ANALYSIS

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1985, No. 10
An Act to amend the Criminal Justice Act 1954

[*8 March 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—This Act may be cited as the Criminal Justice Amendment Act 1985, and shall be read together with and deemed part of the Criminal Justice Act 1954.

2. Two new sections (relating to administration of work centres) substituted—(1) The Criminal Justice Amendment Act 1962 is hereby amended by repealing section 7, and substituting the following sections:

"7. **Warden charged with general administration of work centre**—(1) Subject to the provisions of this Act and to the control of the Secretary for Justice, every Warden of a work centre shall be charged with the general management of the work centre.

"(2) Every officer of a work centre shall have all of the powers of the Warden under this Act, except the power of delegation conferred by subsection (3) of this section.

"(3) Any Warden may, subject to any regulations made under this Act and to any directions given by the Secretary for Justice, delegate to any employee engaged at the work centre all or any of his powers under this Act, except the power to delegate under this section.

"(4) On the request of any Warden of a work centre, any Warden or other officer of any other work centre may, subject to any regulations made under this Act and to any directions given by the Secretary for Justice, exercise the requesting Warden's powers under this Act for any period not exceeding 2 weeks.

"(5) In the event of the incapacity, illness, sudden absence, or death of a Warden, the Secretary for Justice may, by notice in writing, direct any officer or employee of the Department of Justice to exercise the powers of the Warden under this Act until—

"(a) The Warden returns to work; or

"(b) A new or temporary Warden is appointed or employed,—

whichever sooner occurs.

"(6) In this section every reference to the powers of a Warden under this Act shall be deemed to include his duties and functions under this Act.

"(7) The fact that any officer or employee of the Department of Justice exercises or performs any power, duty, or function of a Warden shall be conclusive evidence of his authority to do so.

"7A. **Secretary for Justice may make rules**—(1) The Secretary for Justice may from time to time make such rules as he thinks fit, not inconsistent with this Act or with any regulations made under this Act, for the management of any work centre and for the conduct and safe custody of the offenders.

"(2) Any such rules may be made for work centres generally, or for such work centre or work centres as may be specified in the rules."

(2) The following enactments are hereby consequentially repealed:

(a) Section 8 of the Criminal Justice Amendment Act (No. 2) 1976:

(b) Section 24 of the Criminal Justice Amendment Act 1980:

(c) Section 9 of the Criminal Justice Amendment Act (No. 2) 1980:

(d) Section 3 (2) of the Criminal Justice Amendment Act 1983.

This Act is administered in the Department of Justice.