

POLICE OFFENCES AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill provides for two amendments of the Police Offences Act, 1927.

Clause 2 makes it an offence for any person (not being a member of the crew or a passenger or other person authorized to be on board) to remain on a ship after being ordered to leave the ship by the master or an officer of the ship or by any constable, or to return to the ship or persist in attempting to re-enter the ship after having been ordered to leave. This provision replaces section 43 of the Statutes Amendment Act, 1949, under which regulations could be made for the same purpose.

Clause 3: Section 3 (cc) of the Police Offences Act, 1927, makes it an offence to discharge any firearm without reasonable cause in or on any public place or so near thereto as to endanger, annoy, or frighten the passers by. It is not an offence under this paragraph to discharge a firearm in any place which is not a public place, even though property may be damaged or persons endangered. The purpose of this clause is to make it an offence under this section to discharge any firearm without reasonable cause to the damage or danger of any person or property, whether the event occurred in a public place or elsewhere.

Hon. Mr. Fortune

POLICE OFFENCES AMENDMENT

ANALYSIS

Title.

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| 1. Short Title. | 3. Offence to discharge firearm to |
| 2. Offence to remain on ship when
ordered to leave. Repeal. | damage or danger of persons
or property. |

A BILL INTITULED

AN ACT to Amend the Police Offences Act, 1927.

Title.

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

1. This Act may be cited as the Police Offences Amendment Act, 1950, and shall be read together with and deemed part of the Police Offences Act, 1927 (hereinafter referred to as the principal Act).

Short Title.

See Reprint
of Statutes,
Vol. II, p. 500

2. (1) Every person commits an offence who (not being a member of the crew or a passenger on the ship or a person duly authorized by law to be on the ship) refuses or fails to leave any ship when ordered so to do by the master or any officer of the ship or any constable, or, after having been so ordered to leave any ship, returns on board or persists in attempting to re-enter the ship.

Offence to
remain on ship
when ordered
to leave.

(2) Any constable may take into custody without warrant any person found committing an offence against this section.

(3) Every person who commits an offence against this section shall be liable on summary conviction to a fine not exceeding ten pounds.

Repeal.
1949, No. 51

Offence to discharge firearm to damage or danger of persons or property.

(4) Section forty-three of the Statutes Amendment Act, 1949, is hereby repealed. 5

3. (1) Section three of the principal Act is hereby amended by adding the following paragraph:—

“(ff) Discharges any firearm without reasonable cause to the damage or danger of any person or property; or discharges a firearm without reasonable cause in or on any public place or so near thereto as to endanger, annoy, or frighten the passers by.” 10

(2) The said section three is hereby further amended by omitting from paragraph (cc) the words “ Discharges any firearms without reasonable cause, or ”. 15