

**Reprint**  
**as at 29 June 2009**

**Crimes Amendment Act (No 2)**  
**1995**

Public Act 1995 No 68  
Date of assent 12 December 1995

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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 Act is administered in the Ministry of Justice**

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

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

**1 Short Title and commencement**

- (1) This Act may be cited as the Crimes Amendment Act (No 2) 1995, 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 a date to be appointed by the Governor-General by Order in Council.

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**3 New sections substituted**

This section inserted sections 345A to 345D, and substituted s 346 of the principal Act.

**4 Further amendments to principal Act and amendments to other enactments**

- (1) This subsection amended sections 258(2)(b), 321(4), 322, 325(1), 326(1), 335, 336, 340(5), 345, 347, 348, 350, 353, 361(1), 361B(1), 361C(2)(a), 378, 379A(1), 411(3) and Schedule 2 to the principal Act.
- (2) This subsection amended, s 28D(1) District Courts Act 1947 (1947 No 16) and s 168C Summary Proceedings Act 1957 (1957 No 87).
- (3) This subsection amended the heading immediately above section 345 of the principal Act.

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**5 Savings provision relating to indictments**

Nothing in section 3 of this Act applies to any indictment in respect of an accused committed for trial before the commencement of that section.

**6 Transitional and savings provisions relating to power of District Court to order trial by Trial Judge alone**

- (1) Nothing effected by section 4 of this Act in relation to section 28D(1) of the District Courts Act 1947 or section 168C of the Summary Proceedings Act 1957 or section 361B(1) or section 361C(2)(a) of the Crimes Act 1961 applies in relation to any accused committed for trial before the date of commencement of that section if the trial of the accused has commenced before that date.
- (2) Where the accused has been committed for trial before the date of commencement of section 4 of this Act, but the trial of the accused has not commenced before that date, section 361B(1) of the Crimes Act 1961 (as amended by section 4 of this Act) shall, so far as it is applicable, apply as if for the words “date on which he is so committed” there were substituted the words “commencement of section 4 of the Crimes Amendment Act (No 2) 1995”.

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**Schedule 1**

Section 4(1)

**Further amendments to principal Act**

Schedule 1 was amended, as from 1 January 2001, by section 74(2) Bail Act 2000 (2000 No 38) by repealing so much as relates to s 350 Crimes Act 1961 (1961 No 43). *See* section 75 of that Act as to the savings provisions.

Schedule 1 was amended, as from 1 October 2003, by section 33(e) Crimes Amendment Act 2003 (2003 No 39) by omitting so much as relates to s 258 of the principal Act.

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**Schedule 2**

Section 4(2)

**Amendments to other enactments**

Schedule 2 Summary Proceedings Act 1957: repealed, on 29 June 2009, by section 17 of the Summary Proceedings Amendment Act (No 2) 2008 (2008 No 41).

**District Courts Act 1947 (1947 No 16) (R.S. Vol. 28, p. 57)**

By omitting from section 28D(1) (as inserted by section 9 of the District Courts Amendment Act 1980) the word “Every”, and substituting the words “Subject to sections 361B and 361C of the Crimes Act 1961, every”.

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## **Notes**

### **1 *General***

This is an eprint of the Crimes Amendment Act (No 2) 1995. It incorporates all the amendments to the Act as at 29 June 2009. 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)***

Summary Proceedings Amendment Act (No 2) 2008 (2008 No 41): section 17

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