



ANALYSIS

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1. Short Title and commencement

2. Order for examination of judgment debtor

3. Immobilisation of motor vehicles

1999, No. 4

An Act to amend the District Courts Act 1947

[4 March 1999]

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

1. Short Title and commencement—(1) This Act may be cited as the District Courts Amendment Act 1999, and is part of the District Courts Act 1947 (“the principal Act”).

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

2. Order for examination of judgment debtor—Section 84B (4) of the principal Act is amended by inserting, before the words “the person”, the words “, if requested by the judgment debtor,”.

3. Immobilisation of motor vehicles—The principal Act is amended by inserting, after section 85, the following section:

“85A. (1) A bailiff or constable executing a distress warrant may, instead of seizing a motor vehicle under a warrant of distress, immobilise the vehicle by attaching to it any device designed for the purpose, pending payment of the unpaid sum.

“(2) No vehicle may be immobilised under subsection (1) unless, at the time of its immobilisation, the vehicle—

“(a) Is on private property; or

“(b) Is in a public place and the bailiff or constable is satisfied that immobilising the vehicle will not cause undue inconvenience to other persons.

“(3) If a motor vehicle is immobilised under this section, a bailiff or constable—

“(a) May seize the vehicle at any time:

“(b) Must, on the direction of the Registrar, seize the vehicle.

“(4) A person commits an offence if, without reasonable excuse, he or she tampers with, removes, or attempts to remove a device attached to a vehicle under subsection (1).

“(5) A person who commits an offence under subsection (4) is liable on summary conviction to a fine not exceeding \$1,000.”

This Act is administered in the Ministry of Justice and the Department for Courts.
