



ANALYSIS

Title 1. Short Title and commencement	2. Unauthorised disclosure of certain official information
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 1982, No. 159

An Act to amend the Summary Offences Act 1981

[17 December 1982]

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 and commencement—(1) This Act may be cited as the Summary Offences Amendment Act (No. 2) 1982, 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 1st day of July 1983.

2. Unauthorised disclosure of certain official information—The principal Act is hereby amended by inserting, after section 20, the following heading and section:

“Official Information

“20A. (1) Every person commits an offence and is liable to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$2,000 who knowingly communicates to any other person any official information as defined in section 78A (2) of the Crimes Act 1961 (not being official information that is publicly available) or delivers to any other person any object as defined in section 78A (2) of the Crimes Act 1961

knowing that he does not have proper authority to effect the communication or delivery and that the communication of that information or the delivery of that object is likely—

- “(a) To prejudice the lives or physical safety of persons engaged in or connected with law enforcement; or
- “(b) To prejudice the maintenance of confidential sources of information in relation to the prevention, investigation, or detection of offences; or
- “(c) To prejudice the effectiveness of operational plans for the prevention, investigation, or detection of offences or the maintenance of public order, either generally or in a particular case; or
- “(d) To prejudice the safeguarding of life or property in a disaster or emergency; or
- “(e) To prejudice the safe custody of offenders or of persons charged with offences; or
- “(f) To damage seriously the economy of New Zealand by disclosing prematurely Government economic or financial policies, such as those relating to—
 - “(i) Exchange rates or the control of overseas exchange transactions:
 - “(ii) The regulation of banking or credit:
 - “(iii) Taxation:
 - “(iv) The stability, control, and adjustment of prices of goods and services, rents, and other costs, and rates of wages, salaries, and other incomes:
 - “(v) The borrowing of money by the Government of New Zealand:
 - “(vi) The entering into of overseas trade agreements.
- “(2) No information shall be laid against any person for—
 - “(a) An offence against this section; or
 - “(b) The offence of conspiring to commit an offence against this section; or
 - “(c) The offence of attempting to commit an offence against this section,—

except with the consent of the Attorney-General:

“Provided that a person alleged to have committed any offence mentioned in this subsection may be arrested, or a warrant for his arrest may be issued and executed, and any such person may be remanded in custody or on bail, notwithstanding that the consent of the Attorney-General to the laying of an information for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained.

“(3) The Attorney-General may, before deciding whether or not to give his consent under subsection (2) of this section, make such inquiries as he thinks fit.”

This Act is administered in the Department of Justice
