



## ANALYSIS

Title	2. Disorderly assembly
1. Short Title and commencement	

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 1989, No. 19

**An Act to amend the Summary Offences Act 1981**

[8 May 1989]

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

**1. Short Title and commencement**—(1) This Act may be cited as the Summary Offences Amendment Act 1989, and shall be read together with and deemed part of the Summary Offences Act 1981 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 28th day after the date on which it receives the Royal assent.

**2. Disorderly assembly**—The principal Act is hereby amended by inserting, after section 5, the following section:

“5A. (1) A disorderly assembly is an assembly of 3 or more persons who, in any public place, assemble in such a manner, or so conduct themselves when assembled, as to cause a person in the immediate vicinity of the assembly to fear on reasonable grounds that the persons so assembled—

“(a) Will use violence against persons or property; or

“(b) Will commit an offence against section 3 of this Act—in that vicinity.

“(2) Every person is liable to imprisonment for a term not exceeding 3 months or a fine not exceeding \$1,000, who, being a participant in a disorderly assembly and having been warned by a constable to disperse or otherwise desist from such an assembly, without reasonable excuse,—

“(a) Continues to participate in the disorderly assembly; or

“(b) Having desisted from that disorderly assembly, participates in another disorderly assembly in circumstances in which it is reasonable to deem the

warning to have applied to the new assembly as well as the original one.

“(3) This section shall not apply to any group of persons who assemble in any public place for the purpose of demonstrating support for, or opposition to, or otherwise publicising, any point of view, cause, or campaign.”

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This Act is administered in the Department of Justice.

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