



ANALYSIS

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1989, No. 108

An Act to amend the Imprisonment for Debt Limitation Act 1908

[13 November 1989]

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

1. Short Title and commencement—(1) This Act may be cited as the Imprisonment for Debt Limitation Amendment Act 1989, and shall be read together with and deemed part of the Imprisonment for Debt Limitation Act 1908 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of January 1990.

2. Repeal of certain provisions relating to imprisonment for debt—(1) The principal Act is hereby amended by repealing section 2 and sections 4 to 17.

(2) The following enactments are hereby consequentially repealed:

(a) The Imprisonment for Debt Limitation Amendment Act 1967:

(b) The Imprisonment for Debt Limitation Amendment Act 1972.

3. Revocations—The rules specified in the Schedule to this Act are hereby consequentially revoked.

4. Consequential amendment to Judicature Act 1908—The Second Schedule to the Judicature Act 1908 is hereby consequentially amended by revoking rules 615 to 619 and the cross-heading above rule 615.

5. Transitional provisions—(1) Any person who, at the date on which this Act comes into force, is committed to prison under section 4 of the principal Act may apply to the Court that made the order of committal, or the High Court or any High Court Judge, for an order cancelling the committal order.

(2) Any Court or Judge receiving any such application shall cancel the order of committal and direct that the person shall be forthwith discharged, and that person shall, unless there is some other reason for that person being committed to prison, forthwith be discharged accordingly.

(3) Notwithstanding section 20 (g) of the Acts Interpretation Act 1924, no warrant issued under or by virtue of any committal order made under section 4 of the principal Act shall be executed after the date on which this Act comes into force.

(4) No proceedings for a committal order under section 4 of the principal Act shall be continued after the date on which this Act comes into force.

**SCHEDULE
REVOCATIONS**

Section 3

Title	Statutory Regulations Serial Number
The Imprisonment for Debt Limitation (District Courts) Rules 1949 (Reprinted with Amendments Nos. 1 to 3: S.R. 1981/215)	1949/188
The Imprisonment for Debt Limitation (District Courts) Rules 1949, Amendment No. 1	1952/243
The Imprisonment for Debt Limitation (District Courts) Rules 1949, Amendment No. 2	1956/82
The Imprisonment for Debt Limitation (District Courts) Rules 1949, Amendment No. 3	1980/56
The Imprisonment for Debt Limitation (District Courts) Rules 1949, Amendment No. 4	1986/360

This Act is administered in the Department of Justice.
