



# District Courts Amendment Act 2006

Public Act 2006 No 8  
Date of assent 9 April 2006  
Commencement see section 2

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## The Parliament of New Zealand enacts as follows:

- 1 Title**  
This Act is the District Courts Amendment Act 2006.
- 2 Commencement**  
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**  
This Act amends the District Courts Act 1947.

#### **4 Where judgment debtor does not appear at examination or order cannot be served**

- (1) Section 84C(1) is amended by omitting “a Judge, or if a Judge is not available, a Registrar,” and substituting “a Judge or a Registrar”.
- (2) Section 84C(2) is amended by repealing paragraph (d) and substituting the following paragraph:

“(d) if the judgment debtor cannot practicably be brought immediately before a Judge or a Registrar, any member of the police or any bailiff may take the bail bond of the judgment debtor, and Parts 1 to 3 of the Bail Act 2000 apply with any necessary modifications as if the bail bond were taken by a member of the police under section 21(1) of that Act.”

#### **5 Interpretation**

Section 84F is amended by inserting in the definition of **salary or wages**, after paragraph (a), the following paragraphs:

- “(ab) a bonus or an incentive payment:
- “(ac) a payment of commission:
- “(ad) a payment in consideration of work performed under a contract for services:”.

#### **6 Extent to which attachment orders bind the Crown**

Section 84L(4) is amended by repealing paragraph (a) and substituting the following paragraph:

- “(a) service of the order must be effected by leaving a copy of the order at, or sending a copy of the order by post to,—
  - “(i) the District Office of that department nearest to the judgment debtor’s place of residence; or
  - “(ii) an address notified by the chief executive of that department to the chief executive of the Ministry of Justice; and”.

#### **7 Contempt procedures**

Section 84O(6) is amended by repealing paragraph (c) and substituting the following paragraph:

- “(c) if the judgment debtor cannot practicably be brought immediately before a Judge or a Registrar, any member

of the police or any bailiff may take the bail bond of the judgment debtor, and Parts 1 to 3 of the Bail Act 2000 apply with any necessary modifications as if the bail bond were taken by a member of the police under section 21(1) of that Act.”

**8 Judgment debtor undergoing periodic detention to be discharged on payment**

The heading to section 84Q is amended by omitting “**undergoing periodic detention**” and substituting “**doing community work**”.

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**Legislative history**

28 March 2006	Divided from the Courts and Criminal Matters Bill (Bill 41–2) as Bill 41–3C
30 March 2006	Third reading
9 April 2006	Royal assent

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This Act is administered by the Ministry of Justice.

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