



## ANALYSIS

<p>Title</p> <p>1. Short Title and commencement</p> <p>2. Corrupt use of official information</p>	<p>3. Use or disclosure of personal information disclosed in breach of section 105A</p>
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1993, No. 33

**An Act to amend the Crimes Act 1961**

[17 May 1993]

BE IT ENACTED by the Parliament of New Zealand as follows:

**1. Short Title and commencement**—(1) This Act may be cited as the Crimes Amendment Act 1993, and shall be read together with and deemed part of the Crimes Act 1961 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of July 1993.

**2. Corrupt use of official information**—Section 105A of the principal Act (as inserted by section 3 of the Crimes Amendment Act (No. 2) 1982) is hereby amended by inserting, after the word “uses”, the words “or discloses”.

**3. Use or disclosure of personal information disclosed in breach of section 105A**—(1) The principal Act is hereby amended by inserting, after section 105A (as so inserted), the following section:

“105B. (1) Every person is liable to imprisonment for a term not exceeding 7 years who,—

“(a) Having received personal information (being information that comes into that person’s possession as a result of the commission of an offence against section 105A of this Act); and

“(b) Knowing that the information has been disclosed in contravention of that section,—

uses or discloses that information to obtain, directly or indirectly, an advantage or pecuniary gain for that person or any other person.

“(2) It is a defence to a charge under this section if the person charged proves that the person was legally authorised to use or disclose the information.

“(3) In this section, the term ‘personal information’ means any information about an identifiable natural person, including a deceased natural person.”

(2) Section 106 (1) of the Crimes Act 1961 (as amended by section 3 (2) of the Crimes Amendment Act (No. 2) 1982) is hereby amended by omitting the expression “and 105A”, and substituting the expression “105A, and 105B”.

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This Act is administered in the Department of Justice.

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