



# Crimes (Theft by Employer) Amendment Act 2025

Public Act 2025 No 8  
Date of assent 13 March 2025  
Commencement see section 2

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## The Parliament of New Zealand enacts as follows:

### 1 Title

This Act is the Crimes (Theft by Employer) Amendment Act 2025.

### 2 Commencement

This Act comes into force on 14 March 2025.

Section 2: editorial change made by the PCO, on 10 April 2025, under sections 86(1) and 87(m) of the Legislation Act 2019 (2019 No 58).

### 3 Principal Act

This Act amends the Crimes Act 1961.

### 4 Section 2 amended (Interpretation)

In section 2(1), definition of **crime involving dishonesty**, paragraph (b), before “267”, insert “220AA,”.

## 5 New section 220AA inserted (Theft by employer)

Before section 220A, insert:

### 220AA Theft by employer

- (1) This section applies to a person (**A**) who—
- (a) employs another person (**B**); and
  - (b) is required to pay any money owed to B in relation to the employment under—
    - (i) an employment agreement (whether or not the agreement is in writing); or
    - (ii) an Act (for example, the Holidays Act 2003, the Minimum Wage Act 1983, or the Wages Protection Act 1983).
- (2) A commits theft if A intentionally fails, without reasonable excuse, to pay the money to B.
- (3) In this section,—
- employ**, in relation to a homeworker, includes engage, and **employment** has a corresponding meaning
- employment agreement** has the same meaning as in section 5 of the Employment Relations Act 2000
- homeworker** has the same meaning as in section 5 of the Employment Relations Act 2000.

### Legislative history

6 April 2023	Introduction (Bill 245–1)
30 August 2023	First reading and referral to Education and Workforce Committee
23 August 2024	Reported from Education and Workforce Committee (Bill 245–2)
16 October 2024	Second reading
19 February 2025	Committee of the whole House (Bill 245–3)
12 March 2025	Third reading
13 March 2025	Royal assent

This Act is administered by the Ministry of Justice.