

## DISTRICT COURTS AMENDMENT BILL

---

### EXPLANATORY NOTE

THE District Courts Amendment Act 1980 made provision for certain indictable offences to be tried in District Courts. However, not all District Courts and not all District Court Judges are given this jurisdiction.

Section 28A of the principal Act (as inserted by section 9 of the 1980 Act) provides that this jurisdiction is to be exercised by "A Court that is sitting at a city, borough, or place appointed under section 4 (2A) of [the principal Act] and is presided over by a Judge . . . appointed under section 28B of this Act".

These provisions became operative on the 1st day of May 1981. It was intended that, after that date, trials of indictable offences would be held in District Courts in the places listed in the Schedule to this Bill, and some such trials have been held or commenced in at least some of those places. However, it has been discovered that none of those places (or, indeed, any other places) have been appointed by the Governor-General for the purpose of conducting such trials.

Accordingly, this Bill—

- (a) Deems the places listed in the Schedule to have been duly appointed to hold such trials on and after the 1st day of May; and
  - (b) Prevents anything done in any Court between the 1st day of May and the passing of this Bill from being challenged on the ground that any such place had not been so appointed at the material time.
-

*Hon. Mr McLay*

## DISTRICT COURTS AMENDMENT

### ANALYSIS

Title	2. Certain cities, boroughs, and places deemed to have been appointed for jury trials
1. Short Title	

---

### A BILL INTITULED

**An Act to validate the exercise of criminal jurisdiction under Part IIA of the District Courts Act 1947 in Courts held in certain cities, boroughs, and other places**

5 **BE IT ENACTED** by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

10 **1. Short Title**—This Act may be cited as the District Courts Amendment Act 1981, and shall be read together with and deemed part of the District Courts Act 1947\* (hereinafter referred to as the principal Act).

15 **2. Certain cities, boroughs, and places deemed to have been appointed for jury trials**—(1) The cities, boroughs, and other places specified in the Schedule to this Act shall be deemed to have been appointed by the Governor-General pursuant to section 4 (2A) of the principal Act as cities, boroughs, or

\*R.S. Vol. 5, p. 1  
Amendment: 1980, No. 83

other places in which Courts may be held for the exercise of criminal jurisdiction in respect of indictable offences under Part IIA of that Act on and after the 1st day of May 1981.

(2) Nothing done in any District Court or in the High Court or the Court of Appeal at any time after the 30th day of April 1981 and before the passing of this Act in respect of any offence referred to in paragraph (a) or paragraph (b) or paragraph (c) of section 28A of the principal Act shall be held a nullity or otherwise invalid merely because, at the time it was done, any city, borough, or other place specified in the Schedule to this Act had not been appointed by the Governor-General under section 4 (2A) of the principal Act as a city, borough, or other place in which a Court may be held for the exercise of criminal jurisdiction in respect of indictable offences under Part IIA of that Act.

5

10

15

---

## SCHEDULE

### Section 2

CITIES, BOROUGHS, AND OTHER PLACES DEEMED TO HAVE BEEN APPOINTED AS PLACES FOR COURTS TO BE HELD IN RESPECT OF CERTAIN INDICTABLE OFFENCES

Auckland	Napier
Blenheim	Nelson
Christchurch	New Plymouth
Dunedin	Palmerston North
Gisborne	Rotorua
Greymouth	Timaru
Hamilton	Wanganui
Invercargill	Wellington
	Whangarei