continued under section 155 of the Senior Courts Act 2016 (of whom at least 1 was a Judge of the High Court and at least 1 was a District Court Judge).

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal rules	2
4 Rule 2.1 amended (Content of documents)	2
5 Rule 2.10 amended (Proof of service)	2
6 Rule 3.1 amended (Charging document)	2
7 Rule 3.2 amended (Summons to defendant)	2
8 Rule 4.13 amended (Notice about first appearance: unrepresented defendant)	2
9 Rule 6.1 amended (Location of rules providing for access to court documents)	3

10	New Schedule 2 inserted	3
----	-------------------------	---

	Schedule	3
	New Schedule 2 inserted	

Rules

1 Title

These rules are the Criminal Procedure Amendment Rules 2021.

2 Commencement

- (1) Except for rules 4 and 6, these rules come into force on 20 May 2021.
- (2) Rules 4 and 6 come into force on 1 April 2022.

3 Principal rules

These rules amend the Criminal Procedure Rules 2012.

4 Rule 2.1 amended (Content of documents)

Replace rule 2.1(2)(a) with:

- (a) the name of the court and Registry (in both English and te reo Māori) where the proceeding to which the document relates will be heard (*see* Schedule 2, which sets out the name, in both languages, of each court and Registry); and

5 Rule 2.10 amended (Proof of service)

In rule 2.10(2)(b)(i), replace “third” with “fifth”.

6 Rule 3.1 amended (Charging document)

Before rule 3.1(a), insert:

- (aa) the name of the court and Registry (in both English and te reo Māori) where the proceeding will be commenced (*see* Schedule 2, which sets out the name, in both languages, of each court and Registry); and

7 Rule 3.2 amended (Summons to defendant)

In rule 3.2(2), replace “the Schedule” with “Schedule 1”.

8 Rule 4.13 amended (Notice about first appearance: unrepresented defendant)

In rule 4.13(2), replace “the Schedule” with “Schedule 1”.

9 Rule 6.1 amended (Location of rules providing for access to court documents)

In rule 6.1, replace “Senior Courts (Access to Court Documents) Rules 2017” with “District Court (Access to Court Documents) Rules 2017”.

10 New Schedule 2 inserted

After the Schedule, insert the Schedule 2 set out in the Schedule of these rules.

**Schedule
New Schedule 2 inserted**

r 10

**Schedule 2
Names of courts and Registries**

rr 2.1(2), 3.1

Name of court and Registry in English	Name of court and Registry in te reo Māori
Alexandra	Manuherekia
Ashburton	Hakatere
Auckland	Tāmaki Makaurau
Blenheim	Te Waiharakeke
Chatham Islands	Wharekauri
Christchurch	Ōtautahi
Dannevirke	Tāmaki-nui-a-Rua
Dargaville	Tākiwira
Dunedin	Ōtepoti
Gisborne	Tūranganui-a-Kiwa
Gore	Maruawai
Greymouth	Māwhera
Hamilton	Kirikiriōroa
Hastings	Heretaunga
Hāwera	Hāwera
Huntly	Rāhui Pōkeka
Hutt Valley	Te Awakairangi
Invercargill	Waihōpai
Kaikohe	Kaikohe
Kaikōura	Kaikōura
Kaitaia	Kaitaia
Levin	Taitoko
Manukau	Manukau
Marton	Tūtaenui
Masterton	Whakaōriori
Morrinsville	Morenawhira
Napier	Ahuriri

Name of court and Registry in English	Name of court and Registry in te reo Māori
Nelson	Whakatū
New Plymouth	Ngāmotu
North Shore	Ōkahukura
Oamaru	Te Oha-a-Marū
Ohakune	Ōhakune
Ōpōtiki	Ōpōtiki
Palmerston North	Te Papaioea
Papakura	Papakura
Porirua	Porirua
Pukekohe	Pukekohe
Queenstown	Tāhuna
Rotorua	Te Rotorua-nui-a-Kahumatamomoe
Ruatoria	Ruatōrea
Taihape	Taihape
Taumarunui	Taumarunui
Taupō	Taupō-nui-a-Tia
Tauranga	Tauranga Moana
Te Awamutu	Te Awamutu
Te Kuiti	Te Kūiti
Thames	Pārāwai
Timaru	Te Tihi-o-Marū
Tokoroa	Tokoroa
Waihi	Waihi
Waipukurau	Waipukurau
Wairoa	Te Wairoa
Waitākere	Waitākere
Wellington	Te Whanganui-a-Tara
Westport	Kawatiri
Whakatāne	Whakatāne
Whanganui	Whanganui
Whangārei	Whangārei-terenga-parāoa

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the rules, but is intended to indicate their general effect.

These rules, which come into force on 20 May 2021 (except rules 4 and 6, which come into force on 1 April 2022), amend the Criminal Procedure Rules 2012 as follows:

- rules 2.1 and 3.1 are amended to require that all documents filed in a criminal Registry name that Registry in both English and te reo Māori. Consequential amendments are made to rules 3.2 and 4.13:
- rule 2.10(2)(b)(i) is amended so that proof of service of a document sent by mail is treated as having been served on the earlier of the fifth (rather than the third) working day after the day on which it is posted or the day on which it is received:
- rule 6.1 is amended to refer to the correct rules that apply to access to court documents (the District Court (Access to Court Documents) Rules 2017):
- *new Schedule 2* is inserted and sets out the names of criminal Registries in both English and te reo Māori.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 22 April 2021.

These rules are administered by the Ministry of Justice.