

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE]

House of Representatives, 7 November 1979

Words struck out are shown with black rule at beginning and after last line; words inserted are shown with double rule before first line and after last line.

Hon. Mr McLay

POLICE OFFENCES AMENDMENT (NO. 2)

ANALYSIS

Title	1. Short Title and commencement
	2. Offensive weapons

A BILL INTITULED

An Act to amend the Police Offences Act 1927 relating to the powers of constables to search for offensive weapons

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 Police Offences Amendment Act 1979, and shall be read together with and deemed part of the Police Offences Act 1927* (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 Governor-General's assent.

2. **Offensive weapons**—Section 53A of the principal Act (as substituted by section 4 (1) of the Police Offences Amendment Act 1976) is hereby amended by repealing subsection (5), and substituting the following subsection:

*Reprinted 1973, Vol. 2, p. 1577
Amendments: 1974, No. 134; 1976, No. 157

“(5) Where any constable has reasonable grounds for believing that any person is committing an offence against subsection (1) (a) of this section, he may—

Struck Out

“(a) Stop and search that person and any package or receptacle in that person’s possession or under that person’s control, and may detain that person for the purpose of that search: 5

“(b) Stop and search any vehicle in which that person is travelling or from which he has alighted, and may detain that vehicle for the purpose of that search;— 10

New

“(a) Stop and search that person and any package or receptacle he has with him that the constable has reasonable grounds for believing contains an offensive weapon, and may detain that person for as long as is reasonably necessary to conduct that search: 15

“(b) Stop and search any vehicle in which that person is travelling or from which he has alighted if the constable has reasonable grounds for believing that the vehicle contains an offensive weapon, and may detain that vehicle for as long as is reasonably necessary to conduct that search;— 25

and, in any such case, the constable may take possession of any offensive weapon found.”