



ANALYSIS

Title
1. Short Title

- 2. Who may serve documents on the defendant
- 3. Scale of imprisonment for non-payment of money

1970, No. 103

An Act to amend the Summary Proceedings Act 1957

[27 November 1970]

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 Summary Proceedings Amendment Act 1970, and shall be read together with and deemed part of the Summary Proceedings Act 1957 (hereinafter referred to as the principal Act).

2. Who may serve documents on the defendant—(1) Section 25 of the principal Act is hereby amended by adding to subsection (1) the words “or, in the case of a summons to the defendant, or any other document which is required to be served on the defendant, in proceedings for an offence against the Transport Act 1962 or any regulations or bylaws under that Act, by any of the aforesaid persons or by a traffic officer within the meaning of that Act”.

(2) Section 29 of the principal Act is hereby amended by inserting in subsection (1), after the word “constable”, the words “or a traffic officer within the meaning of the Transport Act 1962”.

3. Scale of imprisonment for non-payment of money—
The principal Act is hereby further amended by repealing section 103, and substituting the following section:

“103. The period of imprisonment imposed under this Act or under any other Act in respect of the non-payment of any sum adjudged to be paid by a conviction or in respect of the default of sufficient distress to satisfy any such sum shall be such period as, in the opinion of the Court or Magistrate fixing the period, will satisfy the justice of the case, not exceeding—

“(a) In the case of an offence punishable by imprisonment, the maximum term of imprisonment to which the offender was liable on the conviction or a period of 1 year, whichever is the less; or

“(b) In the case of an offence not punishable by imprisonment, a period of 3 months.”

This Act is administered in the Department of Justice.
