

## Reprint

as at 6 November 2008

### Periodic Detention Order 1973

(SR 1973/60)

Periodic Detention Order 1973: revoked, on 6 November 2008, by clause 3 of the Regulations Revocation Order 2008 (SR 2008/367).

PURSUANT to section 2 of the Criminal Justice Amendment Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council hereby makes the following order.

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#### **1 Title and commencement**

- (1) This order may be cited as the Periodic Detention Order 1973.
- (2) This order shall come into force on the 16th day of March 1973.

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#### **Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

**This order is administered In the Department of Justice.**

## 2 Dunedin and North Shore

- (1) Section 9 and sections 11 to 15 of the Criminal Justice Amendment Act 1962 shall apply with respect to male offenders—
  - (a) Who are convicted after the commencement of this order—
    - (i) In the High Court at Dunedin; or
    - (ii) By a Magistrate’s Court held at Dunedin or North Shore; or
  - (b) Against whom a charge is proved after the commencement of this order in a Children’s Court held at Dunedin or North Shore.
- (2) Sections 10 to 15 of the said Act shall apply with respect to male offenders in respect of whom—
  - (a) An order for imprisonment may be made after the commencement of this order pursuant to section 19D of the Crimes Act 1961, by a Judge of the High Court at Dunedin by reason of the non-payment of a fine imposed on or after the 1st day of October 1966; or
  - (b) A warrant of commitment may be issued after the commencement of this order by a Magistrate exercising jurisdiction in a Magistrate’s Court held at Dunedin or North Shore in respect of a fine imposed on or after the 15th day of July 1963.
- (3) The Periodic Detention Order (No 3) 1972<sup>1</sup> is hereby amended by omitting from clause 2 the word “Dunedin” wherever it appears.

Subclauses (1)(a)(i) and (2)(a) were amended, as from 1 January 2004, by section 48(3) Supreme Court Act 2003 (2003 No 53) by substituting the word “High” for the word “Supreme”. See sections 50 to 55 of that Act for the transitional and savings provisions.

## 3

Regulation 3 was revoked, as from 20 April 1973, by regulation 3 Periodic Detention Order (No 2) 1973 (SR 1973/110).

## 4 Revocation

The Periodic Detention Order 1970<sup>2</sup> is hereby consequentially revoked.

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<sup>1</sup> SR 1972/99

<sup>2</sup> SR 1970/122

**5 Saving**

Notwithstanding the amendments made by subclause (3) of clause 2 of this order and the revocation effected by clause 4 of this order, any person who could have been sentenced to periodic detention before the commencement of this order may be sentenced to periodic detention after the commencement of this order as if those amendments had not been made and that revocation had not been effected.

P. G. MILLEN,  
Clerk of the Executive Council.

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Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 15 March 1973.

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**Notes****1 *General***

This is an eprint of the Periodic Detention Order 1973. It incorporates all the amendments to the order as at 6 November 2008. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

**2 *About this eprint***

This eprint has not been officialised. For more information about officialisation, please see “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

**3 *List of amendments incorporated in this eprint (most recent first)***

Regulations Revocation Order 2008 (SR 2008/367): clause 3

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