

## **Epidemic Preparedness (Epidemic Management— COVID-19—Parole Act 2002 and Sentencing Act 2002) Notice 2020**

Pursuant to section 8(1)(b) of the Epidemic Preparedness Act 2006, the Prime Minister gives the following notice—

- a. with the agreement of the Minister of Justice and the Minister of Corrections; and
- b. being satisfied that the effects of the outbreak of COVID-19 make it, or are likely to make it, reasonably necessary to give the notice.

### **Notice**

#### **1. Title**

This notice is the Epidemic Preparedness (Epidemic Management— COVID-19—Parole Act 2002 and Sentencing Act 2002) Notice 2020.

#### **2. Commencement**

This notice comes into force at **1.00pm on 30 March 2020**.

#### **3. Notice applies to COVID-19**

This notice applies in relation to COVID-19 (“the disease”), as identified in the [Epidemic Preparedness \(COVID-19\) Notice 2020](#).

#### **4. Parole Act 2002 measures activated by notice**

1. The application of the Parole Act 2002 is modified in order to deal with the practical effects of the outbreak of the disease.
2. However, this notice activates only sections 13A and 56A of that Act.

#### **5. Sentencing Act 2002 measures activated by notice**

The application of the Sentencing Act 2002 is modified in order to deal with the practical effects of the outbreak of the disease.

Dated at Wellington this 30th day of March 2020.

JACINDA ARDERN, Prime Minister.

#### **Explanatory note**

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

This is an epidemic management notice under the Epidemic Preparedness Act 2006.

It is given in response to the outbreak of COVID-19, as identified in the Epidemic Preparedness (COVID-19) Notice 2020.

This notice, which comes into force at 1.00pm on 30 March 2020, activates certain dormant sections of the Parole Act 2002 and the Sentencing Act 2002.

#### *Parole Act 2002 sections activated by this notice*

This notice activates only the following sections of the Parole Act 2002:

- section 13A, which enables things that would normally have to be done by the New Zealand Parole Board (“the Parole Board”) to be done—
  - by the Parole Board on the basis of documents only, without the presence or submission of any person who would otherwise have the right to be present or make a submission; or
  - by the chairperson or panel convenor, acting alone, either in the usual way, or on the basis of documents only, without the presence or submission of any person who would otherwise have the right to be present or make a submission:
- section 56A, which enables a probation officer to temporarily vary a release condition imposed by the Parole Board, if the officer has applied to the Parole Board to vary the condition.

This notice does *not* activate the other dormant sections of the Parole Act 2002 (namely, sections 27B, 65A, and 107GA).

#### *Sentencing Act 2002 sections activated by this notice*

## NEW ZEALAND GAZETTE

This notice activates the following sections of the Sentencing Act 2002, which relate to community-based sentences or home detention:

- section 54A, which allows a probation officer to temporarily—
  - vary any special conditions on a sentence of supervision if the officer or offender has applied for a court order to vary those conditions; and
  - vary or suspend any standard conditions of a sentence of supervision:
- section 54L, which allows a probation officer to temporarily—
  - vary any special conditions on a sentence of intensive supervision if the officer or offender has applied for a court order to vary those conditions; and
  - vary or suspend any standard conditions of a sentence of intensive supervision:
- section 67A, which allows the chief executive of the Department of Corrections to authorise probation officers to remit the hours of community work imposed on offenders:
- section 69A, which allows that chief executive to authorise probation officers to extend the period during which community work must be done:
- section 69J, which allows a probation officer to temporarily—
  - vary the curfew period on a sentence of community detention if the officer or offender has applied for a court order to vary the curfew period; and
  - vary or suspend any conditions of a sentence of community detention:
- section 80ZH, which allows a probation officer to temporarily—
  - vary any special conditions of a sentence of home detention if the officer or offender has applied for a court order to vary those conditions; and
  - vary or suspend any standard conditions of a sentence of home detention:
- section 80ZI, which allows a probation officer to temporarily vary any post-detention conditions of a sentence of home detention if the officer or offender has applied for a court order to vary those conditions.

This notice is administered by the Ministry of Health.