

[AS REPORTED FROM THE JUSTICE AND LAW REFORM  
COMMITTEE]

*House of Representatives, 9 November 1988.*

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]

*House of Representatives, 27 April 1989.*

**[Clause 12 of this Bill was formerly clause 12 of the  
Disorderly Assemblies and Restrictions on Association  
Bill]**

*Right Hon. Geoffrey Palmer*

## CRIMES AMENDMENT (NO. 2)

### ANALYSIS

Title	1. Short Title and commencement 12. Intermediate effects of appeal
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### A BILL INTITULED

#### **An Act to amend the Crimes Act 1961**

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

5 **1. Short Title and commencement**—(1) This Act may be cited as the Crimes Amendment Act (No. 2) 1989, and shall be read together with and deemed part of the Crimes Act 1961 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 28th day after the date on which it receives the Royal assent.

10 **12. Intermediate effects of appeal**—Section 399 of the principal Act is hereby amended by inserting, after subsection (4F) (as inserted by section 14 (5) of the Crimes Amendment Act (No. 2) 1985), the following subsections:

15 “(4G) Where on any conviction to which any appeal relates the Court has made a non-association order in respect of the accused, the period of non-association shall cease to run on the

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day on which notice of appeal or of application for leave to appeal is given.

“(4H) If in any case to which subsection (4G) of this section applies—

“(a) The appeal is dismissed or is deemed pursuant to rules of Court to be dismissed; or 5

“(b) Leave to appeal is refused; or

“(c) When the appeal is determined neither the non-association order nor the conviction on which it was passed is set aside— 10

the period of non-association as specified by the High Court or as varied by the Court of Appeal, as the case may be, shall resume from the date of such dismissal, refusal, or determination.”

[AS REPORTED FROM THE JUSTICE AND LAW REFORM  
COMMITTEE]

*House of Representatives, 11 July 1989.*

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]

*House of Representatives, 10 October 1989.*

**[Clauses 40 and 41 of this Bill were formerly clause 40  
and 41 of the Law Reform (Miscellaneous Provisions)  
Bill: 122-2]**

*Hon. W. P. Jeffries*

### CRIMES AMENDMENT (NO. 3)

#### ANALYSIS

Title	
1. Short Title and commencement	40. Special provisions in cases of sexual nature 41. Transitional provision

#### A BILL INTITULED

#### **An Act to amend the Crimes Act 1961**

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

5 **1. Short Title and commencement**—(1) This Act may be cited as the Crimes Amendment Act (No. 3) 1989, and shall be read together with and deemed part of the Crimes Act 1961 (hereinafter referred to as the principal Act).

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

10 **40. Special provisions in cases of sexual nature**—  
(1) Section 375A of the principal Act (as inserted by section 5 of the Crimes Amendment Act (No. 3) 1985) is hereby amended by repealing subsection (1), and substituting the following subsection:

15 “(1) For the purposes of this section, ‘case of a sexual nature’ means proceedings in which a person is charged with, or is to be sentenced for, any of the following offences:

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“(a) Any offence against any of the provisions of sections 128 to 142A of this Act:

“(b) Any other offence against the person of a sexual nature:

“(c) Being a party to the commission of any offence referred to in **paragraph (a)** or **paragraph (b)** of this subsection: 5

“(d) Conspiring with any person to commit any such offence.”

(2) Section 375A of the principal Act (as so inserted) is hereby further amended by omitting from subsection (2), and also from subsection (3), and also from subsection (4), the expression “case involving sexual violation”, and substituting in each case the expression “case of a sexual nature”. 10

**41. Transitional provision**—Section 40 of this Act shall not apply in respect of any hearing or trial that has commenced before the commencement of this Act; and in respect of any such trial, section 375A of the principal Act (as originally enacted) shall continue to apply as if **section 40** of this Act had not been enacted. 15