

Reprint
as at 1 July 2013



Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Act 1980

Public Act 1980 No 44

Date of assent 2 December 1980

Commencement see section 1(2)

Act name: amended, on 1 March 1999, by section 2(1) of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

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Note

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

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

This Act is administered by the Ministry of Justice.

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An Act to give effect to—

- (a) **the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, 1973; and**
- (b) **the Convention Against the Taking of Hostages 1979; and**
- (c) **the Convention on the Safety of United Nations and Associated Personnel 1994; and**
- (d) **the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel 1994;—**

and for matters incidental to the implementation of those Conventions

Title: replaced, on 1 March 1999, by section 2(2) of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Title paragraph (c): amended, on 7 July 2010, by section 4 of the Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Amendment Act 2010 (2010 No 59).

Title paragraph (d): inserted, on 7 July 2010, by section 4 of the Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Amendment Act 2010 (2010 No 59).

1 Short Title and commencement

- (1) This Act may be cited as the Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Act 1980.

- (2) This Act shall come into force on a date to be appointed by the Governor-General by Order in Council, and different dates may be so appointed for the commencement of this Act in respect of the 1973 Convention and the 1979 Convention.

Section 1(1): amended, on 1 March 1999, by section 2(3) of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 1(2): this Act brought into force, on 12 December 1985, by clause 2 of the Crimes (Internationally Protected Persons and Hostages) Act Commencement Order 1985 (SR 1985/313).

2 Interpretation

- (1) In this Act, unless the context otherwise requires,—

associated person, in relation to an alleged act or omission that constitutes a crime by virtue of or against any of sections 3 to 6, means—

- (a) a person assigned by a Government or an intergovernmental organisation with the agreement of the competent organ of the United Nations; or
- (b) a person engaged by—
 - (i) the Secretary-General of the United Nations; or
 - (ii) a specialised agency of the United Nations; or
 - (iii) the International Atomic Energy Agency; or
- (c) a person deployed by a humanitarian non-governmental organisation or agency under an agreement with—
 - (i) the Secretary-General of the United Nations; or
 - (ii) a specialised agency of the United Nations; or
 - (iii) the International Atomic Energy Agency—
to carry out activities in support of the fulfilment of the mandate of a United Nations operation

internationally protected person, in relation to an alleged act or omission that constitutes a crime by virtue of or against any of sections 3 to 6, means—

- (a) a person who, at the time of the alleged act or omission, is—
 - (i) a Head of State; or
 - (ii) a member of a body that performs the functions of a Head of State under the constitution of the State; or
 - (iii) a Head of Government; or
 - (iv) a Minister of Foreign Affairs—
and is outside the territory of the State in which he or she holds office:
- (b) a member of the family of a person referred to in paragraph (a) who is accompanying that person:
- (c) a person who, at the time of the alleged act or omission, is—
 - (i) a representative or an official of a State; or

- (ii) an official or agent of an international organisation of an intergovernmental character—

and is entitled under international law to special protection from attack on his or her person, freedom, or dignity:

- (d) a member of the family of a person referred to in paragraph (c) who is a member of that person's household

New Zealand includes all waters within the outer limits of the territorial sea of New Zealand (as defined by section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977)

person protected by a convention means—

- (a) an associated person; or
- (b) an internationally protected person; or
- (c) a United Nations person

the 1973 Convention means the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, opened for signature at New York on 14 December 1973

the 1979 Convention means the Convention Against the Taking of Hostages, opened for signature at New York on 18 December 1979

the 1994 Convention means the Convention on the Safety of United Nations and Associated Personnel, opened for signature at New York on 9 December 1994

United Nations operation means an operation established by the competent organ of the United Nations in accordance with the Charter of the United Nations and conducted under United Nations authority and control—

- (a) if the operation is for the purpose of maintaining or restoring international peace and security; or
- (b) if the Security Council of the United Nations, or the General Assembly of the United Nations, has declared, for the purposes of the 1994 Convention, that there exists an exceptional risk to the safety of the personnel participating in the operation; or
- (c) if the operation is for the purpose of delivering humanitarian, political or development assistance in peace building; or
- (d) if the operation is for the purpose of delivering emergency humanitarian assistance

United Nations person, in relation to an alleged act or omission that constitutes a crime by virtue of or against any of sections 3 to 6, means—

- (a) a person engaged or deployed by the Secretary-General of the United Nations as a member of the military, police, or civilian components of a United Nations operation; or

- (b) an official or expert on mission of—
 - (i) the United Nations; or
 - (ii) a specialised agency of the United Nations; or
 - (iii) the International Atomic Energy Agency—who is present in an official capacity in the area where a United Nations operation is being conducted

vehicle includes any means of conveyance.

- (2) In paragraph (a)(i) of the definition of the term internationally protected person in subsection (1), the term **Head of State** includes, in relation to any Commonwealth country (other than the United Kingdom) of which Her Majesty the Queen is Head of State, the Governor-General or other person who performs the functions of the Head of State as Her Majesty's representative.

Compare: 1972 No 137 s 2; Internationally Protected Persons Act 1978 s 1(5) (UK)

Section 2(1): replaced, on 1 March 1999, by section 3 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 2(1) **conviction on indictment**: repealed, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 2(1) **Fugitive Offenders Act 1881**: repealed, on 1 September 1999, by section 111 of the Extradition Act 1999 (1999 No 55).

Section 2(1) **United Nations operation** paragraph (b): amended, on 7 July 2010, by section 5 of the Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Amendment Act 2010 (2010 No 59).

Section 2(1) **United Nations operation** paragraph (c): inserted, on 7 July 2010, by section 5 of the Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Amendment Act 2010 (2010 No 59).

Section 2(1) **United Nations operation** paragraph (d): inserted, on 7 July 2010, by section 5 of the Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Amendment Act 2010 (2010 No 59).

Internationally protected persons and United Nations and associated personnel

Heading: replaced, on 1 March 1999, by section 4 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

3 Crimes against persons

- (1) Without limiting anything in the Crimes Act 1961, every one commits a crime who does an act or omits to do an act, if—
 - (a) he or she does the act, or omits to do the act, in New Zealand or outside New Zealand; and
 - (b) he or she does the act, or omits to do the act, to or in relation to a person whom he or she knows to be a person protected by a convention; and
 - (c) the act or omission is one that constitutes, or would, if done or made in New Zealand, constitute,—

- (i) a crime referred to or described in a provision of the Crimes Act 1961 specified in Schedule 1; or
 - (ii) an attempt to commit such a crime, if the crime is not itself constituted by a mere attempt.
- (2) Every one who commits a crime against this section is liable on conviction to the same penalty to which he or she would have been liable had he or she been charged with a crime against the relevant provision of the Crimes Act 1961.

Section 3: replaced, on 1 March 1999, by section 4 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 3(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

4 Crimes against premises or vehicles

- (1) Without limiting anything in the Crimes Act 1961, every one commits a crime who does an act or omits to do an act, if—
- (a) he or she does the act, or omits to do the act, in New Zealand or outside New Zealand; and
 - (b) he or she does the act, or omits to do the act, to or in relation to—
 - (i) premises that he or she knows to be the official premises or private residence of a person protected by a convention; or
 - (ii) a vehicle that he or she knows is used by a person protected by a convention; and
 - (c) he or she does the act, or omits to do the act, while such a person is present in those premises or that residence or vehicle; and
 - (d) the act or omission is one that constitutes, or would, if done or made in New Zealand, constitute,—
 - (i) a crime referred to or described in a provision of the Crimes Act 1961 specified in Schedule 2; or
 - (ii) an attempt to commit such a crime, if the crime is not itself constituted by a mere attempt.
- (2) Every one who commits a crime against this section is liable on conviction to the same penalty to which he would have been liable had he been charged with a crime against the relevant provision of the Crimes Act 1961.

Compare: Internationally Protected Persons Act 1978 s 1(1)(b), (2)(a), (4) (UK)

Section 4(1): replaced, on 1 March 1999, by section 5 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 4(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

5 Threats against persons

- (1) Every one commits a crime who threatens to do an act, if—

- (a) the act constitutes a crime against section 3; and
 - (b) he or she makes the threat in New Zealand or outside New Zealand; and
 - (c) he or she makes the threat to or in relation to a person whom he or she knows to be an internationally protected person.
- (1A) Every one commits a crime who threatens to do an act, if—
- (a) the act constitutes a crime against section 3; and
 - (b) he or she makes the threat in New Zealand or outside New Zealand; and
 - (c) he or she makes the threat to or in relation to a person whom he or she knows to be a United Nations person or an associated person; and
 - (d) he or she makes the threat with the intention of compelling the person, or any other person, to do or refrain from doing an act.
- (2) Every one who commits a crime against this section is liable on conviction to imprisonment for a term not exceeding—
- (a) 7 years; or
 - (b) the term of years prescribed by the relevant provision of the Crimes Act 1961 in respect of the crime that he would have committed had he carried out his threat in New Zealand,—

whichever is the lesser.

Compare: Internationally Protected Persons Act 1978 s 1(3), (4) (UK)

Section 5(1): replaced, on 1 March 1999, by section 6 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 5(1A): inserted, on 1 March 1999, by section 6 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 5(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

6 Threats against premises or vehicles

- (1) Every one commits a crime who threatens to do an act, if—
- (a) the act constitutes a crime against section 4; and
 - (b) he or she makes the threat in New Zealand or outside New Zealand; and
 - (c) he or she makes the threat to or in relation to—
 - (i) premises that he or she knows to be the official premises or private residence of an internationally protected person; or
 - (ii) a vehicle that he or she knows is used by an internationally protected person.
- (1A) Every one commits a crime who threatens to do an act, if—
- (a) the act constitutes a crime against section 4; and
 - (b) he or she makes the threat in New Zealand or outside New Zealand; and
 - (c) he or she makes the threat to or in relation to—

- (i) premises that he or she knows to be the official premises or private residence of a United Nations person or an associated person; or
 - (ii) a vehicle that he or she knows is used by a United Nations person or an associated person; and
 - (d) he or she makes the threat with the intention of compelling the person, or any other person, to do or refrain from doing an act.
- (2) Every one who commits a crime against this section is liable on conviction to imprisonment for a term not exceeding 3 years.

Compare: Internationally Protected Persons Act 1978 s 1(3), (4) (UK)

Section 6(1): replaced, on 1 March 1999, by section 7 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 6(1A): inserted, on 1 March 1999, by section 7 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 6(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

6A Sections 3 to 6 not to apply to certain United Nations operations

Sections 3 to 6 do not apply, in relation to United Nations personnel and associated personnel, to a United Nations operation—

- (a) authorised by the Security Council of the United Nations as an enforcement action under Chapter VII of the Charter of the United Nations; and
- (b) in which United Nations personnel or associated personnel are engaged as combatants against organised armed forces; and
- (c) to which the law of international armed conflict applies.

Section 6A: inserted, on 1 March 1999, by section 8 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

7 Prosecution need not prove certain matters

Notwithstanding anything in sections 3 to 6, in any proceedings brought under any of those sections, it shall not be necessary for the prosecution to prove the following matters:

- (a) in respect of—
 - (i) an internationally protected person to whom paragraph (a) or paragraph (c) of the definition of that term in section 2(1) applies; or
 - (ii) a United Nations person or an associated person,—

that the defendant knew, at the time of the alleged crime, the identity of that person or the capacity in which that person was an internationally protected person, a United Nations person, or an associated person:
- (b) in respect of any internationally protected person to whom paragraph (b) of that definition applies, that the defendant knew, at the time of the

alleged crime, that the internationally protected person was accompanying any other person to whom paragraph (a) of that definition applies:

- (c) in respect of any internationally protected person to whom paragraph (c) of that definition applies, that the defendant knew, at the time of the alleged crime, that the internationally protected person was entitled under international law to special protection from attack on his person, freedom, or dignity:
- (d) in respect of any internationally protected person to whom paragraph (d) of that definition applies, that the defendant knew, at the time of the alleged crime, that the internationally protected person was a member of the household of any other person referred to in paragraph (c) of that definition.

Section 7(a): replaced, on 1 March 1999, by section 9 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Hostages

8 Hostage-taking

- (1) Subject to subsection (2), every one commits the crime of hostage-taking who, whether in or outside New Zealand, unlawfully seizes or detains any person (in this section called the **hostage**) without his consent, or with his consent obtained by fraud or duress, with intent to compel the Government of any country or any international intergovernmental organisation or any other person to do or abstain from doing any act as a condition, whether express or implied, for the release of the hostage.
- (2) No one shall be convicted of the crime of hostage-taking if—
 - (a) the act of hostage-taking takes place in New Zealand; and
 - (b) the alleged offender and the hostage are New Zealand citizens; and
 - (c) the alleged offender is in New Zealand.
- (3) Every one who commits the crime of hostage-taking is liable on conviction to imprisonment for a term not exceeding 14 years.

Section 8(3): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

General provisions

9 Extradition Act amended

[Repealed]

Section 9: repealed, on 1 September 1999, by section 111 of the Extradition Act 1999 (1999 No 55).

10 Crimes deemed to be included in extradition treaties

- (1) For the purposes of the Extradition Act 1999 and any Order in Council in force under section 15 or section 104 of that Act,—

- (a) each crime described in section 3 or section 4 or section 8, including—
 - (i) attempting to commit that crime (where it is not itself constituted by a mere attempt); or
 - (ii) aiding, abetting, inciting, counselling, or procuring any person to commit that crime; or
 - (iii) inciting, counselling, or attempting to procure any person to commit that crime when it is not in fact committed; or
 - (iv) being an accessory after the fact to that crime; and

- (b) each crime described in section 5 or section 6,—

is, if not already described in the treaty, deemed to be an offence described in any extradition treaty concluded before 12 December 1985 and for the time being in force between New Zealand and any country that is a party to the 1973 Convention or, as the case may require, the 1979 Convention.

- (2) It under subsection (1) a crime is deemed to be an offence described in an extradition treaty, no person may be surrendered for that crime in accordance with the provisions of the Extradition Act 1999 if the alleged act or omission occurred before 12 December 1985.
- (3) For the purposes of this section, **country** includes any territory for whose international relations the Government of a country is responsible and to which the extradition treaty and the 1973 Convention or, as the case may require, the 1979 Convention, extends.

Section 10: replaced, on 1 September 1999, by section 111 of the Extradition Act 1999 (1999 No 55).

10A Further provision on crimes deemed to be included in extradition treaties

- (1) For the purposes of the Extradition Act 1999 and any Order in Council in force under section 15 or section 104 of that Act,—

- (a) each crime described in section 3 or section 4 or section 8, including—
 - (i) attempting to commit that crime (where it is not itself constituted by a mere attempt); or
 - (ii) aiding, abetting, inciting, counselling, or procuring any person to commit that crime; or
 - (iii) inciting, counselling, or attempting to procure any person to commit that crime when it is not in fact committed; or
 - (iv) being an accessory after the fact to that crime; and

- (b) each crime described in section 5 or section 6,—

is, if not already described in the treaty, deemed to be an offence described in any extradition treaty concluded before the commencement of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 and for the time being in force between New Zealand and any country that is a party to the 1994 Convention.

- (2) If under subsection (1) a crime is deemed to be an offence described in an extradition treaty, no person may be surrendered for that crime in accordance with the provisions of the Extradition Act 1999 if the alleged act or omission occurred before the commencement of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998.
- (3) For the purposes of this section, **country** includes any territory for whose international relations the Government of a country is responsible and to which the extradition treaty and the 1994 Convention extends.

Section 10A: inserted, on 1 September 1999, by section 111 of the Extradition Act 1999 (1999 No 55).

11 Surrender of offenders

[Repealed]

Section 11: repealed, on 1 September 1999, by section 111 of the Extradition Act 1999 (1999 No 55).

12 Restrictions on surrender

- (1) Without limiting the grounds on which surrender must or may be refused under the Extradition Act 1999, a court in New Zealand must not order the surrender, or the detention for the purposes of surrender, of a person to another country in respect of an act or omission that amounts to a crime against any of sections 3 to 8 if the Attorney-General certifies that the case is being or is about to be considered to determine whether or not proceedings should be brought in New Zealand against that person in respect of the act or omission.
- (2) If, in any case to which subsection (1) applies, it is subsequently determined that proceedings should not be brought in New Zealand against the person in respect of the act or omission, the Attorney-General must advise the court accordingly, and the court must proceed with the matter as if the Attorney-General's certificate had never been given.
- (3) Without limiting the grounds on which surrender must or may be refused under the Extradition Act 1999, a person must not be surrendered to another country if it appears that the person's position may be prejudiced because communication with the person by the appropriate authorities of the country that is entitled in international law to exercise rights of protection in respect to the person cannot be effected.

Section 12: replaced, on 1 September 1999, by section 111 of the Extradition Act 1999 (1999 No 55).

13 Further restrictions on surrender of offenders

[Repealed]

Section 13: repealed, on 1 September 1999, by section 111 of the Extradition Act 1999 (1999 No 55).

14 Attorney-General's consent required to prosecutions

- (1) Subject to subsection (2), no proceedings for the trial and punishment of any person charged with a crime against any of sections 3 to 8 shall be instituted in any court except with the consent of the Attorney-General.
- (2) A person charged with a crime against any of those provisions may be arrested, or a warrant for his arrest may be issued and executed, and he may be remanded in custody or on bail, notwithstanding that the consent of the Attorney-General to the institution of a prosecution for the crime has not been obtained, but no further proceedings shall be taken until that consent has been obtained.

Compare: 1972 No 137 s 18

15 Evidence

For any purpose in connection with this Act, a certificate, given by the Secretary of Foreign Affairs and Trade, certifying—

- (a) any fact relevant to the question of whether a person was or was not, at any material time, a person protected by a convention; or
- (b) any fact relevant to the question of whether an operation was or was not, at any material time, a United Nations operation of a kind described in section 6A; or
- (ba) that any country is or is not, or was or was not at any material time, a party to the 1973 Convention, the 1979 Convention, or the 1994 Convention; or
- (c) that the Government of any country is or is not, or was or was not at any material time, responsible for the international relations of any territory,—

shall be sufficient evidence of that fact.

Compare: Internationally Protected Persons Act 1978 s 1(1), (5) (UK)

Section 15 amended, on 1 July 1993, by section 6(1) of the Foreign Affairs Amendment Act 1993 (1993 No 48).

Section 15(a): replaced, on 1 March 1999, by section 12 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 15(b): replaced, on 1 March 1999, by section 12 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Section 15(ba): inserted, on 1 March 1999, by section 12 of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

16 Application of certain provisions of Crimes Act

Nothing in section 8 of the Crimes Act 1961 (which relates to jurisdiction in respect of crimes on ships or aircraft beyond New Zealand) or in section 400 of that Act (which requires the consent of the Attorney-General to proceedings in certain cases for offences on ships or aircraft) shall apply with respect to any proceedings brought under any of sections 3 to 8.

Compare: 1972 No 137 s 10

17 Other Acts not affected

Nothing in this Act shall limit or affect the Immigration Act 2009, the Aviation Crimes Act 1972, nor, except as expressly provided in this Act, the Crimes Act 1961.

Compare: 1972 No 137 s 21

Section 17: amended, at 2 am on 29 November 2010, by section 406(1) of the Immigration Act 2009 (2009 No 51).

Schedule 1
Crimes against persons protected by a convention

s 3(1)(a)

Section of Crimes Act 1961	Subject matter
128	Sexual violation
129	Attempt to commit sexual violation
142A	Compelling indecent act with animal
167, 168	Murder
171	Manslaughter
173	Attempt to murder
174	Counselling or attempting to procure murder
176	Accessory after the fact to murder
188	Wounding with intent
189	Injuring with intent
191	Aggravated wounding or injury
192	Aggravated assault
197	Disabling
198	Discharging firearm or doing dangerous act with intent
199	Acid throwing
200	Poisoning with intent
201	Infecting with disease
209	Kidnapping

Schedule 1 heading: amended, on 1 March 1999, by section 13(1)(a) of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Schedule 1 heading: amended, on 1 March 1999, by section 13(1)(b) of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Schedule 1: amended, on 1 February 1986, by section 7(3) of the Crimes Amendment Act (No 3) 1985 (1985 No 160).

Schedule 2
**Crimes against premises or vehicles of persons protected by a
convention**

s 4(b)(i)

Section of Crimes Act 1961	Subject matter
267	Arson
268	Attempted arson
269	Intentional damage
270	Endangering transport

Schedule 2 heading: amended, on 1 March 1999, by section 13(2)(a) of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Schedule 2 heading: amended, on 1 March 1999, by section 13(2)(b) of the Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36).

Schedule 2: amended, on 1 October 2003, by section 34 of the Crimes Amendment Act 2003 (2003 No 39).

Contents

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- 2 Status of reprints
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Notes

1 *General*

This is a reprint of the Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Act 1980. The reprint incorporates all the amendments to the Act as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted

enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)

- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Criminal Procedure Act 2011 (2011 No 81): section 413

Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Amendment Act 2010 (2010 No 59)

Immigration Act 2009 (2009 No 51): section 406(1)

Crimes Amendment Act 2003 (2003 No 39): section 34

Extradition Act 1999 (1999 No 55): section 111

Crimes (Internationally Protected Persons and Hostages) Amendment Act 1998 (1998 No 36)

Foreign Affairs Amendment Act 1993 (1993 No 48): section 6(1)

Crimes Amendment Act (No 3) 1985 (1985 No 160): section 7(3)

Crimes (Internationally Protected Persons and Hostages) Act Commencement Order 1985 (SR 1985/313)