

House of Representatives

Supplementary Order Paper

Tuesday, 21 June 2022

Three Strikes Legislation Repeal Bill

Proposed amendment

Golriz Ghahraman, in Committee, to move the following amendment:

Schedule

In the *Schedule*, new part 4 of *Schedule 1AA*, replace *clause 13* (page 9, lines 6 to 23) with:

- 13 Treatment of persons convicted and sentenced before enactment of Three Strikes Legislation Repeal Act 2021**
- (1) This clause applies to a person who, before 1 July 2022, was convicted of and sentenced for a stage-2 or stage-3 offence.
- (2) If this clause applies,—
- (a) the person may apply to the court under section 180 of the Criminal Procedure Act 2011 to be re-sentenced, and that section applies, with any necessary modifications, as if the sentence that had been imposed was one that could not by law be imposed; and
- (b) in the case of a conflict between section 34 of the Legislation Act 2019 and—
- (i) section 6 of the Sentencing Act 2022, section 6 prevails; or
- (ii) section 25(g) of the New Zealand Bill of Rights Act 1990, section 25(g) prevails.

Explanatory note

This Supplementary Order Paper would amend the Three Strikes Legislation Repeal Bill to allow for people sentenced under three strikes legislation to apply to have their sentence recalculated as though their offence had been committed after this bill was passed.