

House of Representatives

Supplementary Order Paper

Wednesday, 14 October 2009

Vehicle Confiscation and Seizure Bill

Proposed amendments

Hon Judith Collins, in Committee, to move the following amendments:

Clause 8: new section 129C(6)(c)

To omit “other than” (line 38 on page 11 and line 1 on page 12) and substitute “including”.

Clause 15: new section 137(3)

To insert the following paragraph after *paragraph (d)* (after line 29 on page 18):

“(daa) in payment of any levy payable by the offender under this Act:

Clause 19

New section 141A(2): to omit “Registrar’s” (line 34 on page 22).

New section 141B(2): to insert after “(da),” (line 24 on page 23) “(daa),”.

Clause 28

New section 100A(1): paragraph (a) of the definition of **traffic offence**: to omit “or the Land Transport Act 1998,” (lines 8 and 9 on page 27) and substitute “the Land Transport Act 1998, or the Land Transport Management Act 2003,”.

New section 100B(5A)(b): to omit “offender” (line 5 on page 30) and substitute “defendant”.

New section 100C(4)(c): to omit “other than” (lines 20 and 21 on page 31) and substitute “including”.

New section 100N(1): to insert the following paragraph after *paragraph (d)* (after line 10 on page 39):

“(da) in payment of any levy payable by the defendant under the Sentencing Act 2002:

New section 100TA(1)(b): to omit “subpart” (line 29 on page 45) and substitute “Part”.

Clause 28A(c)

To omit “**section 100H(4)**” (line 1 on page 48) and substitute “**section 100L(4)**”.

Explanatory note

This Supplementary Order Paper modifies the application of the proceeds of sale of vehicles sold under the Sentencing Act 2002 or the Summary Proceedings Act 1957 by requiring any outstanding levies payable under the Sentencing Act 2002 to be paid out of those proceeds. The levies will rank below any outstanding reparation payments and above any outstanding fines.

The Supplementary Order Paper also—

- requires Registrars to include applicants among the persons who are notified of the cancellation of a written caution:
 - includes offences against the Land Transport Management Act 2003 in the definition of traffic offence:
 - makes a number of referential corrections.
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