



ANALYSIS

Title

- | | |
|--|---------------------------------|
| | 1. Short Title and commencement |
| | 2. Searching person |

1985, No. 131

An Act to amend the Customs Act 1966 to clarify the power to detain persons suspected of secreting controlled drugs or other goods about their persons for unlawful purposes
[13 September 1985]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the Customs Amendment Act 1985, and shall be read together with and deemed part of the Customs Act 1966 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of October 1985.

2. Searching person—(1) Section 213 of the principal Act is hereby amended by repealing subsection (1) (as substituted by section 8 (1) of the Customs Acts Amendment Act (No. 2) 1978), and substituting the following subsection:

“(1) Subject to this section, if any officer of Customs or any member of the Police has reasonable cause to suspect that any person has, for any unlawful purpose, secreted about his or her person any dutiable, restricted, or uncustomed goods, or any controlled drugs or other forfeited goods, the officer of Customs or member of the Police may cause that person to be detained and searched, and such force as may be reasonably necessary may be used against that person to effect such detention or search.”

(2) Section 213 of the principal Act is hereby further amended by omitting from subsection (7) (as added by section 8 (2) of the Customs Acts Amendment Act (No. 2) 1978) the words “uncustomed, or forfeited goods”, and substituting the words “or uncustomed goods, or any controlled drugs or other forfeited goods,”.

(3) Section 213 of the principal Act is hereby further amended by repealing subsection (8) (as added by section 8 (2) of the Customs Acts Amendment Act (No. 2) 1978), and substituting the following subsection:

“(8) In subsection (1) of this section, “unlawful purpose” means—

“(a) The doing of anything that constitutes an offence against any of the provisions of the Customs Acts; and

“(b) Importation or exportation in circumstances constituting an offence against any of the provisions of the Misuse of Drugs Act 1975; and

“(c) Concealment of the commission of any such offence.”

(4) Section 8 (1) of the Customs Acts Amendment Act (No. 2) 1978 is hereby consequentially repealed.

This Act is administered in the Customs Department.
