



International Crimes and International Criminal Court Act Commencement Order 2002

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 27th day of May 2002

Present:

Her Excellency the Governor-General in Council

Pursuant to section 2(1) of the International Crimes and International Criminal Court Act 2000, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

1 Title

This order is the International Crimes and International Criminal Court Act Commencement Order 2002.

2 Commencement of all provisions of International Crimes and International Criminal Court Act 2000 not yet in force, except section 182

The following provisions of the International Crimes and International Criminal Court Act 2000 come into force on 1 July 2002:

- (a) sections 6 and 7:
- (b) sections 14 to 23:
- (c) Parts 3 to 10:
- (d) sections 178 to 180:
- (e) sections 183 and 184:
- (f) sections 186 and 187:
- (g) the Schedule.

Diane Wilderspin,
Acting for Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order brings into force, on 1 July 2002, all provisions of the International Crimes and International Criminal Court Act 2000 that are not already in force, except section 182 (which is to be repealed by the Parole Act 2002).

The purpose of the Act is—

- to make further provision in New Zealand law for the punishment of certain international crimes, namely, genocide, crimes against humanity, and war crimes; and
- to enable New Zealand to co-operate with the International Criminal Court (ICC) established by the Rome Statute in the performance of its functions.

Certain provisions of the Act came into force on 1 October 2000. Those provisions were mainly new offences created to allow prosecutions in New Zealand's own courts, rather than in the ICC. However, other provisions of the Act, contingent on the Rome Statute

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Explanatory note

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being in force at international law, were to be brought into force on a date appointed by Order in Council.

New Zealand ratified the Rome Statute on 7 September 2000, and was the 17th State to become party to it. However, Article 126 of the Statute provides that the Statute enters into force only on the first day of the month after the 60th day following the date of the deposit with the Secretary-General of the United Nations of the 60th instrument of ratification, acceptance, approval, or accession.

That 60th instrument was deposited on 11 April 2002, with the result that the Rome Statute will enter into force at international law on 1 July 2002. Consequently, it is desirable that all provisions of the Act not yet in force except section 182 also come into force on that date.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 30 May 2002.

This order is administered in the Ministry of Foreign Affairs and Trade and the Ministry of Justice.
