

# Policing Amendment Bill

Government Bill

## Explanatory note

### General policy statement

The Policing Amendment Bill (the **Bill**) amends the Policing Act 2008 (the **Act**) in 2 ways.

#### Part 1

*Part 1* of the Bill reaffirms the New Zealand Police's (the **Police's**) longstanding ability to record images and sounds in public places, and to collect personal information for lawful purposes, including intelligence. The ability to collect and use information is essential to the Police's delivery of a broad range of policing functions and services that support the vision for New Zealand to be the safest country, where people can go about their daily life without fear of harm or victimisation.

The recent *Tamiefuna v R* [2025] NZSC 40 (*Tamiefuna*) judgment and the findings of the *Joint Inquiry by the Independent Police Conduct Authority and the Privacy Commissioner into Police conduct when photographing members of the public* (the **Joint Inquiry**), have together narrowed the law.<sup>1</sup> This has created uncertainty about the Police's lawful authority to record images and sounds in public places and private places where the Police is lawfully allowed, and to use this information for a wide range of policing purposes, including for intelligence. The Police now faces significant restrictions in its ability to undertake routine information collection to support its broad policing functions, leaving the Police with fewer rights than the general public to record images. Further certainty is needed. The Bill will reaffirm that the Police

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<sup>1</sup> *Tamiefuna* limits the authority of the Police to gather intelligence (in the form of images) lawfully and goes further than the law was before the judgment, particularly when read in conjunction with the findings of the Joint Inquiry relating to photography or video recording for general intelligence purposes.

has clear lawful authority to collect information for the purposes of performing broad policing functions and duties.

*Part 1* amends the Act to make it clear that—

- the Police may collect<sup>2</sup> or record information that may be used now or in the future for any lawful purpose, including for intelligence purposes, to the extent that it supports a policing function:
- a Police employee must not collect information for an intelligence purpose unless they consider that the information will or may support the Police in performing a function, or carrying on an activity, of the Police:
- the Police may record (only when such collection is for the Police’s lawful purposes, functions, and associated activities)—
  - any image or sound in a public place:
  - anything the Police can see or hear while lawfully in any private place or in or on a vehicle or other thing:
- continuous recording and other forms of capture of images and sounds by the Police is allowed when it is for lawful purposes, including purposes that may promote the safety or the integrity of Police officers, or other policing functions or associated activities, including (but not constrained solely to) investigations. However, continuous ongoing recording or ongoing capture may be undertaken solely for an intelligence purpose only if—
  - it is reasonable to take the recording solely for an intelligence purpose; and
  - the duration of the recording is no longer than is reasonable in the circumstances:
- the proposed changes would not limit or affect the Police’s intelligence-gathering function at common law or the ability of the Police or any other agency to collect information under any other legislation or any power given by the common law.

## **Part 2**

*Part 2* of the Bill expands the temporary road closure powers currently in the Act to include a broader range of areas that may be subject to closure, and to provide the Police with the necessary powers to deter and enforce non-compliance with temporary area closures.

The temporary closure powers apply to all traffic (including pedestrians and bystanders). However, these are limited to the existing specified circumstances that are currently in the Act and to where certain antisocial road use activity is occurring or is reasonably expected to occur.

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<sup>2</sup> Collection also includes the gathering, obtaining, or receiving of information.

The proposals support the Police to undertake its lawful functions, including maintaining public safety, keeping the peace, law enforcement, crime prevention, and community support and reassurance. This benefits the public's perception of trust and confidence in the Police. These decisions will still be subject to external scrutiny, including from the courts and the Independent Police Conduct Authority.

*Part 2* leverages existing work that the Government is progressing through other legislation to deter antisocial driving behaviour that negatively affects road user and community safety. Specifically, that Part expands the Police's existing temporary closure powers to include circumstances that are broader than vehicle-related offending, as well as expanding the geographical size of areas that may be subject to temporary closure. Those amendments will also provide the Police with the necessary powers to deter and enforce non-compliance with temporary area closures.

*Part 2* amends the Act to—

- consolidate and expand the temporary closure power of the Police by expanding existing temporary road closure powers to include all public and private areas accessible to the public by vehicle (eg, parks, river catchments, beaches, reserves, golf courses, and car parks);
- enable the Police to direct vehicles and persons to leave a temporarily closed accessible area by establishing—
  - a new power to stop vehicles and direct any vehicle and any person in or on the vehicle to leave an area that has been temporarily closed under the Act;
  - a new offence that carries a penalty upon conviction of imprisonment for a term not exceeding 3 months or a fine imposed by a court not exceeding \$2,000 for a person who—
    - fails to stop as soon as practicable when required to do so by a constable, for the purpose of directing any person in or on a vehicle to leave a temporarily closed area; and
    - knows, or ought reasonably to know, that the person exercising the power is a constable;
- create a new infringement offence for a person who, without reasonable excuse, fails to comply with a direction to leave, or not to enter, a closed area with an infringement fee of \$1,000 or a fine imposed by a court not exceeding \$3,000;
- enhance identification and information-gathering by establishing—
  - a new power to obtain biographical details for the purpose of issuing an infringement notice to a person who, without reasonable excuse, fails to comply with a direction to leave, or not to enter, a closed area; and
  - a new offence that carries a penalty upon conviction of imprisonment for a term not exceeding 3 months or a fine imposed by a court not exceeding \$2,000 for a person who fails, without reasonable excuse, to provide

biographical details for the purpose of issuing an infringement notice to a person who, without reasonable excuse, fails to comply with a direction to leave, or not to enter, a closed area:

- establishes a new power to detain and move a person, using such force as may be reasonably necessary, if the person, without reasonable excuse, fails to leave or enters a temporarily closed area, for the purpose of—
  - removing that person from a closed area or preventing them from entering that area:
  - issuing an infringement notice for failure to comply with a direction to leave or not enter a closed area.

### **Departmental disclosure statement**

The New Zealand Police is required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2026&no=268>

### **Regulatory impact statement**

The New Zealand Police produced a regulatory impact statement on 11 September 2025 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

A copy of this regulatory impact statement can be found at—

- <https://www.police.govt.nz/about-us/publication/proposed-changes-policing-act-2008>
- <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/>

### **Clause by clause analysis**

*Clause 1* is the Title clause.

*Clause 2* is the commencement clause. *Part 1* comes into force a month after Royal assent. Some provisions in *Part 2* come into force 6 months after Royal assent. Other provisions in *Part 2* come into force on a single date appointed by Order in Council or, if they have not come into force earlier, on the second anniversary of Royal assent. The reason for commencement by Order in Council is to allow those provisions to be brought into force after the Police have implemented an information technology system to process infringement offences under the Policing Act 2008.

*Clause 3* provides that the Bill amends the Policing Act 2008.

## Part 1

### Amendment that commences a month after Royal assent

*Clause 4* inserts *new sections 45A to 45E*.

*New section 45A* provides that the Police may collect information for 1 or more of the following purposes:

- to support the safety of a Police employee while they are performing their duties as a Police employee:
- to support the integrity of policing:
- an intelligence purpose connected with a function, or an activity, of the Police:
- any other lawful purpose connected with a function, or an activity, of the Police.

*New section 45B* provides that a Police employee may, for 1 or more of the purposes set out in *new section 45A*, record, by any means,—

- visual images of any person or thing that is in, or that can be observed from, a public place; and
- any sound that is emitted from, or that can be heard in, a public place.

*New section 45C* provides that a Police employee who is lawfully on private property may, for 1 or more of the purposes set out in *new section 45A*, record, by any means, anything that they—

- can see or hear there; and
- do not need to use a surveillance device to see or hear.

*New section 45D* contains 2 restrictions on the ability of a Police employee to collect information for an intelligence purpose.

The first of these restrictions prohibits a Police employee from collecting information for an intelligence purpose unless they consider that the information will or may support the Police in performing a function, or carrying out an activity, of the Police.

The second restriction prevents a Police employee from making a continuous sound or video recording solely for an intelligence purpose unless—

- making the recording solely for that purpose is reasonable; and
- the duration of the recording is not longer than is reasonable in the circumstances.

*New section 45E* provides that nothing in *new sections 45A to 45D* limits or affects—

- the Police's intelligence-gathering function at common law; or
- the ability of the Police or any other agency to collect information under—
  - other legislation; or
  - a power given by the common law.

## Part 2

### Amendments that commence at least 6 months after Royal assent

*Clause 5* amends section 4, which is an interpretation section, to add 7 new definitions. The definitions are split into 2 subclauses to allow for separate commencement dates (*see clause 2*).

*Subclause (1)* inserts definitions of accessible area, motor vehicle, and vehicle. Accessible area is defined as an area of land that is accessible to the public, or a section of the public, by motor vehicle,—

- whether for free or on payment of a charge; and
- whether or not any owner or occupier of the area is lawfully entitled to exclude or eject any person from it.

*Subclause (2)* inserts definitions of electronic address, infringement fee, infringement offence, and regulations. The need for these definitions arises from the insertion of *new sections 46A to 46G* (*see clause 9*).

*Clause 6* replaces section 35, which authorises a constable to temporarily close a road to traffic on grounds relating to public disorder, danger to the public, or in connection with a serious offence, with *new sections 35 to 35C*.

*New section 35* authorises a constable to temporarily close an accessible area to traffic on 3 new grounds relating to antisocial road use in addition to the existing 3 grounds in section 35.

*New section 35A* empowers a constable to direct a person to leave, or not to enter, an accessible area that is closed to traffic.

*New section 35B* empowers a constable to stop a vehicle for the purpose of giving a direction to leave, or not to enter, an accessible area that is closed to traffic.

*New section 35C* empowers a constable to move and detain a person who fails to comply with a direction to leave, or not to enter, an accessible area that is closed to traffic. The detention must be for the purpose of preventing the person from re-entering the accessible area.

*Clause 7* inserts *new section 35BA*, which enables a constable to require a person to provide their name, address, date of birth, and electronic address (if any) for the purpose of issuing an infringement notice to the person in respect of an infringement offence.

*Clause 8* amends *new section 35C* (as inserted by *clause 6*) to enable a constable to detain a person who fails to comply with a direction to leave, or not to enter, an accessible area that is closed to traffic for the purpose of enabling the Police to obtain the person's name, address, date of birth, and electronic address (if any). *Clause 8*, which may be brought into force by Order in Council, comes into force after *clause 6* (*see clause 2*).

*Clause 9* inserts *new sections 46A to 46G* and a cross-heading.

*New section 46A* creates a new infringement offence of failing to comply with a direction, given under *new section 35A* (see *clause 6*), to leave, or not to enter, an accessible area that is closed to traffic. The new offence makes a person who fails to comply with a direction liable to an infringement fee of \$1,000 or a court-imposed fine not exceeding \$3,000.

*New sections 46B to 46G* contain largely standard provisions relating to infringement offences. As there are currently no infringement offences under the Policing Act 2008, these provisions are needed as a consequence of *new section 46A*, which creates an infringement offence.

*Clause 10* replaces a cross-heading.

*Clause 11* inserts *new section 54*, which creates a new offence of failing to stop when required by a constable exercising the power under *new section 35B* (see *clause 6*). A person must know, or ought reasonably to know, that the person exercising the power is a constable in order to commit the offence. The penalty for the new offence is imprisonment for a term not exceeding 3 months or a fine not exceeding \$2,000.

*Clause 12* inserts *new section 54A*, which creates a new offence of failing to provide biographical details to a constable exercising the power under *new section 35BA(2)* (see *clause 7*). The penalty for the new offence is imprisonment for a term not exceeding 3 months or a fine not exceeding \$2,000.

#### *Consequential amendment to Summary Proceedings Act 1957*

*Clause 13* provides that *clause 14* amends the Summary Proceedings Act 1957.

*Clause 14* makes a consequential amendment to the definition of infringement notice in section 2(1) of the Summary Proceedings Act 1957. This amendment is required to ensure that the new infringement offence in the Policing Act 2008 is an infringement offence under the Summary Proceedings Act 1957 (see *clause 9*).



*Hon Mark Mitchell*

## **Policing Amendment Bill**

Government Bill

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**The Parliament of New Zealand enacts as follows:**

**1 Title**

This Act is the Policing Amendment Act **2026**.

**2 Commencement**

- (1) **Part 1** comes into force a month after Royal assent.
- (2) **Sections 5(1), 6, and 11** come into force 6 months after Royal assent.
- (3) **Sections 5(2), 7, 8, 9, 10, 12, and 14** come into force on a single date set by Order in Council, which must be after the day on which **sections 5(1), 6, and 11** come into force.

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- (4) If **sections 5(2), 7, 8, 9, 10, 12, and 14** have not come into force by the second anniversary of Royal assent, they come into force then.
- (5) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

### 3 **Principal Act**

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This Act amends the Policing Act 2008.

## **Part 1**

### **Amendment that commences a month after Royal assent**

#### 4 **New sections 45A to 45E inserted**

After section 45, insert:

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##### **45A Purposes for which Police may collect information**

The Police may collect information for 1 or more of the following purposes:

- (a) to support the safety of a Police employee while they are performing their duties as a Police employee:
- (b) to support the integrity of policing:
- (c) an intelligence purpose connected with a function, or an activity, of the Police:
- (d) any other lawful purpose connected with a function, or an activity, of the Police.

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##### **45B Recording by Police employee: public places**

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A Police employee may, for 1 or more of the purposes set out in **section 45A**, record, by any means,—

- (a) visual images of any person or thing that is in, or that can be observed from, a public place; and
- (b) any sound that is emitted from, or that can be heard in, a public place.

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##### **45C Recording by Police employee: private property**

- (1) A Police employee who is lawfully on private property may, for 1 or more of the purposes set out in **section 45A**, record, by any means, anything that they—

- (a) can see or hear there; and
- (b) do not need to use a surveillance device to see or hear.

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- (2) In this section, **surveillance device** has the meaning given in section 3(1) of the Search and Surveillance Act 2012.

<b>45D</b>	<b>Restrictions on Police employee collecting information for intelligence purpose</b>	
	Despite anything in <b>sections 45A to 45C</b> , a Police employee—	
(a)	must not collect information for an intelligence purpose unless they consider that the information will or may support the Police in performing a function, or carrying out an activity, of the Police; and	5
(b)	may make a continuous sound or video recording solely for an intelligence purpose only if—	
(i)	<b>paragraph (a)</b> does not prevent them from making the recording for that purpose; and	10
(ii)	making the recording solely for that purpose is reasonable; and	
(iii)	the duration of the recording is not longer than is reasonable in the circumstances.	
<b>45E</b>	<b>Relationship between sections 45A to 45D and other law</b>	
	Nothing in <b>sections 45A to 45D</b> limits or affects—	15
(a)	the Police’s intelligence-gathering function at common law; or	
(b)	the ability of the Police or any other agency to collect information under—	
(i)	other legislation; or	
(ii)	a power given by the common law.	20

## Part 2

### Amendments that commence at least 6 months after Royal assent

<b>5</b>	<b>Section 4 amended (Interpretation)</b>	
(1)	In section 4, insert in their appropriate alphabetical order:	
	<b>accessible area</b> means an area of land that is accessible to the public, or a section of the public, by motor vehicle,—	25
(a)	whether for free or on payment of a charge; and	
(b)	whether or not any owner or occupier of the area is lawfully entitled to exclude or eject any person from it	
	<b>motor vehicle</b> has the meaning given in section 2(1) of the Land Transport Act 1998	30
	<b>vehicle</b> has the meaning given in section 2(1) of the Land Transport Act 1998	
(2)	In section 4, insert in their appropriate alphabetical order:	
	<b>electronic address</b> has the meaning given in section 4(1) of the Unsolicited Electronic Messages Act 2007	35

**infringement fee**, in relation to an infringement offence, means the infringement fee—

- (a) for the infringement offence; and
- (b) specified in **section 46A**

**infringement offence** means an offence against **section 46A**

**regulations** means regulations made under this Act

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## 6 Section 35 replaced (Temporary closing of roads)

Replace section 35 with:

### 35 Temporary closing of accessible areas

*When subsection (2) applies*

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- (1) **Subsection (2)** applies if a constable believes on reasonable grounds that 1 or more of the following apply in relation to a place (which may, but need not, be an accessible area):

- (a) public disorder exists or is imminent at or near the place:
- (b) danger to a member of the public exists or may reasonably be expected at or near the place: 15
- (c) an offence punishable by 10 or more years' imprisonment has been committed or discovered at or near the place:
- (d) an antisocial road use offence is being committed, or may reasonably be expected to be committed, at or near the place: 20
- (e) a person is operating, or may reasonably be expected to operate, a motor vehicle at or near the place in a way that—
  - (i) creates, or is likely to create, noise that, having regard to all the circumstances, is excessive; and
  - (ii) unreasonably interferes, or is likely to unreasonably interfere, with use and enjoyment of the place by the public or a section of the public; and 25
  - (iii) causes, or is likely to cause, damage to, or destruction of, either or both of the following:
    - (A) the place: 30
    - (B) amenities or features in the place:
- (f) a group of 2 or more people is causing, or may reasonably be expected to cause, noise that—
  - (i) is created, or is likely to be created, by any means in or on a vehicle that is at or near the place; and 35
  - (ii) having regard to all the circumstances, is excessive.

	<i>Power to close accessible area or part of accessible area to traffic</i>	
(2)	The constable may, for a period that is reasonably necessary in the circumstances, close to traffic—	
	(a) the place (if the place is an accessible area); or	
	(b) part of the place (if that part of the place is an accessible area); or	5
	(c) any accessible area, or part of any accessible area,—	
	(i) leading to or from the place; or	
	(ii) in the vicinity of the place.	
(3)	When closing an accessible area or part of an accessible area to traffic under <b>subsection (2)</b> , the constable may specify a type or types of traffic to which the accessible area, or that part of the accessible area, is closed.	10
	<i>Definitions</i>	
(4)	In this section,—	
	<b>antisocial road use offence</b> means either of the following offences against the Land Transport Act 1998:	15
	(a) an offence against section 36A(1)(a) (operates a motor vehicle in a race, or in an unnecessary exhibition of speed or acceleration, on a road in contravention of section 22A(1));	
	(b) an offence against section 36A(1)(c) (without reasonable excuse, operates a motor vehicle on a road in a manner that causes the vehicle to undergo sustained loss of traction in contravention of section 22A(3))	20
	<b>traffic</b> means all traffic (including pedestrian traffic).	
<b>35A</b>	<b>Direction to leave, or not to enter, closed accessible area</b>	
	If an accessible area or part of an accessible area is closed to traffic under <b>section 35(2)</b> , a constable may direct a person to leave, or not to enter, the accessible area or that part of the accessible area.	25
<b>35B</b>	<b>Stopping vehicles for purpose of giving direction to leave, or not to enter, closed accessible area</b>	
	If an accessible area or part of an accessible area is closed to traffic under <b>section 35(2)</b> , a constable may stop a vehicle for the purpose of giving a direction under <b>section 35A</b> to any person in or on the vehicle.	30
<b>35C</b>	<b>Moving and detaining person who fails to comply with direction under section 35A</b>	
(1)	A constable who has good cause to suspect that a person has, without reasonable excuse, failed to comply with a direction under <b>section 35A</b> , may do either or both of the following things:	35

- (a) move the person to any place outside the accessible area or the part of the accessible area to which the direction relates:
  - (b) detain the person at any place outside the accessible area or the part of the accessible area to which the direction relates for the purpose of preventing them from re-entering that accessible area or that part of the accessible area. 5
- (2) A constable may use reasonable force, if necessary, to move or detain a person under this section.
  - (3) A constable must not detain a person under this section for longer than is reasonably necessary in the circumstances. 10
  - (4) In this section, **place** includes any land, building, premises, or vehicle.

**7 New section 35BA inserted (Requiring provision of biographical details for purpose of issuing infringement notice for infringement offence)**

After **section 35B** (as inserted by **section 6** of this Act), insert:

**35BA Requiring provision of biographical details for purpose of issuing infringement notice for infringement offence** 15

- (1) The purpose of this section is to enable the Police to obtain biographical details from a specified person for the purpose of issuing an infringement notice to the specified person under **section 46C** in respect of an infringement offence.
- (2) For the purpose of this section, a constable may require a specified person to provide the specified person's biographical details. 20
- (3) In this section and **sections 35C and 54A**, **biographical details**, in relation to a person, means the person's—
  - (a) name; and
  - (b) address; and 25
  - (c) date of birth; and
  - (d) electronic address (if any).
- (4) In this section, **specified person** means a person who is not a person from whom a constable may take identifying particulars under section 32 or 33.

**8 Section 35C amended (Moving and detaining person who fails to comply with direction under section 35A)** 30

Replace **section 35C(1)(b)** (as inserted by **section 6** of this Act) with:

- (b) detain the person at any place outside the accessible area or the part of the accessible area to which the direction relates for either or both of the following purposes: 35
  - (i) to enable the Police to obtain the person's biographical details under **section 35BA**:

- (ii) to prevent the person from re-entering that accessible area or that part of the accessible area.

## 9 New sections 46A to 46G and cross-heading inserted

After section 46, insert:

	<i>Infringement offences</i>	5
<b>46A</b>	<b>Infringement offence to fail to comply with direction to leave, or not to enter, closed accessible area</b>	
	A person who, without reasonable excuse, fails to comply with a direction under <b>section 35A</b> commits an infringement offence and is liable to—	
	(a) an infringement fee of \$1,000; or	10
	(b) a fine imposed by a court not exceeding \$3,000.	
<b>46B</b>	<b>Proceedings for infringement offences</b>	
(1)	A person who is alleged to have committed an infringement offence may—	
	(a) be proceeded against by the filing of a charging document under section 14 of the Criminal Procedure Act 2011; or	15
	(b) be issued with an infringement notice under <b>section 46C</b> .	
(2)	Proceedings commenced in the way described in <b>subsection (1)(a)</b> do not require the leave of a District Court Judge or Registrar under section 21(1)(a) of the Summary Proceedings Act 1957.	
(3)	<i>See</i> section 21 of the Summary Proceedings Act 1957 for the procedure that applies if an infringement notice is issued.	20
<b>46C</b>	<b>When infringement notice may be issued</b>	
	A constable may issue an infringement notice to a person if the constable believes on reasonable grounds that the person is committing, or has committed, an infringement offence.	25
<b>46D</b>	<b>Revocation of infringement notice before payment made</b>	
(1)	The Commissioner may revoke an infringement notice before—	
	(a) the infringement fee is paid; or	
	(b) an order for payment of a fine is made or deemed to be made by a court under section 21 of the Summary Proceedings Act 1957.	30
(2)	The Commissioner must take reasonable steps to ensure that the person to whom the notice was issued is made aware of the revocation of the notice.	
(3)	The revocation of an infringement notice before the infringement fee is paid is not a bar to any further action as described in <b>section 46B(1)(a) or (b)</b> against the person to whom the notice was issued in respect of the same matter.	35

**46E What infringement notice must contain**

An infringement notice must be in the form prescribed in the regulations and must contain the following particulars:

- (a) details of the alleged infringement offence that fairly inform a person of the time, place, and nature of the alleged offence: 5
- (b) the amount of the infringement fee:
- (c) the address of the Police:
- (d) how the infringement fee may be paid:
- (e) the time within which the infringement fee must be paid:
- (f) a summary of the provisions of section 21(10) of the Summary Proceedings Act 1957: 10
- (g) a statement that the person served with the notice has a right to request a hearing:
- (h) a statement of what will happen if the person served with the notice neither pays the infringement fee nor requests a hearing: 15
- (i) any other matters prescribed in the regulations.

**46F How infringement notice may be served**

- (1) An infringement notice may be served on the person who the constable believes is committing or has committed the infringement offence by—
  - (a) delivering it to the person or, if the person refuses to accept it, bringing it to the person's notice; or 20
  - (b) leaving it for the person at the person's last known place of residence with another person who appears to be of or over the age of 14 years; or
  - (c) leaving it for the person at the person's place of business or work with another person; or 25
  - (d) sending it to the person by prepaid post addressed to the person's last known—
    - (i) place of residence; or
    - (ii) place of business or work; or
    - (iii) postal address; or 30
  - (e) sending it to—
    - (i) an electronic address that the person has given to a constable; or
    - (ii) if the person has not given an electronic address to a constable, the person's last known electronic address.
- (2) Unless the contrary is shown,— 35

(a)	an infringement notice (or a copy of it) sent by prepaid post to a person under <b>subsection (1)</b> is to be treated as having been served on that person on the fifth working day after the date on which it was posted; and	
(b)	an infringement notice sent to a valid electronic address is to be treated as having been served at the time the electronic communication first enters an information system that is outside the control of the Police.	5
<b>46G</b>	<b>Reminder notices</b>	
(1)	A reminder notice must be in the form prescribed in the regulations and must include the same particulars, or substantially the same particulars, as the infringement notice.	10
(2)	Despite section 24(1)(e) of the Summary Proceedings Act 1957, a reminder notice may be served on a person for the purposes of section 21(2) of that Act by sending it to the person by prepaid post addressed to the person's last known postal address, or by serving it in accordance with <b>section 46F(1)(e)</b> of this Act,—	15
(a)	in addition to the other modes of service set out in section 24(1) of the Summary Proceedings Act 1957; and	
(b)	without otherwise limiting or affecting the operation of section 24 of the Summary Proceedings Act 1957.	
<b>10</b>	<b>Cross-heading above section 47 replaced</b>	20
	Replace the cross-heading above section 47 with:	
	<i>Other offences</i>	
<b>11</b>	<b>New section 54 inserted (Failing to stop when required by constable exercising power under section 35B)</b>	
	After section 53, insert:	25
<b>54</b>	<b>Failing to stop when required by constable exercising power under section 35B</b>	
(1)	A person commits an offence if they—	
(a)	fail to stop as soon as practicable when required to do so by a constable exercising the power under <b>section 35B</b> ; and	30
(b)	know, or ought reasonably to know, that the person exercising the power is a constable.	
(2)	A person who commits an offence against this section is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$2,000.	35

**12 New section 54A inserted (Failing to provide biographical details to constable exercising power under section 35BA(2))**

After **section 54** (as inserted by **section 11** of this Act), insert:

**54A Failing to provide biographical details to constable exercising power under section 35BA(2)**

5

- (1) A person commits an offence if they fail, without reasonable excuse, to provide their biographical details when required to do so by a constable exercising the power under **section 35BA(2)**.
- (2) A person who commits an offence against this section is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$2,000.

10

*Consequential amendment to Summary Proceedings Act 1957*

**13 Principal Act**

**Section 14** amends the Summary Proceedings Act 1957.

**14 Section 2 amended (Interpretation)**

15

In section 2(1), definition of **infringement notice**, after paragraph (jm), insert:

(jn) **section 46C** of the Policing Act 2008; or