

Regulatory Systems (Courts) Amendment Bill

Government Bill

As reported from the Justice Committee

Commentary

Recommendation

The Justice Committee has examined the Regulatory Systems (Courts) Amendment Bill and recommends that it be passed. We recommend all amendments unanimously.

Introduction

The Regulatory Systems (Courts) Amendment Bill is one of four bills that would amend regulatory systems administered by the Ministry of Justice.¹ Regulatory systems amendment bills cover smaller issues and can make improvements to multiple pieces of legislation through one bill. The proposed amendments in the four bills were assessed as being able to attract broad political support and to be progressed within a relatively short time. The bills also did not make major changes to policies or the way systems are designed.

The bill's objective is to improve the effectiveness and efficiency of the courts system, which is experiencing delays at present. It seeks to do so by addressing legislative inconsistencies, relieving administrative burdens, and reducing gaps, errors, and anomalies. The bill would also clarify roles and expand the powers and jurisdiction of certain judicial officers.

The bill would amend 15 Acts:

- Bail Act 2000

¹ We are also considering the Regulatory Systems (Tribunals) Amendment Bill and the Anti-Money Laundering and Countering Financing of Terrorism Amendment Bill. The Education and Workforce Committee is considering the Regulatory Systems (Occupational Regulation) Amendment Bill.

- Care of Children Act 2004
- Coroners Act 2006, with consequential amendments to the Coroners (Doctors Fees) Regulations 2022
- Courts Security Act 1999, with consequential amendments to the Courts Security Regulations 2019
- Criminal Disclosure 2008
- Criminal Procedure Act 2011
- Criminal Procedure (Mentally Impaired Persons) Act 2003
- District Court Act 2016
- Employment Relations Act 2000
- Family Court Act 1980
- Inspector-General of Defence Act 2023
- Juries Act 1981, with consequential amendments to the Juries Rules 1990
- Property (Relationships) Act 1976
- Protection of Personal and Property Rights Act 1988
- Senior Courts Act 2016.

For a detailed explanation of the bill's changes to the above Acts, we refer readers to the summary in the Ministry of Justice's initial briefing to this committee.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation's design to bring to the attention of the House.

Proposed amendments

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss minor or technical amendments.

Access to court and judicial information

Sections 236 of the District Court Act and 173 of the Senior Courts Act deal respectively with access to court, judicial, or Ministry of Justice information. Clauses 4 and 6 would amend sections 236 and 173 of the respective Acts to make the following clear:

- A person may access court information (other than permitted information) only to the extent provided by, and in accordance with, the rules of the court.
- A person may not access judicial information.
- A person may access ministry information to the extent provided by, and in accordance with, the Official Information Act 1982, the Privacy Act 2020, the Public Records Act 2005, or any other enactment.

Clause 8 would consequentially amend the Inspector-General of Defence Act to reflect the amendments made by clauses 4 and 6. Section 29 of that Act enables the Inspector-General to require the provision of any information, document, or other thing that they consider may be relevant to an investigation. However, section 29(3) provides that the section does not apply to:

- any court information or judicial information, as those terms are used in section 236 of the District Court Act and section 173 of the Senior Courts Act
- any information, document, or other thing in the possession or control of a court, or of a tribunal in relation to its judicial functions.

Clause 8 would replace section 29(3) with a new provision that clarifies that section 29 does not apply to any information, document, or other thing in the possession or control of any court or tribunal in relation to their judicial functions.

We note that some Acts include broad information-gathering powers. While the procedures for accessing court and judicial information, set out in the District Court Act and Senior Courts Act, would take precedence over these broad information-gathering powers, those powers could still potentially apply to courts other than the senior courts and the District Court, and to tribunals. To address this, we recommend inserting clause 6A, to insert section 174A into the Senior Courts Act. Under our proposed amendment, a person exercising a statutory information-gathering power could not require the provision of court or judicial information. Consequentially, we recommend repealing section 29(3) of the Inspector-General of Defence Act, which would no longer be needed.

We note that, at present, judicial information can be accessed with appropriate judicial approval, such as for research purposes. However, we consider that proposed sections 236(2) and 173(2), which state that a person may not access judicial information, could be interpreted as an absolute prohibition. To ensure that the current practice is maintained, we recommend amending new section 236(2) of the District Court Act and new section 173(2) of the Senior Courts Act. Our proposed amendments would provide that judicial information could only be accessed with judicial approval.

Allowing Family Court Associates to make certain orders

Clause 20 would insert new section 79A into the Protection of Personal and Property Rights Act. It would allow a Family Court Associate to make orders on undefended applications in certain circumstances.² The provision would apply to applications relating to people who lack mental capacity to make decisions about their health and finances regarding:

- personal care (section 10)
- administering property (section 11)

² The role of Family Court Associate was created in 2023 to take on some of the workload of Family Court Judges, freeing them up for more complex cases.

- welfare guardians (section 12)
- interim orders (section 14)
- property managers (section 31).

Section 63 of the Act sets out who should be served with a copy of an application for the exercise of the court's jurisdiction under the Act. Section 63(1)(g) provides that an application can be served on any other person specified by the court. Section 63(2) specifies that the court may dispense with service on the person to whom the application relates if it is satisfied of either of two matters. They are that the person wholly lacks the capacity to understand the nature and purpose of the proceedings or that exceptional circumstances exist that would justify dispensing with service.

We note that the Act is silent on Family Court Associates making directions regarding service. While there are some provisions in the Family Court Rules 2002 that enable Family Court Associates to make directions as to service, we recommend inserting new clause 18A, amending section 63 of the Act (by inserting new section 63(4)), to expressly provide that a Family Court Associate may:

- specify additional persons to be served with applications made under the Act; and
- dispense with service on the person for whom an application is made under the Act if the Family Court Associate has jurisdiction to make a substantive order on that application and the circumstances set out section 63(2) of the Act are satisfied.

This would mean that, under the latter, Family Court Associates can dispense with service of applications for orders the bill empowers Family Court Associates to make (but cannot dispense with service of applications made under sections 86, 87, Part 9, or Part 9A of the Act).

Coroners Act

Decisions about coronial inquiries

Clauses 21 to 43 would amend the Coroners Act. Clause 31 would insert new section 65A to enable a coroner to close an inquiry that had been started into a death if they were satisfied of either of the following matters:

- The death appeared to be from natural causes.
- The death appeared to be unnatural or violent but was not due to the action or inaction of any other person. Also, the inquiry would be unlikely to result in recommendations that could reduce the chances of similar future deaths.

We recommend deleting clause 31 and its related provisions (clauses 22, 23, 25, 29, 34, 35, and 37, and clauses 8 and 9 of Schedule 1). We were advised that these clauses have been replaced by broader provisions in the Judicature (Timeliness) Legislation Amendment Bill, which was referred to us for consideration on 22 May 2025. That bill, as introduced, would amend the Coroners Act to allow coroners to

close certain inquiries (subject to due process) if new information or another change in circumstances meant that it was no longer appropriate to conduct the inquiry.

We also recommend deleting clause 10 of Schedule 1 as it is replicated in Schedule 2.

Section 64 of the Act sets out the duties of a coroner who decides not to open an inquiry into a death. It provides that they must notify the Secretary for Justice of the decision, in an approved form. Section 64(2) states that the form must contain the reasons for deciding not to open an inquiry and the cause of death to the extent known. Under section 64(3), a written statement regarding the identity of the dead person concerned must also accompany an approved form. We understand that this requirement can be difficult to comply with in practice because visual identification of the deceased is not always possible. Instead, coroners often rely on other types of evidence like dental records, fingerprints, or DNA analysis, establishing identity by using all the evidence before them. Accordingly, we recommend repealing section 64(3) and amending section 64(2) to require the approved form to include a statement that the coroner is satisfied as to the identity of the dead person. This would be done via clause 30.

Admission and verification of evidence

Section 79(3) describes the process for the admission of evidence that is not given at an inquest. It provides that evidence admitted by a coroner for a hearing on the papers must be put in writing, read by or to the witness, and signed by them. Clause 32 would repeal section 79(3) and insert a new subsection (1A) to enable the coroner to verify evidence that is not a written document, nor signed, if they consider it reliable. The Chief Justice suggested that section 79(3) be simply repealed. However, the policy intent is to ensure that where evidence is admitted on the papers and not tested through examination and cross-examination of witnesses, there is a need for the coroner to assess the reliability of the evidence.

Therefore, to achieve the policy intent, we recommend amending section 79 to specify that in the case of hearings on the papers, a coroner may only admit evidence that they consider reliable.

Courts Security Act

Definition of “head of bench”

Clause 55 would amend section 2 of the Courts Security Act, which is the interpretation provision. The clause defines “head of bench” as the senior member of a court, tribunal, or constituted dispute-resolution body referred to in section 3(5) or a person authorised to act in place of that person. It is not clear in clause 55 that the Chief Coroner is included in the definition of “head of bench”. To address this, we recommend amending section 2 to include the Chief Coroner in this definition.

Protecting the health, safety, and security of people in courtrooms

Clause 57 would amend section 11A, which is about the right of the public to enter and remain in areas of the court that are open to the public. It would allow a head of

bench, the presiding judicial officer, or members of a court, tribunal, or constituted dispute-resolution body acting together, if applicable, to give a direction or impose a requirement regarding courtrooms. They would need to consider that the direction or requirement was reasonably necessary to protect the health, safety, and security of people in the court and was in the interests of justice.

Section 20(5A) of the Act empowers a court security officer to direct that a detained person do or not do a thing. The officer must believe on reasonable grounds that the direction is necessary to ensure the safety of the person, security officer, or any other person. Clause 62 would amend section 20(5A) to also apply to the health or security of the person, officer, or any other person.

For consistency, we recommend amending sections 1A and 11A to refer to “health, safety, or security”. These amendments would align with the equivalent wording in the definition of “specified offence” in clause 55, amended section 2, and clause 61, amended section 19A.

Summoning jurors

Section 13 of the Juries Act deals with summoning jurors. Section 13(3) provides that every person who is summoned for jury service shall be liable to serve until the end of the week for which they were summoned. However, section 13(3A)(d) states that subsection (3) does not apply if the Judge has discharged the summons of the person under section 16AA. Under section 16AA, a Judge may cancel the summons of a person with a disability or language difficulty. We consider that the wording between sections 13 and 16AA should be consistent. Accordingly, we recommend amending clause 71 to replace the reference in section 13(3A)(d) to a summons being “discharged” with “cancelled”.

Powers of a Registrar in cases involving family violence

Clause 90 would amend section 27 of the Bail Act to remove the ability for a Registrar to grant bail on an adjournment to a defendant charged with a family violence offence, except where a judicial officer had previously granted bail. Clause 92 would amend section 33 to remove the ability of a Registrar to vary conditions of bail in cases involving a family violence offence.

Section 168 of the Criminal Procedure Act enables a Registrar, if a proceeding is adjourned, to allow the defendant to go at large, grant bail, or be remanded into custody. For consistency with amended section 27, we recommend amending the bill to provide that a Registrar could only let a defendant go at large in cases not involving family violence and where the prosecutor agreed. In cases that involved family violence offences, a Registrar could only allow a defendant to go at large if the defendant is currently at large because of the decision of a judicial officer, and the prosecutor agrees. A similar amendment is made where the Registrar exercises the power to grant a defendant bail. To this effect, we recommend amending clause 90 to amend section 27 of the Bail Act, and inserting clauses 97A to 97D to amend the Criminal Procedure Act.

Appendix

Committee process

The Regulatory Systems (Courts) Amendment Bill was referred to this committee on 18 February 2025. We called for submissions on the bill with a closing date of 3 April 2025. We received and considered submissions from 11 interested groups and individuals. We heard oral evidence from one submitter at a hearing in Wellington.

Advice on the bill was provided by the Ministry of Justice. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting.

Committee membership

Hon Andrew Bayly (member from 9 April and Chairperson from 10 April 2025)

Hon James Meager (member and Chairperson until 9 April 2025)

Hon Ginny Andersen

Jamie Arbuckle

Carl Bates

Tākuta Ferris

Dr Tracey McLellan (until 14 May 2025)

Rima Nakhle

Tom Rutherford

Todd Stephenson

Vanushi Walters (from 14 May 2025)

Hon Dr Duncan Webb

Dr Lawrence Xu-Nan

Related resources

The documents we received as advice and evidence are available on the Parliament website.

Regulatory Systems (Courts) Amendment Bill

Key to symbols used in reprinted bill

As reported from a select committee

text inserted unanimously

~~text deleted unanimously~~

Hon Paul Goldsmith

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Regulatory Systems (Courts) Amendment Act **2024**.

2 Commencement

- (1) This Act comes into force on the day after Royal assent. 5
- (2) However, **Part 2** comes into force—
- (a) on a date or dates set by Order in Council; but
- (b) 12 months after Royal assent, if that Part has not commenced by then.
- (3) An Order in Council made under **subsection (2)(a)** is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements). 10

Part 1

Access to court information, judicial information, or Ministry of Justice information

Subpart 1—Amendment to District Court Act 2016

- | | | |
|------------|--|----|
| 3 | Principal Act | 5 |
| | This subpart amends the District Court Act 2016. | |
| 4 | Section 236 replaced (Access to court information, judicial information, or Ministry of Justice information) | |
| | Replace section 236 with: | |
| 236 | Access to court information, judicial information, or Ministry of Justice information | 10 |
| | (1) Court information (other than permitted information) may only be accessed by a person to the extent provided by, and in accordance with, rules of court. | |
| | (2) Judicial information may not be accessed <u>only with judicial approval</u> . | |
| | (3) Ministry of Justice information may be accessed by any person to the extent provided by, and in accordance with, the Official Information Act 1982, the Privacy Act 2020, the Public Records Act 2005, or any other enactment providing for or regulating access to the information. | 15 |
| | (4) Subsections (1) and (2) are not subject to any other enactment that applies to the provision of, or access to, any information. | 20 |
| | (5) In this section, court information, judicial information, Ministry of Justice information, and permitted information mean the information described as such in Schedule 1. | |

Subpart 2—Amendment to Senior Courts Act 2016

- | | | |
|------------|--|----|
| 5 | Principal Act | 25 |
| | This subpart amends the Senior Courts Act 2016. | |
| 6 | Section 173 replaced (Access to court information, judicial information, or Ministry of Justice information) | |
| | Replace section 173 with: | |
| 173 | Access to court information, judicial information, or Ministry of Justice information | 30 |
| | (1) Court information (other than permitted information) may only be accessed by a person to the extent provided by, and in accordance with, rules of court. | |
| | (2) Judicial information may not be accessed <u>only with judicial approval</u> . | |

- (3) Ministry of Justice information may be accessed by any person to the extent provided by, and in accordance with, the Official Information Act 1982, the Privacy Act 2020, the Public Records Act 2005, or any other enactment providing for or regulating access to the information.
- (4) **Subsections (1) and (2)** are not subject to any other enactment that applies to the provision of, or access to, any information. 5
- (5) In this section, **court information, judicial information, Ministry of Justice information, and permitted information** mean the information described as such in Schedule 2.

6A New section 174A and cross-heading inserted 10

After section 174, insert:

Requirements to provide information

174A Courts and tribunals not required to provide information or documents

No person may exercise a statutory power to require any court or tribunal to provide any information or document that— 15

- (a) is in the possession or control of the court or tribunal; and
- (b) relates to 1 or more specific proceedings in the court or tribunal.

6B Section 175 amended (Requirements that Registrars disclose information)

Replace the heading to section 175 with “**Requirements that Registrars notify registration authorities of certain information**”. 20

Subpart 3—Amendment to Inspector-General of Defence Act 2023

7 Principal Act

This subpart amends the Inspector-General of Defence Act 2023.

8 Section 29 amended (Inspector-General may require provision of information, document, or other thing) 25

Replace section 29(3) with:

- (3) ~~However, this section does not apply to any information, document, or other thing in the possession or control of—~~
- (a) ~~a specialist court in relation to its judicial functions; or~~
- (b) ~~a tribunal in relation to its judicial functions.~~ 30
- (4) ~~In **subsection (3)(a)**, **specialist court** means—~~
- (a) ~~the Court Martial Appeal Court;~~
- (b) ~~the Court Martial of New Zealand;~~
- (e) ~~the Employment Court;~~

- (d) the Environment Court;
- (e) the Māori Appellate Court;
- (f) the Māori Land Court.

Guidance note

Section 236 of the District Court Act 2016 deals with access to court information and judicial information of the District Court and is not subject to any other enactment relating to the provision of, or access to, any information. 5

Section 173 of the Senior Courts Act 2016 deals with access to court information and judicial information of a senior court and is not subject to any other enactment relating to the provision of, or access to, any information. 10

- (1) In section 29(2)(a), delete “(subject to subsection (3))”.
- (2) Repeal section 29(3).

Part 2**Jurisdiction and powers of Family Court Associates**

Subpart 1—Amendments to Care of Children Act 2004 15

9 Principal Act

This subpart amends the Care of Children Act 2004.

10 Section 49C amended (Final parenting orders)

In section 49C(1), before “Judge”, insert “Family Court Associate or”.

11 New section 128 inserted (Consent orders) 20

Before section 129, insert:

128 Consent orders

In any proceedings under this Act, a Family Court Judge or Family Court Associate may make an order with the consent of all of the parties to the proceedings. 25

Subpart 2—Amendments to Family Court Act 1980

12 Principal Act

This subpart amends the Family Court Act 1980.

13 Schedule 2 amended

- (1) In Schedule 2, repeal clause 2. 30
- (2) In Schedule 2, replace the heading to clause 3 with “**Jurisdiction and powers: other enactments**”.

Subpart 3—Amendments to Property (Relationships) Act 1976

14 Principal Act

This subpart amends the Property (Relationships) Act 1976.

15 Section 25 amended (When court may make orders)

Repeal section 25(4A).

5

16 New section 25A inserted (Consent orders)

After section 25, insert:

25A Consent orders

- (1) In any proceedings under this Act, a Family Court Judge or Family Court Associate may make an order (being an order that the court is empowered to make in the proceedings) with the consent of the parties (a **consent order**). 10
- (2) **Subsection (1)** is subject to **subsections (3) and (4)**.
- (3) An order may not be made with the consent of the parties unless all requirements in this Act relating to the making of the order are satisfied.
- (4) A Family Court Associate may not make a consent order under section 38A. 15

Subpart 4—Amendments to Protection of Personal and Property Rights Act 1988

17 Principal Act

This subpart amends the Protection of Personal and Property Rights Act 1988.

18 Section 30 amended (Temporary orders)

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After section 30(8), insert:

- (9) A Family Court Associate has the jurisdiction, powers, and duties of a Family Court Judge under this section in respect of an application for a temporary order if the Family Court Associate is satisfied on the basis of the information provided in any report received from a lawyer appointed under section 65 or 65A that— 25
 - (a) the lawyer appointed to represent the person in respect of whom the application is made has met with the person and carried out their duties under section 65(2)(**ab**) and (b); and
 - (b) no one has expressed any opposition to the order being made. 30

18A Section 63 amended (Service of copy of application required)

After section 63(3), insert:

- (4) A Family Court Associate may exercise the jurisdiction of the court under—
 - (a) subsection (1)(g); and

- (b) subsection (2), except in relation to an application that is made for the exercise of the court's jurisdiction under—
- (i) section 86; or
 - (ii) section 87; or
 - (iii) Part 9; or
 - (iv) Part 9A.

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19 Section 65 amended (Appointment of lawyer to represent person in respect of whom application made)

Replace section 65(2)(a) with:

- (a) contact the person in respect of whom the application is made; and
- (ab) explain to the person in respect of whom the application is made the nature and purpose of the application, and ascertain and give effect to that person's wishes in respect of the application; and

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20 New section 79A inserted (Family Court Associates may make orders in undefended applications in certain circumstances)

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After section 79, insert:

79A Family Court Associates may make orders in undefended applications in certain circumstances

- (1) This section applies to an undefended application made under—
 - (a) Part 1 for an order of a kind specified in section 10(1):
 - (b) section 14 for an interim order under section 10, 11, or 12:
 - (c) section 31 for the appointment of a manager.
- (2) The jurisdiction of the court in respect of an undefended application referred to in **subsection (1)** may be exercised by a Family Court Associate if the requirements in **subsection (3)** are met.
- (3) The requirements referred to in **subsection (2)** are that—
 - (a) the Family Court Associate is satisfied that the lawyer appointed to represent the person in respect of whom the application is made has met with the person and carried out their duties under section 65(2)(**ab**) and (b); and
 - (b) the order sought by the application is consistent with all views expressed to the court (if any), including in any findings or recommendations in any report—
 - (i) obtained by the court under section 76 or 87; or
 - (ii) received from a lawyer appointed under section 65 or 65A; and
 - (c) in the case of an application seeking the provision of any medical treatment or procedure, the Family Court Associate is satisfied that the treat-

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ment or procedure will not have a significant impact on the person in respect of whom the application is made.

Part 3 Amendments to Coroners Act 2006

- 21 Principal Act** 5
This Part amends the Coroners Act 2006.
- 22 Section 4 amended (Coroner's role)**
Replace section 4(1)(e)(iii) with:
- (iii) ~~to complete and sign a certificate of findings in relation to the death (if the inquiry is completed and not earlier closed); and~~ 10
- 23 Section 8 amended (Overview of this Act)**
Replace section 8(3) with:
- (3) ~~Part 3 deals with—~~
- (a) ~~the opening and conduct of inquiries into the causes and circumstances of deaths and, in particular,—~~ 15
- (i) ~~the holding of inquests, and completion of inquiries;~~
- (ii) ~~inquiries or further inquiries ordered by the Solicitor-General or the High Court; and~~
- (b) ~~the closing of inquiries.~~
- 24 Section 9 amended (Interpretation)** 20
In section 9, insert in its appropriate alphabetical order:
- nurse practitioner** has the meaning given in section 2 of the Burial and Cremation Act 1964
- 25 Section 28 amended (Any person may access specified certificates and notices)** 25
After section 28(1)(a), insert:
- (aa) a notice under ~~section 65A~~ of a coroner's decision to close an inquiry that the coroner has opened; or
- 26 Section 38 amended (Who may attend post-mortem)**
- (1) In section 38(1)(c), after “doctor”, insert “or nurse practitioner”. 30
- (2) In section 38(1)(d), after “doctor,”, insert “nurse practitioner.”.
- (3) In section 38(2), after “doctor,”, insert “nurse practitioner.”.

- 27 Section 40 amended (Coroner may require person’s doctor to report)**
- (1) In the heading to section 40, after “**doctor**”, insert “**or nurse practitioner**”.
- (2) In section 40(1), after “doctor”, insert “or nurse practitioner” in each place.
- 28 Section 41 amended (High Court may order post-mortem in certain circumstances)** 5
- In section 41(6)(d), after “doctor”, insert “or nurse practitioner”.
- 29 ~~Section 55 amended (Return on request of retained parts and samples)~~**
- After section 55(2)(b), insert:
- (e) ~~the coroner notifies the Secretary, under **section 65A**, of the coroner’s decision to close an inquiry.~~ 10
- 30 Section 64 amended (Duties of coroner who decides not to open inquiry)**
- (1) ~~In section 64(2)(b), after “extent”, insert “that it is”.~~
- (1) Replace section 64(2)(b) with:
- (b) the cause of death to the extent that it is known; and
- (c) a statement that the coroner is satisfied as to the identity of the dead person concerned. 15
- (2) In section 64(2A), replace “without investigation if the coroner is satisfied that” with “if the coroner is satisfied, based on the evidence gathered to date, that”.
- (3) Replace section 64(2A)(a) with: 20
- (a) the death appears to have been from natural causes; and
- (4) Replace section 64(2B) with:
- (2B) The coroner is not required to provide information about the circumstances of the death concerned if the coroner—
- (a) takes into account the public interest in the circumstances of the death; and 25
- (b) considers that there is no clear benefit to the public in providing the information.
- (5) ~~In section 64(3), before “person concerned”, insert “dead”.~~
- (5) Repeal section 64(3). 30
- 31 ~~New section 65A inserted (Coroner may decide to close inquiry despite initial decision)~~**
- After section 65, insert:

65A Coroner may decide to close inquiry despite initial decision*Grounds for closing inquiry*

(1) A coroner who, after deciding to open an inquiry, becomes satisfied (whether because of information not available at the time of deciding, or for any other reason) of either of the following matters may close the inquiry: 5

- (a) that the death concerned appears to be from natural causes;
- (b) that the death concerned appears to be unnatural or violent but—
 - (i) is not due to the action or inaction of any other person; and
 - (ii) completion of the inquiry is unlikely to result in recommendations or comments that may reduce the chances of further deaths occurring in circumstances similar to those in which the death occurred. 10

Restrictions on closing inquiry

(2) However, a coroner must not close an inquiry under **subsection (1)**—

- (a) that is required to be opened and conducted under section 60; or
- (b) on or after the date fixed for an inquest under section 81(1) or (2); or 15
- (c) if the coroner is unsatisfied of the matters in section 92(1).

Notification after inquiry closed

(3) A coroner who decides to close an inquiry under **subsection (1)** must notify the Secretary, in an approved form, of the decision.

(4) An approved form must contain or have attached to it (as the case requires)— 20

- (a) the coroner's reasons for the decision to close the inquiry; and
- (b) the cause of death to the extent that it is known.

(5) The coroner may record the cause of death as presumed natural causes if the coroner is satisfied, based on the evidence gathered to date, that—

- (a) the death appears to be from natural causes; and 25
- (b) no further investigation is required to discharge the coroner's role under this Act.

(6) The coroner is not required to provide information about the circumstances of the death concerned if the coroner—

- (a) takes into account the public interest in the circumstances of the death; 30
- and
- (b) considers that there is no clear benefit to the public in providing the information.

(7) An approved form must also be accompanied by a written statement as to the identity of the dead person concerned that— 35

- (a) is signed by the person making it; and

- (b) shows that the person's signature has been witnessed either by a constable or by a person (not being a constable) whom the coroner authorised to witness that signature.
- (8) The coroner's notification under this section prevails over a certificate of interim findings issued under section 93 in relation to the death concerned. 5
- 32 Section 79 amended (Admission and verification of evidence)**
- (i) Replace section 79(3) with:
- (3) Evidence admitted under subsection (1) for the purposes of an inquiry that is a hearing on the papers need not be in writing or signed if the coroner considers it to be a reliable source of information on the subject to which it relates. 10
- (1) In the heading to section 79, delete "**and verification**".
- (2) After section 79(1), insert:
- (1A) However, for the purposes of an inquiry that is a hearing on the papers, a coroner may only admit evidence that the coroner considers reliable.
- (3) In section 79(2), replace "subsection (1)" with "subsections (1) and **(1A)**". 15
- (4) Repeal section 79(3).
- 32A Section 91 amended (Evidence at distance for purposes of inquest)**
- In section 91(4)(b), delete "and verification".
- 33 Section 94 amended (Certificate of and written reasons for findings)**
- Replace section 94(1A) with: 20
- (1A) The coroner is not required to make findings about the circumstances of the death concerned if the coroner—
- (a) takes into account the public interest in the circumstances of the death; and
- (b) considers that there is no clear benefit to the public in making findings. 25
- 34 Section 94A amended (Chief coroner to monitor inquiries not completed within 1 year)**
- In section 94A, insert as subsection (2):
- (2) Subsection (1) does not apply if an inquiry is closed under **section 65A**.
- 35 Section 94B amended (Chief coroner to publish information regarding certain inquiries for which findings not completed)** 30
- After section 94B(2), insert:
- (3) However, this section does not apply to an inquiry closed under **section 65A**.

- 36 Section 117 amended (Coroners' powers and immunities generally)**
In section 117(6), after “under this section”, insert “or a Justice under section 91”.
- 37 ~~Section 118 amended (Coroner may call for investigations or examinations or commission reports)~~** 5
After section 118(1)(b), insert:
(e) ~~for the purpose of deciding whether to close an inquiry that has been opened.~~
- 38 Section 120 amended (Coroner may by written notice require person to supply information or documents or other things)** 10
After section 120(3), insert:
(3A) However, the information need not comply with the requirements of subsection (3) if the coroner is satisfied it is not reasonably practicable to do so.
- 39 Section 127 amended (Limits on use of information, etc, given or produced in response to notice under section 120 or obtained through execution of warrant under section 122)** 15
Replace section 127(3)(a) with:
(a) on a prosecution of the person for an offence against section 135 (false or misleading evidence); or
- 40 Section 135 amended (False or misleading statements and omissions in certain documents)** 20
(1) In the heading to section 135, replace “statements and omissions in certain documents” with “evidence”.
(2) Replace section 135(1) with:
(1) A person commits an offence if the person— 25
(a) makes a statement or omits any matter in a document to which subsection (2) applies knowing that, or being reckless as to whether, the statement or omission makes the document false or misleading in a material particular; or
(b) provides evidence ~~under section 79(3)~~ that is not a written statement ~~for the purpose of an inquiry that is a hearing on the papers~~, knowing that, or being reckless as to whether, the evidence is false or misleading in a material particular. 30
- (3) In section 135(2)(a), after “doctor’s”, insert “or a nurse practitioner’s”.
(4) Replace section 135(2)(b) with: 35
(b) ~~a witness’s written evidence admitted under section 79(1)~~ **79(1A)**: that has been—

- (i) ~~put into writing, read over to or by the witness, and signed by the witness; or~~
- (ii) ~~put into writing and read over to or by the witness; or~~
- (iii) ~~put into writing;~~
- (5) In section 135(2)(d), replace “prepared” with “given”. 5
- (6) After section 135(2), insert:
- (3) A person who commits an offence under **subsection (1)** is liable on conviction to a fine not exceeding \$1,000.
- 41 Section 137 replaced (Failure or refusal to give report required)** 10
- Replace section 137 with:
- 137 Failure or refusal to give report required**
- (1) A pathologist commits an offence and is liable on conviction to a fine not exceeding \$1,000 if the pathologist, without reasonable excuse, fails or refuses to give a report required under section 31(6).
- (2) A doctor or nurse practitioner commits an offence and is liable on conviction to a fine not exceeding \$1,000 if the doctor or nurse practitioner, without reasonable excuse, fails or refuses to give a report required under section 40. 15
- 42 Section 140 amended (Regulations)**
- In section 140(1)(a), after “doctors,”, insert “nurse practitioners.”.
- 43 Schedule 1 amended** 20
- In Schedule 1,—
- (a) ~~insert the Part set out in the Schedule of this Act as the last Part; and~~
- (b) ~~make all necessary consequential amendments.~~
- Amendments to Coroners (Doctors Fees) Regulations 2022*
- 44 Principal regulations** 25
- Sections 45 to 50** amend the regulations that were previously called the Coroners (Doctors Fees) Regulations 2022 (the **principal regulations**).
- 45 Title of principal regulations changed**
- In regulation 1, after “Doctors”, insert “and Nurse Practitioners”.
- 46 Regulation 3 amended (Application)** 30
- (1) In regulation 3, after “report”, insert “by a doctor”.
- (2) In regulation 3, insert as subclause (2):
- (2) These regulations apply to a written report by a nurse practitioner under section 40 of the Act if the request for that report is made by a coroner or associate

coroner on or after the commencement of **section 27** of the Regulatory Systems (Courts) Amendment Act **2024**.

47 Regulation 4 amended (Interpretation)

- (1) In regulation 4, definition of **eligible doctor**, replace “a district health board” with “Health New Zealand”. 5
- (2) In regulation 4, insert in its appropriate alphabetical order:
- eligible nurse practitioner** means a nurse practitioner who is not—
- (a) a salaried employee of Health New Zealand; or
- (b) otherwise paid by a public service agency to write reports under section 40 of the Act as part of the nurse practitioner’s regular duties 10

48 New regulation 4A inserted (Transitional, savings, and related provisions)

After regulation 4, insert:

4A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in **Schedule 1** have effect according to their terms. 15

49 Regulation 5 amended (Fee for writing report under section 40 of Act)

In regulation 5(1), after “doctor”, insert “or eligible nurse practitioner”.

50 New Schedule 1 inserted

Insert the **Schedule 1** set out in **Schedule 2** of this Act as the first schedule to appear after the last regulation of the principal regulations. 20

Part 4

Amendments to Courts Security Act 1999

51 Principal Act

This Part amends the Courts Security Act 1999.

52 Long Title repealed 25

Repeal the Long Title.

53 Section 1 amended (Short Title and commencement)

In the heading to section 1, delete “**Short**”.

54 New section 1A inserted (Purpose)

After section 1, insert: 30

1A Purpose

The purpose of this Act is to provide for—

	(a) the security of courts and tribunals; and	
	(b) the health, safety, and security and safety of the public and others who access and use courts and tribunals; and	
	(c) the promotion of the orderly operation of courts and tribunals.	
55	Section 2 amended (Interpretation)	5
(1)	In section 2, insert in its appropriate alphabetical order:	
	head of bench means—	
	(a) the senior member of a court, tribunal, or constituted dispute-resolution body referred to in section 3(5); or	
	(aa) <u>the chief coroner; or</u>	10
	(b) a person authorised to act in place of that <u>the person referred to in paragraph (a) or (aa)</u>	
(2)	In section 2, definition of presiding judicial officer , after paragraph (c), insert:	
	(ca) a Family Court Associate:	
(3)	In section 2, definition of presiding judicial officer , paragraph (e), after “coroner”, insert “or an associate coroner”.	15
(4)	In section 2, definition of specified offence , paragraph (a)(ii)(A), replace “safety or security” with “health, safety, or security”.	
56	Section 3 amended (Meaning of court and courtroom)	
	Replace section 3(5)(i) to (k) with:	20
	(i) a coroner or an associate coroner:	
	(j) the Tenancy Tribunal:	
	(k) the Waitangi Tribunal:	
57	Section 11A amended (Right of public to enter and remain in areas of court open to public)	25
(1)	Replace section 11A(1) with:	
(1)	A person may enter and remain in an area of a court that is open to the public if the person complies with all directions given and requirements that apply to the person and that are imposed as specified in any of the following paragraphs:	
	(a) by the presiding judicial officer in a courtroom where proceedings are being or will be heard:	30
	(b) by the head of bench generally in relation to courtrooms:	
	(c) by or on behalf of the chief executive, or by a court security officer, elsewhere in the court.	
(1A)	If there is no senior member of a court, tribunal, or constituted dispute-resolution body, the members of that court, tribunal, or constituted dispute-reso-	35

- lution body acting together may issue directions or requirements under **subsection (1)(b)**.
- (2) After section 11A(2), insert:
- (2A) A person giving a direction or imposing a requirement under **subsection (1)** must be satisfied that the direction or requirement is reasonably necessary— 5
- (a) to protect the health, safety, or security ~~and safety~~ of persons in the courts; and
- (b) in the interests of justice.
- (2B) A person who has not complied with a direction given or a requirement imposed under **subsection (1)(a) or (b)** may enter (or re-enter) and remain in an area of the court only if the presiding judicial officer considers it is in the interests of justice to permit or require the person to do so. 10
- (3) In section 11A(3)(c), replace “jurisdiction” with “powers”.
- 58 Section 12 amended (Power to ask for identification)**
- (1) In the heading to section 12, after “**identification**”, insert “**and information**”. 15
- (2) After section 12(1)(c), insert:
- (d) evidence of the person’s compliance with a direction given or requirement imposed under **section 11A(1)**.
- 59 Section 13 amended (Power to ask to search)**
- Replace section 13(1)(e) with: 20
- (e) an external examination of the person’s clothes going only as far as necessary to detect items carried on the person, if the officer has reasonable grounds for asking for such a search and the search is carried out by—
- (i) a court security officer of the same sex as the person; or 25
- (ii) another court security officer of the same sex as or a different sex to the person, if reasonably requested by the person being searched.
- 60 Section 18A amended (General power to deny entry to, or remove person from, court)** 30
- (1) After section 18A(1)(c), insert:
- (d) has not complied, or will not comply, with a direction given or requirement imposed under **section 11A(1)**.
- (2) After section 18A(1), insert:
- (1A) A court security officer has reasonable grounds for the purposes of **subsection (1)(d)** if a person does not provide satisfactory evidence when required to provide it under **section 12(1)(d)**. 35

- (1B) **Subsection (1A)** does not limit subsection (1).
- 61 Section 19A amended (Power to detain in other circumstances)**
- In section 19A(1)(b), replace “safety or security” with “health, safety, or security” in each place.
- 62 Section 20 amended (Powers to seize items and detain persons)** 5
- In section 20(5A),—
- (a) after “ensuring the”, insert “health or”; and
- (a) replace “safety” with “health, safety, or security”; and
- (b) replace “or the security officer” with “or the officer”.
- 63 Section 22 amended (Consequences of denial of entry to, or removal from, court)** 10
- (1) Replace section 22(1)(a) and (b) with:
- (a) the person—
- (i) later complies with the relevant request; and
- (ii) complies with any further requests under sections 12(1), 13(1), 15(1), and 17(2); or 15
- (b) the person is permitted or required to enter (or re-enter) the court by the presiding judicial officer under **section 11A(2B)**.
- (2) In section 22(1A), replace “(c)” with “(d)”.
- 64 Section 24 amended (Powers not generally applicable to presiding judicial officers and other exempted persons)** 20
- (1) In the heading to section 24, replace “**presiding judicial officers and other exempted**” with “**specified categories of**”.
- (2) After section 24(1)(c), insert:
- (ca) Family Court Associates: 25
- (3) In section 24(1)(e), after “coroners”, insert “and associate coroners”.
- (4) In section 24(2), after “23”, insert “(other than the power in section 12(1)(a))”.
- 65 Section 25 amended (Powers not generally applicable to persons in custody of certain agencies)**
- (1) Replace section 25(2) with: 30
- (2) A court security officer may exercise or carry out any of the powers or duties in sections 12 to 23 in relation to a person who a court security officer is satisfied is in one of the categories in subsection (1), only if one of the following paragraphs applies to the person:
- (a) the person is about to appear before the court— 35

- (i) the officer is authorised to exercise the power or carry out the duty under the terms of a general or specific instruction issued by a Judge or other presiding judicial officer under section 26(2)(a) or (b); or
- (ii) the officer is exercising a power under section 29(2): 5
- (b) the person is in a courtroom—
- (i) the circumstances in section 28(2)(a) or (b) apply; or
- (ii) the officer is exercising a power under section 29(2).
- (2) In section 25(3), replace “section 26” with “sections 26 and 28”.
- Amendment to Courts Security Regulations 2019* 10
- 66 Principal regulations**
- Section 67** amends the Courts Security Regulations 2019.
- 67 Schedule 2 amended**
- In Schedule 2, revoke the item relating to the Accident Compensation Appeal Authority. 15

Part 5 Amendments to Juries Act 1981

- 68 Principal Act**
- This Part amends the Juries Act 1981.
- 69 Section 2 amended (Interpretation)** 20
- In section 2(1), insert in its appropriate alphabetical order:
- head of bench** means,—
- (a) in relation to the High Court, the Chief High Court Judge;
- (b) in relation to the District Court, the Chief District Court Judge
- 70 Section 4 amended (Application)** 25
- In section 4, insert as subsection (2):
- (2) Nothing in this Act limits or affects the inherent and implied powers of a head of bench or a presiding Judge to regulate the procedure of a court.
- 71 Section 13 amended (Summoning of jurors)**
- (1) In section 13(1), replace “a panel” with “1 or more panels”. 30
- (2) After section 13(1), insert:
- (1AA) A summons issued under subsection (1) may require a panel to attend a court or an alternative location for the purposes of a preliminary selection process.

- (1AB) For the purposes of subsection (1), the Registrar may do 1 or more of the following:
- (a) compile multiple panels:
 - (b) require different panels to attend court, or an alternative location, on different days or at different times on the same day for the purpose of a preliminary selection process: 5
 - (c) make up for a shortfall of jurors on 1 panel from another panel.
- (3) After section 13(2), insert:
- (2A) A person may only be summoned to attend for jury service on a working day.
- (4) Replace section 13(3) with: 10
- (3) A person summoned is liable to serve until the end of the week for which the person was summoned (for example, if a person is summoned on a Tuesday, the person is liable to serve until the end of Friday).
- (4A) In section 13(3A)(d), replace “discharged” with “cancelled”.
- (5) Replace section 13(4) with: 15
- (4) Despite **subsections (3)** and (3A), a juror who is sworn to try 1 or more cases that continue beyond the end of the week for which the juror was summoned must continue to serve until the determination of the case or cases or until discharged by the court.
- 72 New section 13A inserted (Form and content of summons) 20**
- After section 13, insert:
- 13A Form and content of summons**
- (1) A summons issued under section 13(1) (including a replacement summons referred to in section 14C(1)(c)) must be issued in a form that,—
- (a) in the case of forms to be used for trials in the High Court, the chief executive and the Chief High Court Judge approve; and 25
 - (b) in the case of forms to be used for trials in the District Court, the chief executive and the Chief District Court Judge approve.
- (2) Different forms may be approved for use in different courts.
- (3) A summons and replacement summons must include— 30
- (a) the full name and address of the person being summoned; and
 - (b) the name and address of the court that the person must attend to try 1 or more cases; and
 - (c) the day and date on which, and time at which the person must attend the court; and 35
 - (d) a statement that the person must attend court for the rest of the week in which the person is summoned to attend and that, if sworn to try 1 or

- more cases that continue beyond the end of that week, the person must continue to serve until the cases are determined or the person is discharged by the court; and
- (e) the consequences of failing to attend as required, or of refusing or neglecting to serve; and 5
- (f) a statement that the person may,—
- (i) in the case of a summons, apply to have it cancelled, or be permitted to defer or be excused from jury service; or
- (ii) in the case of a replacement summons, apply to have the summons cancelled or be excused from jury service; and 10
- (g) the date of issue of the summons; and
- (h) the name and title of the person issuing the summons.
- Additional requirements for replacement summons*
- (4) A replacement summons must also include—
- (a) the date on which the person was originally summoned to attend for jury service; and 15
- (b) the date on which the person’s attendance for jury service was deferred; and
- (c) the start and end dates of the period for which the person’s jury service was deferred under section 14B(1). 20
- 73 Section 18 amended (Selection of jurors)**
- (1) In section 18, delete “in the precincts of the court”.
- (2) In section 18, insert as subsection (2):
- (2) The jury may be selected—
- (a) at a court or an alternative location; or 25
- (b) by electronic means.
- 74 Section 35 amended (Jury rules)**
- (1) Repeal section 35(1)(c)(i).
- (2) In section 35(1A), delete—
- (a) “form or”; and 30
- (b) “forms or”.

Amendments to Jury Rules 1990

75 Principal rules

Sections 76 to 88 amend the Jury Rules 1990.

- 76 Rule 10 amended (Registrar to summon jurors)**
- (1) Revoke rule 10(2).
- (2) After rule 10(3)(c), insert:
- (d) by electronic communication to the juror’s electronic address.
- 77 Rule 13 amended (Registrar to prepare jury cards)** 5
- After rule 13(1), insert:
- (1A) However, this rule does not apply to a juror selected after preliminary balloting by electronic means in accordance with **rule 15A**.
- 78 Rule 14 replaced (Jurors to assemble in court precincts)**
- Replace rule 14 with: 10
- 14 Jurors to assemble in court precincts or alternative location for preliminary balloting**
- Jurors summoned to attend preliminary balloting must do so in the area of the court precincts or at an alternative location designated for the purpose by the Registrar. 15
- 79 Rule 15 replaced (Preliminary balloting of jurors)**
- Replace rule 15 with:
- 15 Preliminary balloting of jurors**
- Preliminary balloting: mandatory attendance*
- (1) If jurors are summoned to attend a preliminary selection process, that process may take place by way of a ballot and any preliminary balloting must take place— 20
- (a) in the area designated under **rule 14**; and
- (b) on the day on which the trial or trials are to commence or on a preceding day in that week. 25
- (2) The Registrar must (unless **subclause (3)** or rule 18 applies), in the presence of the jurors and any party who wishes to be present, draw out of the principal ballot box, in a manner that ensures random selection, a sufficient number of jury cards.
- (3) The available jurors are not required to be in the presence of the Registrar when the Registrar draws the cards if— 30
- (a) it would not be reasonably practicable to meet physical distancing requirements relating to a quarantinable disease if the available jurors were to be in the presence of the Registrar at that time; and
- (b) as each card is drawn, the name of the juror on the card is called out; and 35

- (c) arrangements are in place to ensure that any available jurors who are not in the presence of the Registrar at that time are instead in another room or area of the court precincts where they are able to hear each name as it is called out (for example, by audio or audiovisual link).
- Preliminary balloting: optional or no attendance* 5
- (4) If jurors have not been summoned to attend preliminary balloting, preliminary balloting must take place—
- (a) at a location designated under **rule 14** with jurors and parties being able to attend that location; or
- (b) at a location designated under **rule 14** with jurors and parties being able to observe the process by electronic means (for example, by audio, or audiovisual link); or 10
- (c) by electronic means in accordance with **rule 15A** without jurors or parties observing the process.
- (5) Preliminary balloting under **subclause (4)** may take place in advance of the week during which any trials are to take place. 15
- (6) If preliminary balloting takes place under **subclause (4)(a) or (b)**,—
- (a) jurors and parties may, but are not required, to attend it; and
- (b) the Registrar must draw out of the principal ballot box, in a manner that ensures random selection, a sufficient number of jury cards. 20
- (7) If preliminary balloting takes place under **subclause (4)(a) or (b)** in advance of the day or week on or in which trials are to take place, the Registrar must take reasonable steps to ensure that a sufficient number of cards is drawn to enable a jury to be empanelled.
- Steps after preliminary balloting completed* 25
- (8) The Registrar must place the cards drawn out of the principal ballot box in accordance with **subclause (2) or (6)** in the courtroom ballot box.
- 80 New rule 15A inserted (Preliminary balloting of jurors: electronic selection)**
- After rule 15, insert: 30
- 15A Preliminary balloting of jurors: electronic selection**
- (1) If preliminary balloting of jurors is conducted by electronic means, the Registrar must arrange for the electronic selection of a sufficient number of names from the final panel to ensure enough jurors for the period in respect of which the panel is to be used. 35
- (2) The selection must be made using a computer program that ensures random selection.

- (3) The Registrar must ensure that jury cards with the names of the jurors selected are prepared and are placed in the courtroom ballot box.
- 81 Rule 16 amended (Escorting of jurors to courtroom)**
Replace rule 16(1) with:
- (1) If preliminary balloting of jurors takes place out of the courtroom in which the trial or trials are to be held and on the day on which the trial or trials are to be conducted, the Registrar must escort any balloted jurors present in that location to that courtroom. 5
- 82 Rule 17 replaced (Balloting of jurors)**
Replace rule 17 with: 10
- 17 Balloting of jurors**
When preliminary balloting of jurors has been completed, the Registrar must in open court, and in the presence of the parties, draw out of the courtroom ballot box in a manner that ensures random selection a sufficient number of jury cards to constitute the jury. 15
- 83 Rule 18 amended (Judge may dispense with preliminary balloting)**
- (1) In rule 18(1) and (2), after “rule 15”, insert “or **15A**”.
- (2) In rule 18(2), replace “in such a manner as to ensure” with “in a manner that ensures”.
- 84 Rule 20 amended (Insufficiency of jurors)** 20
In rule 20(a), after “rules 15”, insert “, **15A**”.
- 85 Rule 21 amended (Excess of jurors)**
In rule 21, replace “rule 15(1) or rule 18(2)” with “**rule 15(2), (6), 15A(1), or 18(2)**”.
- 86 Rule 31 amended (Application of temporary provisions in Schedule 1AA)** 25
- (1) In rule 31(1), replace “6, 7, and 8” with “6, and 7”.
- (2) Revoke rule 31(3)(g).
- 87 Schedule 1AA amended**
In Schedule 1AA,—
- (a) revoke clause 3(1); and 30
- (b) revoke clause 8.
- 88 Schedule 1 amended**
In Schedule 1, revoke forms 1 and 1A.

Part 6 Other amendments

Subpart 1—Amendments to Bail Act 2000

- 89 Principal Act** 5
This subpart amends the Bail Act 2000.
- 90 Section 27 amended (Bail on adjournment)**
Replace section 27(2) with:
- (2) A Registrar may exercise the power to grant bail to a defendant under section 168 of the Criminal Procedure Act 2011. ~~exercise the power conferred by subsection (1) to grant bail if—~~ 10
- (a) ~~the defendant has not been charged with a family violence offence; and~~
(b) ~~the prosecutor agrees.~~
- (3) ~~This section does not affect the powers of a Registrar under sections 167 and 168 of the Criminal Procedure Act 2011 to adjourn a proceeding and continue bail that a judicial officer has previously granted to a defendant until the next court date.~~ 15
- 91 Section 30AAA amended (Conditions of bail granted to defendant charged with family violence offence)**
In section 30AAA, delete “or Registrar” in each place.
- 92 Section 33 amended (Variation of conditions of bail)** 20
Replace section 33(5)(b) with:
- (b) the offence is not a family violence offence; and
(c) the prosecutor agrees.
- Subpart 2—Amendments to Criminal Disclosure Act 2008
- 93 Principal Act** 25
This subpart amends the Criminal Disclosure Act 2008.
- 94 Section 13 amended (Full disclosure)**
In section 13(3)(c), before “address”, insert “residential”.
- 95 Section 14A amended (Information relating to identification witnesses to be supplied to defendant)** 30
In section 14A(2)(a), before “address”, insert “residential”.

- 96 Section 17 amended (Restriction on disclosing address of witness or informant)**
- (1) In the heading to section 17, replace “**address**”, with “**residential and work addresses**”.
- (2) Replace section 17(1) and (2) with: 5
- (1) This section applies to the following:
- (a) information that identifies, or that may lead to the identification of, the address of the place where a witness or an informant lives, including, but not limited to, the postal address, residential address, email address, or phone number of the witness or informant: 10
- (b) information that identifies, or that may lead to the identification of, the address of the place where a witness or an informant works, including, but not limited to, the postal, physical, or email address of the workplace or the work email address or phone number of the witness or informant.
- Disclosure of residential address* 15
- (2) The information in **subsection (1)(a)** may be disclosed to the defendant only if—
- (a) the court gives leave to disclose it ; or
- (b) it is information in the charge and it is necessary to disclose it to fully and fairly inform the defendant of the charge. 20
- Disclosure of workplace address*
- (2A) The information in **subsection (1)(b)** may be disclosed to the defendant only if—
- (a) the court gives leave to disclose it; or
- (b) it is information that relates to the charge or the case against the defendant, and it is necessary to disclose it to fully and fairly inform the defendant of the charge or the case against the defendant. 25
- (3) Repeal section 17(5).

Subpart 3—Amendments to Criminal Procedure Act 2011

97 Principal Act 30

This subpart amends the Criminal Procedure Act 2011.

97A Section 5 amended (Interpretation)

In section 5, insert in its appropriate alphabetical order:

family violence offence has the meaning given in section 3 of the Bail Act 2000 35

97B Section 16A amended (Specifying that offence charged is, or that conviction entered is for, family violence offence)

Repeal section 16A(5).

97C Section 168 amended (Dealing with defendant on adjournment)

After section 168(1), insert:

(1A) A Registrar may exercise the power under subsection(1)(a) to allow a defendant to go at large if—

(a) the defendant has not been charged with a family violence offence and the prosecutor agrees; or

(b) the defendant has been charged with a family violence offence, but—

(i) the defendant is currently at large because of a decision of a judicial officer; and

(ii) the prosecutor agrees.

(1B) A Registrar may exercise the power under subsection (1)(b) to grant the defendant bail under the Bail Act 2000 if—

(a) the defendant has not been charged with a family violence offence and the prosecutor agrees; or

(b) the defendant has been charged with a family violence offence, but—

(i) the defendant is currently on bail because of a decision of a judicial officer; and

(ii) the prosecutor agrees; and

(iii) bail is continued on the same conditions that currently apply to the defendant.

97D Section 168A amended (No-contact conditions if family violence offence defendant remanded in custody)

In section 168A(4), repeal the definition of family violence offence.

98 New section 198B inserted (Powers relating to right of public to enter and remain in areas of court)

After section 198A, insert:

198B Powers relating to right of public to enter and remain in areas of court

(1) Nothing in sections 196 to 198 limits or affects—

(a) any inherent or implied powers of a judicial officer to give directions or impose requirements that must be met by persons entering and remaining in a court:

(b) the powers of a presiding judicial officer, a head of bench, the chief executive (or a person acting on behalf of the chief executive), or a court

	security officer to give directions or impose requirements under section 11A(1) of the Courts Security Act 1999 that must be met by persons entering and remaining in a court.	
(2)	In subsection (1)(b) ,—	
	chief executive, court security officer, and presiding judicial officer have the same meanings as in section 2 of the Courts Security Act 1999	5
	head of bench means, in relation to—	
	(a) the Supreme Court, the Chief Justice:	
	(b) the Court of Appeal, the President of the Court of Appeal:	
	(c) the High Court, the Chief High Court Judge:	10
	(d) the District Court, the Chief District Court Judge.	
99	Section 333 amended (Powers exercisable by Judges of Court of Appeal)	
	In section 333(1), replace “section 45” with “section 45 or 112”.	
	Subpart 4—Amendments to Criminal Procedure (Mentally Impaired Persons) Act 2003	15
100	Principal Act	
	This subpart amends the Criminal Procedure (Mentally Impaired Persons) Act 2003.	
101	Section 46 replaced (Access to assessment reports)	
	Replace section 46 with:	20
46	Access to assessment reports	
(1)	The following persons have access to a report submitted to a court under section 38 and held by the court:	
	(a) the prosecutor:	
	(b) the manager or other person in charge of, or a staff member of, a prison to which the subject is sent, whether during any proceedings or in accordance with a sentence imposed on the subject:	25
	(c) a Director of Area Mental Health Services or a staff member of a hospital who requires access to the report for the purposes of the Director’s or staff member’s official duties:	30
	(d) a co-ordinator or a staff member of a facility who requires access to the report for the purposes of the co-ordinator’s or staff member’s official duties:	
	(e) an officer or employee of the Department of Corrections or of the Ministry of Justice or of the Ministry of Health who requires access to the report for the purposes of the officer’s or employee’s official duties:	35

- (f) a health assessor who,—
- (i) in accordance with an order under section 38(1), is to prepare an assessment report; or
 - (ii) in accordance with a direction under section 39(1), is to provide a second opinion on the subject; or
 - (iii) is to prepare a report for the purposes of section 88(1) of the Sentencing Act 2002.
- (2) If, because of an order under section 45(3), a subject may not be shown a part of a report, the subject may not have access to that part of the report under the Official Information Act 1982 or the Privacy Act 2020.

Subpart 5—Amendments to Employment Relations Act 2000

102 Principal Act

This subpart amends the Employment Relations Act 2000.

103 Section 128 amended (Reimbursement)

In section 128(2) and (3), after “the Authority”, insert “or the court”. 15

104 Section 232 amended (Compilation of wages and time record)

In section 232(3), after “the Authority”, insert “or the court”.

105 Schedule 3 amended

In Schedule 3, clause 15(2), replace “Authority” with “court”.

Subpart 6—Amendments to Senior Courts Act 2016 20

106 Principal Act

This subpart amends the Senior Courts Act 2016.

107 Section 20 amended (Associate Judge may exercise certain powers of High Court)

Replace section 20(1)(d) with: 25

- (d) case management of, and interlocutory applications in, proceedings under the Admiralty Act 1973:

108 Section 22 amended (Rules conferring on Associate Judges specified jurisdiction and powers of High Court Judge in chambers)

Replace section 22(4)(e) with: 30

- (e) an action *in rem* under the Admiralty Act 1973 (other than in respect of case management or an interlocutory application):

109 Section 111 amended (Appointment of acting Judges of Supreme Court by Governor-General)

Repeal section 111(6).

Schedule 1**New Part 3 inserted into Schedule 1 of the Coroners Act 2006****s 43****Part 3****Provisions relating to Regulatory Systems (Courts) Amendment Act
Bill 2024**

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8 Interpretation

In this Part,—

commencement date means the date on which **section 65A** of the Coroners Act 2006 comes into force.

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9 Application of section 65A to inquiries opened before commencement dateAn inquiry opened before the commencement date is an inquiry for the purposes of **section 65A**.**10 References to previous Title of principal regulations**

A reference in any legislation and in any document to the Coroners (Doctors Fees) Regulations 2022 must, unless the context otherwise requires, be read as a reference to the Coroners (Doctors and Nurse Practitioners Fees) Regulations 2022.

15

Schedule 2
New Schedule 1 inserted into Coroners (Doctors Fees) Regulations
2022

s 50

Schedule 1
Transitional, savings, and related provisions

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r 4A

Part 1
Provision relating to Regulatory Systems (Courts) Amendment Act
2024

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1 **References to previous Title**

A reference in any legislation and in any document to the Coroners (Doctors Fees) Regulations 2022 must, unless the context otherwise provides, be read as a reference to the Coroners (Doctors and Nurse Practitioners Fees) Regulations 2022.

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Legislative history

18 December 2024
 18 February 2025

Introduction (Bill 117–1)
 First reading and referral to Justice Committee