



ANALYSIS

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1995, No. 65

An Act to amend the District Courts Act 1947

[12 December 1995]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the District Courts Amendment Act 1995, and shall be read together with and deemed part of the District Courts Act 1947 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on a date to be appointed by the Governor-General by Order in Council.

2. Extent of jurisdiction under Part IIA of this Act—(1) Section 28A (1) of the principal Act (as substituted by section 4 of the District Courts Amendment Act 1991) is hereby amended by adding the following paragraphs:

“(f) Conspiring to commit any indictable offence referred to in Part I or Part II of Schedule IA to this Act:

“(g) Attempting to commit any indictable offence referred to in Part I or Part II of Schedule IA to this Act, or inciting or counselling or attempting to procure any person to commit any such offence which is not committed:

“(h) Being an accessory after the fact to any indictable offence referred to in Part I or Part II of Schedule IA to this Act.”

(2) Section 28A (2) of the principal Act (as so substituted) is hereby amended by omitting the expression

“subsection (1)(d)”, and substituting the expression “any of paragraphs (d), (f), (g), and (h) of subsection (1)”.

(3) Every determination or order of a District Court—

- (a) Made on or after the 1st day of October 1991 but before the commencement of this section; and
- (b) Made in respect of an offence referred to in any of paragraphs (f), (g), and (h) of section 28A(1) of the principal Act (as added by subsection (1) of this section),—

shall be as valid and effectual as it would have been if subsection (1) of this section had been in force when the determination or order was made.

3. Right to appeal—Section 71A of the principal Act (as substituted by section 4(1) of the District Courts Amendment Act 1983) is hereby amended by repealing subsection (4), and substituting the following subsection:

“(4) Every application to a District Court under this section for leave to appeal shall be filed in the prescribed manner within 21 days after the date on which the final order or the interlocutory order is sealed.”

4. Time for appeal; security for appeal—Section 73 of the principal Act is hereby amended by repealing paragraph (a) of subsection (1) (as substituted by section 6 of the District Courts Amendment Act 1983), and substituting the following paragraph:

“(a) The date on which the final order is sealed, in the case of an appeal under subsection (1)(a) of section 71A of this Act; or”.

5. Interpretation—Section 84F of the principal Act (as inserted by section 9 of the Districts Courts Amendment Act 1989) is hereby amended by adding to paragraph (b) of the definition of the term “salary or wages” the words “or the Accident Rehabilitation and Compensation Insurance Act 1992”.

6. Attachment orders—Section 84G of the principal Act (as inserted by section 9 of the District Courts Amendment Act 1989) is hereby amended by repealing subsection (8).