

Summary Proceedings Amendment Act (No 3) 1998

Public Act 1998 No 91
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**Summary Proceedings Amendment
Act (No 3) 1998**

1998 No 91

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An Act to amend the Summary Proceedings Act 1957

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

1 Short Title and commencement

- (1) This Act may be cited as the Summary Proceedings Amendment Act (No 3) 1998, and is part of the Summary Proceedings Act 1957 (“the principal Act”).
- (2) This Act comes into force on 1 November 1998.

2 Interpretation

This section inserted the definitions of the terms **Bank** and **Benefit** in s 2(1) of the principal Act.

3 Summary procedure for infringement offences

- (1) This subsection inserted s 21(3A) to (3D) of the principal Act.
- (2) This subsection inserted s 21(5A) and (5B) of the principal Act.
- (3) This subsection inserted s 21(13) of the principal Act.

4 Withdrawal of warrant

This section inserted s 23(2) of the principal Act.

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- 5 Withdrawal of information by informant**
This section inserted s 36(1B) of the principal Act.
- 6 Registrar may receive not guilty pleas**
This section inserted s 41A of the principal Act.
- 7 Registrar may prohibit publication of names**
This section inserted s 46A of the principal Act.
- 8 Variation of conditions of bail**
This section substituted s 50A(2)(b) of the principal Act.
- 9 Powers of Registrar to adjourn hearing or issue warrant to arrest defendant**
This section substituted s 61A(3) and inserted s 61A(4) of the principal Act.
- 10 Defendant's right to elect trial by jury where offence punishable by more than 3 months' imprisonment**
(1) This section inserted s 66(1A) of the principal Act.
(2) This subsection amended s 66(2) of the principal Act.
- 11 Registrar may receive elections**
This section inserted s 66A of the principal Act.
- 12 Conduct of hearing**
This section substituted s 67(1A) of the principal Act.
- 13 District Court Judge or Justice or Registrar may grant a rehearing**
(1) This section inserted s 75(1AA) of the principal Act.
(2) This section amended s 75(3) of the principal Act.
- 14 Interpretation**
This section inserted paragraphs (c) to (f) of the definition of the term **salary or wages** in s 79 of the principal Act.

- 15 Order for immediate payment of fine**
This section amended s 83(2)(b), and inserted s 83(2)(c) of the principal Act.
- 16 Notice of fine**
This section substituted s 84(2)(e) of the principal Act.
- 17 Further notice of fine**
(1) This subsection amended s 85(1)(b) of the principal Act.
(2) This subsection substituted s 85(1)(c) of the principal Act.
(3) This section substituted s 85(2)(b) of the principal Act.
- 18 Extension of time to pay**
This section substituted s 86 of the principal Act.
- 19 Bailiff may arrange extension of time to pay**
This section inserted s 86A of the principal Act.
- 20 Action where fine not paid**
This section amended s 87(1)(b), and inserted s 87(1)(c) of the principal Act.
- 21 Power to obtain information in respect of beneficiaries**
This section inserted s 87AA of the principal Act.
- 22 Publication of name of fines defaulter**
This section amended s 87A(1)(d) of the principal Act.
- 23 New sections inserted**
This section inserted ss 87B to 87J of the principal Act.
- 24 Action where fine remains unpaid**
(1) This subsection substituted s 88(1A), and inserted s 88(1)(b) of the principal Act.
(2) This subsection amended s 88(3)(a) of the principal Act.
(3) This subsection inserted s 88(3)(fa) and (fb) of the principal Act.

- (4) This subsection repealed s 88(4) of the principal Act.
- 25 New sections inserted**
This section inserted ss 88A and 88B of the principal Act.
- 26 New sections inserted**
This section inserted ss 102A and 102B of the principal Act.
- 27 Power to obtain information in respect of employers**
This section inserted s 104A of the principal Act.
- 28 Operation of attachment order**
(1) This subsection amended s 105(3) of the principal Act.
(2) This subsection substituted s 105(4) and (5), and inserted s 105(6) and (7) of the principal Act.
- 29 Transfer of enforcement to another District Court**
This section substituted s 106D of the principal Act.
- 30 Amendments to other enactments**
The enactments specified in the Schedule are amended in the manner indicated in that schedule.

Schedule
Amendments to Other Enactments

Section 30

This Schedule amended s 126A Social Security Act 1964 (1964 No 136), Schedule 3 to the Privacy Act 1993 (1993 No 28), ss 81 and 85A Tax Administration Act 1994 (1994 No 166), and s 9(1) Tax Administration Amendment Act 1995 (1995 No 24).