

Sentencing Amendment Act (No 2) 2006

Public Act 2006 No 89
Date of assent 18 December 2006

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Sentencing Amendment Act (No 2) 2006.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act amended

This Act amends the Sentencing Act 2002.

4 Interpretation

Section 4(1) is amended by inserting the following definition after the definition of **District Court**:

“**epidemic management notice** means a notice under section 8(1) of the Epidemic Preparedness Act 2006 stating that the application of this Act is modified in order to deal with the practical effects of the outbreak of the disease referred to in the notice”.

5 New section 54A inserted

The following section is inserted after section 54:

“54A Application of section 54 during epidemic

“(1) While an epidemic management notice is in force,—

“(a) a probation officer who has applied in accordance with section 72 for an order under section 54(3) varying the conditions subject to which a sentence of supervision was imposed by the court on an offender may himself or herself vary those conditions; and

“(b) any probation officer may himself or herself vary the conditions subject to which a sentence of supervision was imposed by the court on an offender if the offender has applied in accordance with section 72 for an order under section 54(3) varying those conditions.

“(2) A variation under subsection (1) has effect until the application concerned has been heard and disposed of.”

6 New section 67A inserted

The following section is inserted after section 67:

“67A Remission of community work hours during epidemic

“(1) While an epidemic management notice is in force, the chief executive of the Department of Corrections may authorise proba-

tion officers to remit the hours of community work imposed by the court on offenders, for periods (in any individual case)—

“(a) of not more than 8 hours in any week; and

“(b) of not more in total than the lesser of 48 hours and one third of the sentence imposed.

“(2) This section does not give any offender a right to a remission.”

7 New section 69A inserted

The following section is inserted after section 69:

“69A Extension during epidemic of period within which community work must be done

“(1) While an epidemic management notice is in force, the chief executive of the Department of Corrections may authorise probation officers to extend by not more than 12 months the period during which the community work of offenders, or the community work of offenders of any kind or description, must be done.

“(2) This section does not give any offender a right to an extension.”

Legislative history

6 December 2006

Divided from Law Reform (Epidemic

Preparedness) Bill (Bill 39-2) as Bill 39-3E

12 December 2006

Third reading
