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Victims' Orders Against Violent Offenders Act 2014

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Commencement	see section 2

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Justice.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Victims' Orders Against Violent Offenders Act 2014.

2 Commencement

This Act comes into force on the day that is 6 months after the date on which it receives the Royal assent.

Part 1
Preliminary provisions

3 Purpose

This Act—

(a) acknowledges the ongoing effects of serious violent offending for victims; and

(b) with a view to lessening those effects, empowers the court, on the application of a victim, to make a non-contact order prohibiting the offender from having any form of contact with the victim.

4 Interpretation

In this Act, unless the context otherwise requires,—

associate means a person against whom a final non-contact order applies pursuant to a direction made under section 12

child means a person under the age of 14 years

court means the District Court, and includes a District Court Judge

encourage includes to incite, counsel, or procure

final non-contact order means a non-contact order referred to in section 9(4)

immediate family, in relation to a victim,—

(a) means a member of the victim's family, whānau, or other culturally recognised family group, who is in a close relationship with the victim at the time of the specified violent offence; and

(b) to avoid doubt, includes a person who is—

(i) the victim's spouse, civil union partner, or de facto partner; or

(ii) the victim's child or stepchild; or

(iii) the victim's brother or sister or stepbrother or stepsister; or

(iv) a parent or step-parent of the victim; or

(v) a grandparent of the victim

incapable, in relation to a person,—

(a) means that the person—

(i) lacks, wholly or partly, the capacity to understand the nature, and to foresee the consequences, of decisions in respect of matters relating to his or her personal care and welfare; or

(ii) has the capacity to understand the nature, and to foresee the consequences, of decisions in respect of matters relating to his or her personal care and welfare, but wholly lacks the capacity to communicate decisions in respect of matters of that kind; and

(b) includes the person being in a state of continuing unconsciousness

non-contact order means—

(a) a temporary non-contact order:

(b) a final non-contact order

specified violent offence means an offence against any of the following provisions of the Crimes Act 1961:

(1) section 128B (sexual violation):

(2) section 129 (attempted sexual violation and assault with intent to commit sexual violation):

(3) section 129A(1) (sexual connection with consent induced by threat):

(4) section 131(1) (sexual connection with dependent family member under 18 years):

(5) section 131(2) (attempted sexual connection with dependent family member under 18 years):

(6) section 132(1) (sexual connection with child):

(7) section 132(2) (attempted sexual connection with child):

(8) section 132(3) (indecent act on child):

(9) section 134(1) (sexual connection with young person):

(10) section 134(2) (attempted sexual connection with young person):

(11) section 134(3) (indecent act on young person):

(12) section 135 (indecent assault):

(13) section 138(1) (exploitative sexual connection with person with significant impairment):

(14) section 138(2) (attempted exploitative sexual connection with person with significant impairment):

(15) section 142A (compelling indecent act with animal):

(16) section 144A (sexual conduct with children and young people outside New Zealand):

(16A) section 171A (manslaughter by strike to head or neck):

(17) section 172 (murder):

(18) section 173 (attempted murder):

(19) section 174 (counselling or attempting to procure murder):

(20) section 175 (conspiracy to murder):

(21) section 177 (manslaughter):

(22) section 188(1) (wounding with intent to cause grievous bodily harm):

(23) section 188(2) (wounding with intent to injure):

(23A) section 188A (wounding with intent by strike to head or neck):

(24) section 189(1) (injuring with intent to cause grievous bodily harm):

(25) section 191(1) (aggravated wounding):

(26) section 191(2) (aggravated injury):

(27) section 198(1) (discharging firearm or doing dangerous act with intent to do grievous bodily harm):

(28) section 198(2) (discharging firearm or doing dangerous act with intent to injure):

(29) section 198A(1) (using firearm against law enforcement officer, etc):

(30) section 198A(2) (using firearm with intent to resist arrest or detention):

(31) section 198B (commission of crime with firearm):

(32) section 200(1) (poisoning with intent to cause grievous bodily harm):

(33) section 201 (infecting with disease):

(34) section 208 (abduction for purposes of marriage or civil union or sexual connection):

(35) section 209 (kidnapping):

(36) section 232(1) (aggravated burglary):

(37) section 234 (robbery):

(38) section 235 (aggravated robbery):

(39) section 236(1) (causing grievous bodily harm with intent to rob, or assault with intent to rob in specified circumstances):

(40) section 236(2) (assault with intent to rob)

temporary non-contact order means a non-contact order referred to in section 9(3)

victim—

(a) means—

(i) a person against whom a specified violent offence is committed by another person; and

(ii) a person who, through or by means of a specified violent offence committed by another person, suffers physical injury, or loss of, or damage to, property; and

(iii) a parent or legal guardian of a child, or of a young person, who falls within subparagraph (i) or (ii), unless that parent or guardian is charged with the commission of, or convicted or found guilty of, or pleads guilty to, the specified violent offence concerned; and

(iv) a member of the immediate family of a person who, as a result of a specified violent offence committed by another person, dies or is incapable, unless that member is charged with the commission of, or convicted or found guilty of, or pleads guilty to, the specified violent offence concerned; but

(b) despite paragraph (a), if a specified violent offence is committed by a person, does not include any other person who (whether as a principal or party or accessory after the fact or otherwise)—

(i) is charged with the commission of, or convicted or found guilty of, that offence; or

(ii) is charged with the commission of, or convicted or found guilty of, an offence relating to the same incident or series of incidents as that offence

violent offender or **offender** has the meaning given to it by section 5

young person means a person of or over the age of 14 years but under 18 years.

Section 4 **child**: amended, on 1 July 2019, by section 58(1) of the Oranga Tamariki Legislation Act 2019 (2019 No 30).

Section 4 **court**: amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 4 **immediate family** paragraph (a): amended, on 16 August 2022, by section 23(1) of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 4 **specified violent offence**: inserted, on 16 August 2022, by section 23(4) of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 4 **specified violent offence** paragraph (16A): inserted, on 8 August 2026, by section 40 of the Crimes Amendment Act 2026 (2026 No 50).

Section 4 **specified violent offence** paragraph (23A): inserted, on 8 August 2026, by section 40 of the Crimes Amendment Act 2026 (2026 No 50).

Section 4 **victim** paragraph (a)(i): amended, on 16 August 2022, by section 23(2) of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 4 **victim** paragraph (a)(ii): amended, on 16 August 2022, by section 23(2) of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 4 **victim** paragraph (a)(iii): amended, on 16 August 2022, by section 23(2) of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 4 **victim** paragraph (a)(iv): amended, on 16 August 2022, by section 23(2) of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 4 **victim** paragraph (b): amended, on 16 August 2022, by section 23(2) of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 4 **violent offence**: repealed, on 16 August 2022, by section 23(3) of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 4 **young person**: replaced, on 1 July 2019, by section 58(2) of the Oranga Tamariki Legislation Act 2019 (2019 No 30).

5 Meaning of violent offender or offender

(1) In this Act, **violent offender** or **offender**, in relation to a victim, means a person who at any time—

(a) has been convicted of a specified violent offence that affected the victim; and

(b) has been sentenced to a term of imprisonment of more than 2 years in respect of that offence.

(2) For the purposes of subsection (1)(b), it does not matter if,—

(a) at the time the sentence of imprisonment was imposed, the person was already subject to a term of imprisonment for 1 or more other offences; or

(b) the sentence of imprisonment was imposed concurrently with another sentence of imprisonment for 1 or more other offences.

Section 5(1)(a): amended, on 16 August 2022, by section 24 of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

6 Act binds the Crown

This Act binds the Crown.

Part 2
Non-contact orders

Applications

7 Application for non-contact order

(1) A victim of a specified violent offence may make an application to the court for a non-contact order against a violent offender at any time after the offender has been sentenced in respect of the offence.

(2) However, a victim may not make an application under subsection (1) if—

(a) there is in force a protection order against the offender made under the Family Violence Act 2018 and the victim is a protected person under that order; or

(b) there is in force a restraining order against the offender made under the Harassment Act 1997 for the protection of the victim.

(3) An application under subsection (1) may be made—

(a) without notice, if the court is satisfied that the delay that would be caused by proceeding on notice would or might entail undue hardship for the victim; or

(b) on notice.

(4) For the purposes of subsection (2), **protected person** has the meaning given to it by section 8 of the Family Violence Act 2018.

Section 7(1): amended, on 16 August 2022, by section 25 of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 7(2)(a): amended, on 1 July 2019, by section 259(1) of the Family Violence Act 2018 (2018 No 46).

Section 7(4): amended, on 1 July 2019, by section 259(1) of the Family Violence Act 2018 (2018 No 46).

8 Disclosure of offender's address

(1) This section applies if—

(a) an application for a non-contact order is made on notice by a victim; and

(b) the victim does not know the full name and address of the offender; and

(c) the Registrar of the court in which the application is made has good reason to believe that the full name and address of the offender is known to—

(i) the Commissioner of Police:

(ii) the chief executive of the Department of Corrections.

(2) If this section applies, the Registrar may request either or both of the persons specified in subsection (1)(c)(i) and (ii) to supply to the Registrar the full name and address of the offender.

(3) As soon as practicable after receiving a request under subsection (2), a person must—

(a) respond to that request; and

(b) supply to the Registrar the information requested if that information is known.

(4) If information is supplied to the Registrar under subsection (3), court staff—

(a) must treat that information as confidential; and

(b) must not disclose the information other than to—

(i) effect service of the application on the offender; and

(ii) enable the court to consider the victim's application; and

(iii) effect service of any order made under section 9 on the offender.

Making non-contact orders

9 Power to make non-contact order

(1) The court may make a non-contact order if it is satisfied that—

(a) there are ongoing effects of the offending for the victim; and

(b) the possibility of contact between the victim and the violent offender will be detrimental to the victim's ability to manage those effects; and

(c) the making of the order is reasonably necessary to avoid contact between the victim and the violent offender; and

(d) taking into account all of the circumstances, the making of the order is justified.

(2) The court may make a non-contact order under subsection (1) in respect of a violent offender, even if there has previously been a non-contact order in force against the offender, on the application of the same, or any other, victim.

(3) A non-contact order made on an application without notice is a temporary order.

(4) A non-contact order made on an application on notice is a final order.

Effect of non-contact orders

10 Effect of temporary non-contact order

(1) A temporary non-contact order prohibits the offender against whom it is made from—

(a) doing, or threatening to do, any of the following:

(i) watching, loitering near, or preventing or hindering access to or from the victim's place of residence, business, employment, educational institution, or any other place that the offender knows the victim visits often:

(ii) following, stopping, or accosting the victim:

(iii) making contact with the victim (whether by telephone, electronic message, correspondence, or in any other way):

(iv) giving offensive material to the victim, or leaving offensive material where it will be found by, given to, or brought to the attention of the victim; and

(b) encouraging any other person to do any of the acts specified in paragraph (a) to the victim, where those acts, if done by the offender, would be prohibited by the order.

(2) When making a temporary non-contact order, the court may, in relation to any of the prohibitions in subsection (1), impose any conditions or make any directions that it considers reasonably necessary in the circumstances.

11 Effect of final non-contact order

(1) A final non-contact order prohibits the offender against whom it is made from—

(a) doing, or threatening to do, any of the following:

(i) watching, loitering near, or preventing or hindering access to or from the victim's place of residence, business, employment, educational institution, or any other place that the offender knows the victim visits often:

(ii) following, stopping, or accosting the victim:

(iii) making contact with the victim (whether by telephone, electronic message, correspondence, or in any other way):

(iv) giving offensive material to the victim, or leaving offensive material where it will be found by, given to, or brought to the attention of the victim; and

(b) encouraging any other person to do any of the acts specified in paragraph (a) to the victim, where those acts, if done by the offender, would be prohibited by the order; and

(c) entering any area that may be specified by the court; and

(d) residing within any area that may be specified by the court; and

(e) engaging in employment in any area that may be specified by the court.

(2) When making a non-contact order, the court may, in relation to any of the prohibitions in subsection (1), impose any conditions or make any directions that it considers reasonably necessary in the circumstances.

Direction that final non-contact order apply to other persons

12 Application for direction that final non-contact order apply against other persons

(1) A victim may apply to the court for a direction that a final non-contact order against the offender also apply against any other person named in the application on the grounds that—

(a) the person—

(i) has been encouraged by the offender to engage in behaviour of the kind described in section 11(1)(a); and

(ii) has engaged in any of those kinds of behaviour; and

(b) the person's behaviour has been, and continues to be, detrimental to the victim's ability to manage the effects of the offending.

(2) An application may be made under subsection (1)—

(a) at the same time as making the application on notice for a final non-contact order; or

(b) at any subsequent time while the final non-contact order continues in force.

(3) On hearing an application made under subsection (1), the court may direct that the final non-contact order apply against any other person named in the application if the court is satisfied that—

(a) the grounds in that subsection have been established; and

(b) the person engaged in the behaviour without a lawful purpose.

(4) Where, pursuant to subsection (3), a final non-contact order applies against any person, that person is prohibited from engaging in behaviour of the kind described in section 11(1)(a).

Commencement of non-contact orders

13 Commencement of non-contact order

(1) In relation to an offender against whom a non-contact order is made, the order commences on the day on which it is served on the offender.

(2) In relation to an associate against whom a final non-contact order is directed to apply, the order commences on the day on which it is served on the associate.

Duration, variation, and discharge of non-contact orders

14 Duration of final non-contact order

(1) A final non-contact order may be made for such period (whether longer or shorter than 2 years) as the court may specify.

(2) A final non-contact order continues in force until—

(a) it is discharged under section 17 or 18; or

(b) the expiry of the period specified by the court; or

(c) if no period is specified by the court, the expiry of 2 years from the date on which the order commences.

15 Variation of temporary non-contact order

(1) The victim or the offender may at any time make an application to have varied any conditions or directions imposed under section 10(2) in respect of a temporary non-contact order.

(2) On the hearing of an application made under subsection (1), the court may, if it thinks fit, vary any condition or direction imposed under section 10(2) in respect of a temporary non-contact order.

16 Variation of final non-contact order

(1) The victim or the offender may at any time make an application to have a final non-contact order varied.

(2) On the hearing of an application made under subsection (1), the court may, if it thinks fit,—

(a) vary or discharge a prohibition specified in 1 or more of the following:

(i) section 11(1)(c):

(ii) section 11(1)(d):

(iii) section 11(1)(e):

(b) vary or discharge a condition or direction imposed under section 11(2):

(c) reduce or extend the duration of the order, whether by specifying a period under section 14(1) or by reducing or extending any such specified period.

(3) The court must not extend the duration of a final non-contact order under this section unless the court is satisfied that the extension is, in all of the circumstances, justified.

17 Discharge of non-contact order on application

(1) The victim or the offender may at any time make an application to have a non-contact order discharged.

(2) An associate may at any time make an application to have a non-contact order discharged in so far as it relates to the associate.

(3) On hearing an application made under subsection (1), the court may, if it thinks fit, discharge the non-contact order, in which case the non-contact order also ceases to apply in respect of every associate.

(4) On hearing an application made under subsection (2), the court may, if it thinks fit, discharge the non-contact order in so far as it relates to the associate.

18 Discharge of non-contact order by operation of law

(1) A non-contact order made against an offender is discharged by operation of law if—

(a) the offender's conviction for the specified violent offence that affected the victim is quashed or otherwise set aside; or

(b) the offender's sentence for the specified violent offence that affected the victim is—

(i) quashed or otherwise set aside; or

(ii) substituted with a non-custodial sentence; or

(iii) substituted with a sentence of imprisonment for a term of 2 years or less.

(2) A non-contact order that is discharged by operation of law ceases to have effect against every associate.

Section 18(1)(a): amended, on 16 August 2022, by section 26 of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 18(1)(b): amended, on 16 August 2022, by section 26 of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Procedure after temporary non-contact order made

19 Offender may require hearing

(1) Where the court makes a temporary non-contact order, the offender is entitled to notify the court that he or she wishes to be heard on whether a final non-contact order should be substituted for the temporary non-contact order.

(2) The temporary non-contact order must contain a notice to the offender that clearly states—

(a) the offender's right under subsection (1); and

(b) that, subject to section 21, if the offender does not take any steps in the proceedings, the temporary non-contact order becomes a final non-contact order by operation of law 3 months after the date on which it was made.

(3) If, under subsection (1), the offender notifies the court that he or she wishes to be heard, the Registrar of the court must assign a hearing date, which must be—

(a) as soon as practicable; and

(b) unless there are special circumstances, not later than 42 days after receipt of the offender's notice.

20 Procedure where offender does not require hearing

(1) If the offender does not notify the court under section 19 that he or she wishes to be heard then, unless the temporary non-contact order is earlier discharged, the order becomes a final non-contact order by operation of law 3 months after the date on which it is made.

(2) However, a temporary non-contact order does not become a final non-contact order under subsection (1) unless the offender has been served with a copy of the order at least 10 days before the 3-month period specified in subsection (1) elapses.

(3) If, pursuant to subsection (2), a temporary non-contact order does not become a final non-contact order, the court may from time to time extend the period within which the temporary non-contact order may be served and the temporary non-contact order continues in force until the expiry of any such extensions.

(4) Any extension or extensions under subsection (3) may not extend the period within which a temporary non-contact order may be served by more than 3 months in total.

(5) If the period for service of a temporary non-contact order has been extended under subsection (3) and at the expiry of that period the temporary non-contact order has not been served, the order lapses.

21 Court may require hearing before order becomes final

(1) If, on or after making a temporary non-contact order, the court considers that there is good reason why the order should not become final in accordance with section 20(1) without a hearing at which the victim or the offender, or both, are present or represented, the court, of its own motion, may direct that there be a hearing.

(2) A direction made under subsection (1) may be made even though the offender does not wish to be heard.

(3) If, pursuant to subsection (1), the court directs that there be a hearing, the Registrar must assign a hearing date as soon as practicable.

(4) If the court makes a direction under subsection (1), it may issue a summons requiring the offender to attend the court at a place and time specified in the summons.

22 Procedure where hearing required

If, pursuant to section 19, the offender notifies the court that he or she wishes to be heard, or in any other case where a hearing is required or held, the court may at the hearing—

(a) discharge the temporary non-contact order; or

(b) make the temporary non-contact order a final non-contact order (with or without variation).

Enforcement of non-contact orders

23 Copies of orders to be sent to Police

(1) This section applies to the following orders:

(a) a non-contact order; and

(b) an order varying a non-contact order; and

(c) an order discharging a non-contact order.

(2) On the making of an order to which this section applies, the Registrar of the court in which the order is made must ensure that a copy of the order is made available, without delay, to the constable in charge of the Police station nearest to where the victim resides.

(3) For the purposes of this section, a copy of an order may be made available in any of the following ways:

(a) by sending the copy by means of electronic transmission (whether by fax, electronic message, or other similar means of communication):

(b) by entering the copy on a database maintained in electronic form, where that database may be accessed by the constable to whom the copy is required to be made available:

(c) by sending the order by ordinary post:

(d) by making the copy available in such other manner as is appropriate in the circumstances.

24 Offence to breach non-contact order

(1) An offender against whom a non-contact order is made commits an offence if the offender, without reasonable excuse, does anything prohibited by the order.

(2) An associate against whom a final non-contact order is directed to apply commits an offence if the associate, without reasonable excuse, does anything prohibited by the order.

(3) An offender or associate who is convicted of an offence against this section is liable to—

(a) imprisonment for a term not exceeding 2 years; or

(b) a fine not exceeding $5,000.

Power to clear court and restrict publication of proceedings

Heading: inserted, on 14 November 2018, by section 167 of the Courts Matters Act 2018 (2018 No 50).

24A Power to clear court and restrict publication of proceedings

(1) If, in any proceedings under this Act, the court is of the opinion that it is desirable to do so, after having regard to the interests of any person (including, without limitation, the privacy of the applicant) and to the public interest, the court may make 1 or more of the following orders:

(a) an order forbidding publication of any report or account of the whole or any part of—

(i) the evidence adduced:

(ii) the submissions made:

(b) an order forbidding the publication of—

(i) the name of any person, or any name or particulars likely to lead to the identification of that person:

(ii) the affairs of any person:

(c) an order excluding all or any persons other than the parties to the proceedings, any lawyer engaged in the proceedings, and any officer of the court from the whole or any part of the proceedings.

(2) The court may make an order under this section on its own motion or on the application of any party to the proceedings.

(3) Every application to the court for an order under this section may be heard in open court or in chambers.

(4) An order made under subsection (1)(a) or (b)—

(a) may be made for a limited period or permanently; and

(b) if it is made for a limited period, may be renewed for a further period or periods by the court under section 24B; and

(c) if it is made permanently, may be reviewed by the court at any time under section 24B.

(5) Nothing in this section limits or restricts any other power of the court—

(a) to prohibit or restrict the publication of reports or particulars relating to proceedings; or

(b) to hear proceedings in private or to exclude any person from the court.

Compare: 1997 No 92 s 39

Section 24A: inserted, on 14 November 2018, by section 167 of the Courts Matters Act 2018 (2018 No 50).

24B Application for renewal or review of order made under section 24A

(1) If the court makes an order under section 24A(1)(a) or (b), any person may at any time apply to the court—

(a) for a renewal of the order, if the order was made for a limited time:

(b) for a review of the order, if the order was made permanently.

(2) An application may be made under subsection (1) by any person who was a party to the proceedings in which the order was made or by any other person.

(3) After considering an application under this section, the court may renew, revoke, vary, or continue the order as it thinks fit.

Compare: 1997 No 92 s 40

Section 24B: inserted, on 14 November 2018, by section 167 of the Courts Matters Act 2018 (2018 No 50).

24C Contravention of orders made under section 24A

(1) A person commits an offence if the person breaches any order made under section 24A(1)(a) or (b) or evades or attempts to evade any such order.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $1,000:

(b) in the case of a body corporate, to a fine not exceeding $5,000.

(3) The failure to comply with any order made under section 24A(1)(c) may be dealt with under subpart 4 of Part 2 of the Contempt of Court Act 2019.

Compare: 1997 No 92 s 41

Section 24C: inserted, on 14 November 2018, by section 167 of the Courts Matters Act 2018 (2018 No 50).

Section 24C(3): replaced, on 26 August 2020, by section 29 of the Contempt of Court Act 2019 (2019 No 44).

Miscellaneous matters

25 Admission of evidence

In any proceedings under this Act (other than criminal proceedings), and whether by way of hearing in the first instance or by way of appeal, the court may receive any evidence, whether or not admissible under the Evidence Act 2006, if the court is satisfied that the admission of the evidence is in the interests of justice.

26 Vexatious proceedings

(1) A court may dismiss any proceedings before it under section 16 or 17 if it is satisfied that they are—

(a) frivolous; or

(b) vexatious; or

(c) an abuse of the procedure of the court.

(2) If a court is satisfied that a person has persistently instituted vexatious proceedings under section 16 or 17, the court may, after giving the person an opportunity to be heard, make an order prohibiting the person from commencing any proceedings under those sections without the leave of the court.

27 Explanation of orders

(1) Where, in any proceedings under this Act (other than criminal proceedings), the offender or associate, as the case may be, is before the court, then on making a non-contact order (other than an order discharging a non-contact order), the Judge must explain to that person—

(a) the effect of the order; and

(b) the consequences that may follow if the person fails to comply with the terms of the order; and

(c) the means by which the order can be varied or discharged.

(2) A Registrar may give the explanation required by subsection (1).

(3) Failure to give the explanation required by subsection (1) does not affect the validity of the order made.

(4) Where the court makes an order under this Act, the copy of the order that is given to or served on the offender (and, where applicable, the associate) must include a notice stating—

(a) the consequences that may follow if the person fails to comply with the terms of the order; and

(b) the means by which the order can be varied or discharged.

(5) Failure to include in a copy of an order made under this Act the notice required by subsection (4) does not affect the validity of the order made.

Rules

28 Rules of court

(1) In addition to all the other powers conferred by the District Court Act 2016, the Governor-General may from time to time, by Order in Council, make rules—

(a) regulating the practice and procedure of the District Court in proceedings under this Act:

(b) providing for such matters as are contemplated by this Act or necessary for giving full effect to its provisions and for its due administration.

(2) Without limiting subsection (1), rules made under that subsection may—

(a) prescribe such forms as are necessary for the purposes of this Act, or authorise any specified person or persons to prescribe or approve forms, and require the use of such forms:

(b) apply, with or without modification, provisions of the District Court Rules 2014.

(3) In the absence of any rules under this section or in any situation not covered by such rules, the District Court Rules 2014 apply, with all necessary modifications, to proceedings under this Act.

(4) Rules under subsection (1)(b) are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

(5) *See* section 228 of the District Court Act 2016, which provides that court rules are secondary legislation.

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 28(1): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 28(1)(a): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 28(2)(b): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 28(3): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 28(4): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 28(5): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Sharing of information relating to criminal proceedings

29 Amendment to Criminal Procedure Act 2011

(1) This section amends the Criminal Procedure Act 2011.

(2) In section 387(1)(h), replace "or the Harassment Act 1997" with ", the Harassment Act 1997, or the Victims' Orders Against Violent Offenders Act 2014".

Sharing of information about non-contact orders

30 Amendment to Privacy Act 1993

(1) This section amends the Privacy Act 1993.

(2) In Schedule 5, under the heading "*Police records*", insert after the item relating to restraining orders:

Non-contact orders	Details of non-contact orders made under the Victims' Orders Against Violent Offenders Act 2014	Department of Corrections (access is limited to obtaining information about any offender who is subject to a non-contact order while also subject to— (a) a full-time custodial sentence (including while released on parole or subject to an extended supervision order made under section 107I of the Parole Act 2002 or to conditions imposed under section 93 of the Sentencing Act 2002); or (b) a sentence of intensive supervision, community detention, community work, or supervision; or (c) a non-association order; or (d) a sentence of home detention (including while subject to post-detention conditions). Access is for the purpose of managing the offender's sentence and any post-sentence conditions in a manner consistent with any non-contact order.)

Notes

1 General

This is a consolidation of the Victims' Orders Against Violent Offenders Act 2014 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Crimes Amendment Act 2026 (2026 No 50): section 40

Three Strikes Legislation Repeal Act 2022 (2022 No 40): sections 23–26

Secondary Legislation Act 2021 (2021 No 7): section 3

Contempt of Court Act 2019 (2019 No 44): section 29

Oranga Tamariki Legislation Act 2019 (2019 No 30): Part 2 subpart 9

Courts Matters Act 2018 (2018 No 50): Part 4 subpart 13

Family Violence Act 2018 (2018 No 46): section 259(1)

District Court Act 2016 (2016 No 49): section 261

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