

CRIMES AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Crimes Act 1908.

Clause 2: Under certain sections of the principal Act (for example, section 283, dealing with second or subsequent offences of burglary and housebreaking) offenders are liable to increased punishments if they have been previously convicted of crimes involving dishonesty. Section 2 of the principal Act defines the phrase "convicted of a crime involving dishonesty" as meaning (a) convicted on or before the date of the commencement of the Criminal Code Act 1893 of a crime of a described class, once on indictment or twice summarily; or (b) convicted before that date, once on indictment or twice summarily, of any offence which, if committed in New Zealand on or after that date, would be a crime within that class. The crimes are theft, fraud, robbery and extortion, burglary and house-breaking, forgery, personation, and certain crimes relating to coin. This clause substitutes a new definition, under which the phrase will now mean convicted, whether on indictment or summarily, of any such crime, or sentenced in the Supreme Court for any such crime. The effect of the new definition is to make it clear that a person sentenced in the Supreme Court after pleading guilty in a Magistrate's Court, or after pleading guilty in the Supreme Court before trial, is "convicted" for the purposes of the relevant sections of the Crimes Act. It also makes one previous conviction sufficient, instead of two, in summary cases.

Clause 3: Section 100 of the principal Act makes it a crime, for any traitorous or mutinous purpose, to endeavour to seduce any person serving in Her Majesty's forces by sea or land from his duty and allegiance to Her Majesty. The effect of the amendment made by this clause is to extend the section to apply to persons serving in the Air Force as well as those serving in the naval or military forces.

Hon. Mr Webb

CRIMES AMENDMENT

Title.	ANALYSIS
1. Short Title.	3. Section 100 of principal Act
2. Section 2 of principal Act amended.	(as to inciting to mutiny) amended.

A BILL INTITULED

AN ACT to amend the Crimes Act 1908.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows: Title.

1. This Act may be cited as the Crimes Amendment Act 1954, and shall be read together with and deemed part of the Crimes Act 1908 (hereinafter referred to as the principal Act). Short Title.

2. Section two of the principal Act is hereby amended by repealing the definition of the expression "convicted of a crime involving dishonesty", and substituting the following definition: See Reprint of Statutes, Vol. II, p. 182
Section 2 of principal Act amended.

"Convicted of a crime involving dishonesty" means convicted, whether on indictment or summarily, of any of the crimes described in section two hundred and thirty-seven of this Act as crimes involving dishonesty, or sentenced in the Supreme Court in respect of any of those crimes:"

3. Section one hundred of the principal Act is hereby amended by omitting the words "by sea or land". Section 100 of principal Act (as to inciting to mutiny) amended.

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