

Sentencing (Livestock Rustling) Amendment Bill

Member's Bill

Explanatory note

General policy statement

Livestock rustling (theft of livestock from farms or property) has recently become much more prevalent in New Zealand and is now at a level that is creating serious risk to farmers and their businesses. It is estimated to cost the farming community over \$120 million per year.

This activity not only is a threat to farming businesses but also creates risk to people's safety in more isolated parts of rural New Zealand, as often rustlers are armed and equipped with quite sophisticated tools to assist them.

This bill is designed to deter people from engaging in livestock rustling, by identifying it as an aggravating factor at sentencing.

This bill will give more confidence to victims of livestock rustling that there is an additional deterrent in place to discourage this type of crime.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause and provides that the bill will come into force on the day after it receives the Royal assent.

Clause 3 states that the bill amends the Sentencing Act 2002.

Clause 4 amends section 9, adding livestock rustling to the list of aggravating factors to be taken into account at sentencing. It also provides a definition of livestock for the purposes of that aggravating factor.

Ian McKelvie

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Sentencing (Livestock Rustling) Amendment Bill **2017**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent. 5

3 Principal Act

This Act amends the Sentencing Act 2002 (the **principal Act**).

4 Section 9 amended (Aggravating and mitigating factors)

(1) After section 9(1)(c), insert:

(ca) that the offence involved theft of livestock: 10

(2) After section 9(4), insert:

(4AA) In **subsection (1)(ca)**, **livestock** means animals kept as part of an agricultural operation, whether for commercial purposes or for private use.