

Dr Finlay

PUBLIC ORDER BILL

ANALYSIS

| Title | |
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| 1. Short Title | 3. Police Offences Act 1927 amended |
| 2. Complainant in certain assault and other cases may appear | 4. Municipal Corporations Act 1954 amended |

A BILL INTITULED

An Act to amend and clarify the law relating to public order, the disturbance thereof, and the consequences of such disorder

5 **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 Public Order Act 1970.

10 **2. Complainant in certain assault and other cases may appear**—Notice shall be given in such manner and form as may be prescribed to any person (hereinafter referred to as “the complainant”) against whom it is alleged that any
15 or 201 of the Crimes Act 1961 has been committed, of the time and place at which any such charge is to be heard and of the time and place at which any person convicted of any

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such charge will be sentenced and the complainant may attend at such time and place and if he does he may, if the Court permits, be heard, and he shall for the purposes of payment be deemed to be a witness called by the prosecution.

3. Police Offences Act 1927 amended—The Police Offences Act 1927 is hereby amended by adding the following proviso to section 3D (1). 5

“Provided that no person shall be guilty of an offence under this subsection by reason only of the fact that his behaviour was or might have been objected to by other persons and he had no intent to commit, provoke, or cause a breach of the peace.” 10

4. Municipal Corporations Act 1954 amended—The Municipal Corporations Act 1954 is hereby amended by—

(a) Adding to section 386 the following paragraph: 15

“(40) Regulating, controlling or prohibiting noise that is loud, disturbing and unnecessary and providing penalties for persons making, creating, causing or permitting the same.”

(b) Adding the following new section:

“391A. No Council or Committee thereof, or Town Clerk shall— 20

(a) Deny to any person or group any licence or consent required under the bylaws to assemble or to hold a public meeting in any reserve, recreation ground or other land, or in any public building or public place vested in the Corporation or under the control of the Council; or 25

(b) Deny to any person or group any licence or consent required under the bylaws to assemble or parade in any public street or place; or 30

(c) Grant a licence or consent for such purposes aforesaid in a restricted form or subject to conditions by reason only of the sex, race, colour, nationality, religion, ethnic characteristics, beliefs, or opinions of that person or group.” 35