

1973/60



THE PERIODIC DETENTION ORDER 1973

DENIS BLUNDELL, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington this 12th day of March 1973

Present:

THE HON. A. J. FAULKNER PRESIDING IN COUNCIL

PURSUANT to section 2 of the Criminal Justice Amendment Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Periodic Detention Order 1973.

(2) This order shall come into force on the 16th day of March 1973.

2. Dunedin and North Shore—(1) Section 9 and sections 11 to 15 of the Criminal Justice Amendment Act 1962 shall apply with respect to male offenders—

(a) Who are convicted after the commencement of this order—

(i) In the Supreme Court at Dunedin; or

(ii) By a Magistrate's Court held at Dunedin or North Shore; or

(b) Against whom a charge is proved after the commencement of this order in a Children's Court held at Dunedin or North Shore.

(2) Sections 10 to 15 of the said Act shall apply with respect to male offenders in respect of whom—

(a) An order for imprisonment may be made after the commencement of this order, pursuant to section 19D of the Crimes Act 1961, by a Judge of the Supreme Court at Dunedin by reason of the non-payment of a fine imposed on or after the 1st day of October 1966; or

(b) A warrant of commitment may be issued after the commencement of this order by a Magistrate exercising jurisdiction in a Magistrate's Court held at Dunedin or North Shore in respect of a fine imposed on or after the 15th day of July 1963.

(3) The Periodic Detention Order (No. 3) 1972* is hereby amended by omitting from clause 2 the word "Dunedin" wherever it appears.

3. Papakura—(1) Section 9 and sections 11 to 15 of the Criminal Justice Amendment Act 1962 shall apply in respect of male offenders who are under the age of 21 years and—

- (a) Who are convicted after the commencement of this order by a Magistrate's Court held at Papakura; or
- (b) Against whom a charge is proved after the commencement of this order in a Children's Court held at Papakura.

(2) Sections 10 to 15 of the said Act shall apply with respect to male offenders who are under the age of 21 years and in respect of whom a warrant of commitment may be issued by a Magistrate exercising jurisdiction in a Magistrate's Court held at Papakura in respect of a fine imposed on or after the 15th day of July 1963.

4. Revocation—The Periodic Detention Order 1970† is hereby consequentially revoked.

5. Saving—Notwithstanding the amendments made by subclause (3) of clause 2 of this order and the revocation effected by clause 4 of this order, any person who could have been sentenced to periodic detention before the commencement of this order may be sentenced to periodic detention after the commencement of this order as if those amendments had not been made and that revocation had not been effected.

P. G. MILLEN,
Clerk of the Executive Council.

*S.R. 1972/99
†S.R. 1970/122

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 15 March 1973.
This order is administered in the Department of Justice.