

House of Representatives
Supplementary Order Paper

Tuesday, 27 September 2011

Criminal Procedure (Reform and Modernisation)
Bill

Proposed motion to divide Bill into 15 Bills

Hon Simon Power, in Committee, to move as follows:

That the enacting words, *clauses 1 and 2, Parts 1 to 8, the Part 9 heading, the heading above clause 416, clause 416, the heading above clause 417, clause 417, the heading above clause 442, clause 442, and Schedules 1, 1A, and 6* be a separate Bill, and that for the enacting words and *clauses 1 and 2* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Criminal Procedure Act **2011**.

2 Commencement

(1) The following provisions come into force on a date appointed by the Governor-General by Order in Council and 1 or more Orders in Council may be made bringing different provisions into force on different dates:

- (a) **sections 5, 7, and 8** (which relate to preliminary matters):
- (b) **sections 58 to 63, 121(2), 122, 249, 256, 385, and 385A** (which relate to sentence indications):
- (c) **subpart 3 of Part 5, and sections 386 to 387** (which relate to public access and restrictions on reporting):
- (d) **sections 382, 383, 399, and 400** (which are powers to make rules and regulations):
- (e) **section 396** (which is a transitional provision relating to appeals).

- (2) The rest of this Act comes into force on a date appointed by the Governor-General by Order in Council.
- (3) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

That the heading above *clause 401*, *clauses 401 to 407A*, and *Schedule 2* be a separate Bill, and that for the heading above *clause 401* and *clause 401* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Bail Amendment Act **2011**.

2 Commencement

- (1) **Sections 402 and 403, 405 to 405D, and 406** come into force on a date appointed by the Governor-General by Order in Council.
- (2) The rest of this Act comes into force on a date appointed by the Governor-General by Order in Council.
- (3) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

3 Principal Act amended

This Act amends the Bail Act 2000.

That the heading above *clause 407B*, *clauses 407B to 407D*, and *Schedule 3* be a separate Bill, and that for the heading above *clause 407B* and *clause 407B* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Children, Young Persons, and Their Families Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

3 Principal Act amended

This Act amends the Children, Young Persons, and Their Families Act 1989.

That the heading above *clause 408*, *clauses 408 to 410A*, and *Schedule 3A* be a separate Bill, and that for the heading above *clause 408* and *clause 408* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Corrections Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

3 Principal Act amended

This Act amends the Corrections Act 2004.

That the heading above *clause 410B*, *clauses 410B to 411B*, and *Schedule 3B* be a separate Bill, and that for the heading above *clause 410B* and *clause 410B* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Crimes Amendment Act **2011**.

2 Commencement

- (1) **Sections 411(2) and 411A** come into force on a date appointed by the Governor-General by Order in Council.
- (2) The rest of this Act comes into force on a date appointed by the Governor-General by Order in Council.
- (3) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

3 Principal Act amended

This Act amends the Crimes Act 1961.

That the heading above *clause 412*, *clauses 412 to 415B*, and *Schedule 3C* be a separate Bill, and that for the heading above *clause 412* and *clause 412* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Criminal Disclosure Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

3 Principal Act amended

This Act amends the Criminal Disclosure Act 2008.

That the heading above *clause 417A*, *clauses 417A to 417C*, and *Schedule 4* be a separate Bill, and that for the heading above *clause 417A* and *clause 417A* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:**1 Title**

This Act is the Criminal Procedure (Mentally Impaired Persons) Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

3 Principal Act amended

This Act amends the Criminal Procedure (Mentally Impaired Persons) Act 2003.

That the heading above *clause 418*, *clauses 418 to 420A*, and *Schedule 4A* be a separate Bill, and that for the heading above *clause 418* and *clause 418* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:**1 Title**

This Act is the District Courts Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

3 Principal Act amended

This Act amends the District Courts Act 1947.

That the heading above *clause 421*, *clauses 421 to 423A*, and *Schedule 4B* be a separate Bill, and that for the heading above *clause 421* and *clause 421* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Evidence Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

3 Principal Act amended

This Act amends the Evidence Act 2006.

That the heading above *clause 424*, *clauses 424 to 427A*, and *Schedule 4C* be a separate Bill, and that for the heading above *clause 424* and *clause 424* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Juries Amendment Act **2011**.

2 Commencement

- (1) **Sections 425 to 427** come into force on a date appointed by the Governor-General by Order in Council.
- (2) The rest of this Act comes into force on a date appointed by the Governor-General by Order in Council.
- (3) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

3 Principal Act amended

This Act amends the Juries Act 1981.

That the heading above *clause 427B*, *clauses 427B to 428*, be a separate Bill, and that for the heading above *clause 427B* and *clause 427B* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Justices of the Peace Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

3 Principal Act amended

This Act amends the Justices of the Peace Act 1957.

That the heading above *clause 428B* and *clauses 428B and 429* be a separate Bill, and that for the heading above *clause 428B* and *clause 428B* there be substituted the following words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the New Zealand Bill of Rights Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

3 Principal Act amended

This Act amends the New Zealand Bill of Rights Act 1990.

That the heading above *clause 430*, *clauses 430 to 433A*, and *Schedule 4D* be a separate Bill, and that for the heading above *clause 430* and *clause 430* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Sentencing Amendment Act **2011**.

2 Commencement

This Act comes into force on the day that is 2 years after the date on which this Act receives the Royal assent unless it is brought into force on an earlier date appointed by the Governor-General by Order in Council.

3 Principal Act amended

This Act amends the Sentencing Act 2002.

That the heading above *clause 434*, *clauses 434 to 437B*, and *Schedule 5* be a separate Bill, and that for the heading above *clause 434* and *clause 434* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Summary Proceedings Amendment Act **2011**.

2 Commencement

- (1) **Sections 435 to 436** come into force on a date appointed by the Governor-General by Order in Council.
- (2) The rest of this Act comes into force on a date appointed by the Governor-General by Order in Council.
- (3) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

3 Principal Act amended

This Act amends the Summary Proceedings Act 1957.

That the heading above *clause 438*, *clauses 438 to 441B*, and *Schedule 5A* be a separate Bill, and that for the heading above *clause 438* and *clause 438* there be substituted the following enacting words and clauses:

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Victims' Rights Amendment Act **2011**.

2 Commencement

- (1) **Sections 439 to 441A** come into force on a date appointed by the Governor-General by Order in Council.
- (2) The rest of this Act comes into force on a date appointed by the Governor-General by Order in Council.
- (3) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

3 Principal Act amended

This Act amends the Victims' Rights Act 2002.

Explanatory note

This Supplementary Order Paper divides the Criminal Procedure (Reform and Modernisation) Bill into the following 15 Bills:

- the Criminal Procedure Bill:
- the Bail Amendment Bill:

- the Children, Young Persons, and Their Families Amendment Bill:
 - the Corrections Amendment Bill:
 - the Crimes Amendment Bill:
 - the Criminal Disclosure Amendment Bill:
 - the Criminal Procedure (Mentally Impaired Persons) Amendment Bill:
 - the District Courts Amendment Bill:
 - the Evidence Amendment Bill:
 - the Juries Amendment Bill:
 - the Justices of the Peace Amendment Bill:
 - the New Zealand Bill of Rights Amendment Bill:
 - the Sentencing Amendment Bill:
 - the Summary Proceedings Amendment Bill:
 - the Victims' Rights Amendment Bill.
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