

## **Criminal Proceeds (Recovery) Amendment Bill**

Government Bill

As reported from the committee of the whole  
House

This bill was formerly part of the Courts and Criminal Matters Bill as reported from the Law and Order Committee. The committee of the whole House has further amended the bill and divided it into the following bills:

- District Courts Amendment Bill comprising Part 1 and Schedule 1
- Land Transport Amendment Bill comprising Part 2
- Summary Proceedings Amendment Bill (No 3) comprising Part 3 and Schedules 2 to 2B
- Children, Young Persons, and Their Families Amendment Bill (No 2) comprising subpart 1 of Part 4
- Crimes Amendment Bill (No 4) comprising subpart 1A of Part 4
- This bill comprising subpart 1B of Part 4
- Customs and Excise Amendment Bill (No 2) comprising subpart 2 of Part 4
- Disputes Tribunals Amendment Bill (No 2) comprising subpart 2A of Part 4
- Family Courts Amendment Bill comprising subpart 3 of Part 4

- Immigration Amendment Bill comprising subpart 5 of Part 4
  - Misuse of Drugs Amendment Bill (No 3) comprising subpart 5A of Part 4
  - Misuse of Drugs Amendment Act 1978 Amendment Bill comprising subpart 5B of Part 4
  - Personal Property Securities Amendment Bill (No 2) comprising subpart 6 of Part 4
  - Prisoners' and Victims' Claims Amendment Bill comprising subpart 7 of Part 4
  - Privacy Amendment Bill (No 2) comprising subpart 8 of Part 4 and Schedule 3
  - Railways Amendment Bill comprising subpart 9 of Part 4
  - Residential Tenancies Amendment Bill (No 3) comprising subpart 9A of Part 4
  - Sentencing Amendment Bill (No 5) comprising subpart 10 of Part 4
  - Social Security Amendment Bill (No 4) comprising subpart 11 of Part 4
  - Tax Administration Amendment Bill comprising subpart 12 of Part 4
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**Key to symbols used in reprinted bill**

**As reported from the committee of the whole  
House**

text inserted

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*Hon Georgina te Heuheu*

## **Criminal Proceeds (Recovery) Amendment Bill**

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**The Parliament of New Zealand enacts as follows:**

- 1 Title**  
This Act is the Criminal Proceeds (Recovery) Amendment Act **2010**.
- 2 Commencement**
  - (1) This Act comes into force on a date appointed by the Governor-General by Order in Council, and 1 or more orders may

be made bringing different provisions into force on different dates.

- (2) Any provisions of this Act that are not in force on the expiry of the period of 15 months that starts on the date on which this Act receives the Royal assent come into force (despite **subsection 5 (1)**) on that expiry.

. . . . .

**79E Principal Act amended**

**This subpart** amends the Criminal Proceeds (Recovery) Act 2009.

**79EA Discharge of assets forfeiture order by Official Assignee** 10

Section 82(1) is amended by repealing paragraph (c) and substituting the following paragraph:

“(c) thirdly, by paying, in the order of priority set out in **section 86E** of the Summary Proceedings Act 1957, any of the following amounts imposed on the former interest holder:

“(i) any amount of reparation (as defined in **section 79** of the Summary Proceedings Act 1957):

“(ii) any offender levy (as defined in **section 79** of the Summary Proceedings Act 1957): 20

“(iii) any other type of fine (as defined in **section 79** of the Summary Proceedings Act 1957):”.

**79EB Discharge of profit forfeiture order by Official Assignee**

Section 83(1) is amended by repealing paragraph (c) and substituting the following paragraph:

“(c) thirdly, by paying, in the order of priority set out in **section 86E** of the Summary Proceedings Act 1957, any of the following amounts imposed on the former interest holder:

“(i) any amount of reparation (as defined in **section 79** of the Summary Proceedings Act 1957): 30

“(ii) any offender levy (as defined in **section 79** of the Summary Proceedings Act 1957):

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“(iii) any other type of fine (as defined in **section 79** of the Summary Proceedings Act 1957):”.

**79F Discharge of instrument forfeiture order by Official Assignee**

Section 85 is amended by repealing paragraph (c) and substituting the following paragraph: 5

“(c) thirdly, by paying, in the order of priority set out in **section 86E** of the Summary Proceedings Act 1957, any of the following outstanding amounts imposed on the former interest holder: 10

“(i) any amount of reparation (as defined in **section 79** of the Summary Proceedings Act 1957):

“(ii) any offender levy (as defined in **section 79** of the Summary Proceedings Act 1957):

“(iii) any other type of fine (as defined in **section 79** of the Summary Proceedings Act 1957):”. 15

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**Legislative history**

5 July 2011

Divided from Courts and Criminal Matters Bill  
(Bill 147–2) by committee of the whole House as  
Bill 147–3F

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