



ANALYSIS

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1968, No. 15

An Act to amend the Niue Act 1966

[31 October 1968]

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 Niue Amendment Act 1968, and shall be read together with and deemed part of the Niue Act 1966 (hereinafter referred to as the principal Act).

2. Prisoners subject to supervision—Section 244 of the principal Act is hereby amended by adding the following subsection:

“(10) Where any offender is for the time being subject to supervision in Niue under this section, the term of his sentence shall continue to run while he is subject to supervision as if he were still serving the sentence; and the date of expiry of the sentence shall be determined accordingly.”

3. Recall of offender subject to supervision—(1) The principal Act is hereby further amended by inserting, after section 244, the following section:

“244A. (1) Where any offender undergoing a sentence of imprisonment for life is for the time being subject to supervision in Niue pursuant to section 244 of this Act, the Minister of Justice, on the application of the Resident Commissioner and with the concurrence of the Minister of Island Affairs may at any time before the expiration of the period of supervision, by warrant signed by him, direct that the offender be recalled.

“(2) On the giving of that direction, the supervision shall be deemed to be cancelled, and the offender may be arrested without warrant by any constable, and, subject to section 244 of this Act, shall continue to serve his original sentence.

“(3) The powers conferred by subsection (1) of this section may be exercised on such grounds as the Minister of Justice and the Minister of Island Affairs think fit, and whether or not the offender has committed a breach of any condition of his supervision.”

(2) Section 243 of the principal Act is hereby amended by inserting in subsection (1), after the words “six months or more”, the words “including an offender who has been recalled under section 244A of this Act”.

4. Importation of intoxicating liquor—(1) The principal Act is hereby further amended by inserting, after section 621, the following section:

“621A. (1) For the purposes of this Part of this Act, intoxicating liquor shall be deemed to be imported into Niue if and so soon as in any manner whatever, whether lawfully or unlawfully, it is brought or comes within the territorial limits of Niue from any place outside those limits:

“Provided that intoxicating liquor shall not be deemed to have been imported into Niue if—

“(a) It is included in personal baggage or household or other effects belonging to or accompanying any passenger in any ship or aircraft and is intended for consumption by the passenger or for gift; and

“(b) It is imported in compliance with such conditions as to value or quantity as the Comptroller of Customs from time to time prescribes in relation to intoxicating liquor that may be imported without Customs entry or payment of duty.

“(2) Intoxicating liquor whose destination is outside the territorial limits of Niue, and intoxicating liquor forming part of ships’ or aircrafts’ stores, shall not be deemed to have been so imported unless, while it is within those limits, it is

removed from the ship or aircraft in which it arrived there, but if so removed it shall for the purposes of this Part of this Act be deemed to have been brought within the territorial limits of Niue as aforesaid.”

(2) Section 624 of the principal Act is hereby amended by inserting in subsection (1), after the words “Except as provided in”, the words “section 621A or”.

5. Charitable Trusts Act in force in Niue—The principal Act is hereby further amended by inserting, after section 683, the following section:

“683A. (1) The Charitable Trusts Act 1957 shall be in force in Niue.

“(2) In that Act the term ‘New Zealand’ shall, both in New Zealand and in Niue, be read as including Niue.”

This Act is administered in the Maori and Island Affairs Department.
