

Oranga Tamariki Amendment Bill

Government Bill

Explanatory note

General policy statement

This Bill amends the Oranga Tamariki Act 1989 (the **Act**) by—

- partially repealing the subsequent-child provisions;
- repealing a redundant information sharing provision;
- amending technical errors and ambiguities.

Partial repeal of subsequent-child provisions

The subsequent-child provisions (set out in sections 14(1)(c) and 18A to 18D of the Act) lay out a distinct care and protection pathway for when a subsequent child comes to the notice of Oranga Tamariki. A subsequent child is defined as any child, born or unborn, who has a parent—

- who has been convicted of the murder, manslaughter, or infanticide of a child or young person (section 18B(1)(a)); or
- who has had a previous child or young person removed from their care and there is no realistic possibility that they will be returned to that person's care (section 18B(1)(b)).

The subsequent-child provisions, which came into effect on 30 June 2016, were intended to introduce an automatic, mandatory response to ensure greater oversight over the safety of subsequent children. However, a first principles review of the provisions in 2019 found that they were not operating in a way that promoted the best interests of children, nor as originally intended. Some of the key concerns with the provisions were that they—

- reverse the normal onus of proof by requiring the parent or parents of a subsequent child to demonstrate that the parent or parents are unlikely to inflict the same kind of harm that they have previously, which, arguably, might set whānau up for failure:

- predetermine risk and do not leave room for consideration of any positive changes that a parent or parents may have made following the removal of a previous child:
- result in additional Family Court proceedings for the older sibling in care:
- restrict engagement with family and whānau because family group conferences are not required before subsequent-child court proceedings:
- require the Family Court to have oversight of decisions relating to a subsequent child, even when Oranga Tamariki considers there are no care or protection concerns.

In July 2020, Cabinet agreed to seek partial repeal of the subsequent-child provisions as they apply to parents who have had a previous child permanently removed from their care (section 18B(1)(b)). Cabinet agreed to retain the provisions as they apply to parents with a conviction relating to the murder, manslaughter, or infanticide of a child in their care (section 18B(1)(a)), given the seriousness of these convictions.

Repeal of section 66D dataset provision

Section 66D of the Act (the **dataset provision**) came into effect on 1 July 2019 as part of a suite of information sharing provisions contained in Part 2. Under section 66D(2), any agency that creates a dataset from more than 1 source of information is required to publicly notify details of that dataset. The notification must include the following information:

- the types of information used in the combined datasets:
- the sources of those types of information:
- the purpose or purposes served by creating or analysing the combined datasets:
- the privacy safeguards relating to the use of the combined datasets.

Oranga Tamariki has found that the dataset provision could place an unnecessary administrative burden on child welfare and protection agencies without achieving the level of public accountability originally envisaged. Concerns with the dataset provision include that—

- monitoring the use of combined datasets by agencies to allow for the level of public scrutiny required by the provision would be difficult:
- enforcing compliance with the provision without some form of surveillance of agencies' use of combined data would be challenging:
- surveillance would be resource-intensive and impracticable, and could be in breach of an individual's privacy and human rights.

In addition, since 2016 when the original dataset provisions were proposed, a number of initiatives across government have effectively rendered the dataset redundant. These include—

- the establishment of the Government Chief Data Steward role in 2017:

- the Social Wellbeing Agency’s Data Protection and Use Policy and Data Exchange;
- the publication of Statistics New Zealand and the Privacy Commissioner’s principles for the safe and effective use of data and analytics;
- the Integrated Data Infrastructure.

These initiatives allow agencies to safely share and use combined information for operational purposes, and provide the necessary transparency, protections, and safeguards around privacy. Based on these findings, in March 2019, Cabinet agreed to repeal the dataset provision.

Technical amendments

The Bill also makes some minor and technical changes to the Act for clarity, and to address omissions and ambiguous language. These amendments are not policy changes to the application of the Act.

Departmental disclosure statement

Oranga Tamariki—Ministry for Children is required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2021&no=95>

Regulatory impact statement

Oranga Tamariki—Ministry for Children produced a regulatory impact statement on 6 July 2020 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

A copy of this regulatory impact statement can be found at—

- <https://www.orangatamariki.govt.nz/assets/Uploads/About-us/Report-and-releases/Cabinet-papers/Subsequent-children-provisions/Regulatory-Impact-Analysis-Subsequent-children.pdf>
- <https://treasury.govt.nz/publications/informationreleases/ris>

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that this Bill amends the Oranga Tamariki Act 1989 (the **principal Act**).

Part 1

Amendments to principal Act

Clause 4 amends section 11, which concerns the participation and views of children and young persons in certain proceedings and processes. The amendment provides that decisions must be explained to children or young persons in a manner appropriate for their age and level of understanding.

Clause 5 amends section 17, which concerns the investigation of reports regarding the treatment of children and young persons. The amendment adjusts the heading to section 17.

Clause 6 replaces section 18B. *New section 18B* provides that a person described in the section is one who has been convicted under the Crimes Act 1961 of the murder, manslaughter, or infanticide of a child or young person who was in the person's care or custody at the time of the child's or young person's death.

Clause 7 repeals section 66D, which concerns public notification of information about combined datasets.

Clause 8 amends section 83, which specifies the orders that the court may make when satisfied that a child or young person is in need of care or protection. The amendment repeals section 83(2A) and (2B).

Clause 9 amends section 87(1) to clarify that the court may make certain restraining orders if satisfied that a child or young person is in need of care or protection.

Clause 10 amends section 95 as a consequence of the repeal of section 67 by section 42 of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017. The amendment replaces the reference to a declaration with a reference to the court being satisfied that a child or young person is in need of care or protection.

Clause 11 replaces section 104(3)(c) to state the relevant entry and search provisions rather than applying, with all necessary modifications, the entry and search provisions of section 105.

Clause 12 consequentially repeals section 110(4) as the substance of the provision is incorporated into *new section 113A(1AA)* (as inserted by *clause 13*).

Clause 13 makes 2 amendments to section 113A, which provides that the court may make special guardianship orders. *Clause 13(1)* inserts *new section 113A(1AA)* to clarify that the jurisdiction to make a special guardianship order arises under section 113A. *Clause 13(2)* consequentially amends section 113A(1) to reflect the repeal of section 110(4).

Clause 14 replaces section 121(2)(c) and (ca) with *new section 121(2)(c)* to include a cross-reference.

Clause 15 replaces section 126(f) with *new section 126(f)* as a consequence of the repeal of section 67 (*see clause 10*). The amendment replaces the current reference to a declaration with a reference to a care or protection order.

Clause 16 amends section 137(1)(f) as a consequence of the repeal of section 67 (*see clause 10*). The amendment replaces the current reference to a declaration with a reference to a care or protection order.

Clause 17 replaces section 144(1) with *new section 144(1)*, which relates to certain agreements that require the consent of a child over the age of 12 years or a young person. *New section 144(1)* provides that certain agreements may not be made unless the child or young person concerned consents, and changes the requirement for written consent to a requirement for recorded consent.

Clause 18 amends section 158, which relates to applications that may be heard together. The amendment repeals section 158(2) and (3) as a consequence of the replacement of section 18B(2) (*see clause 6*).

Clause 19 amends section 165, which relates to payment of lay advocates, by replacing section 165(1) with *new section 165(1)* to provide that the Registrar of the court may, in the absence of relevant regulations, determine the fees and expenses for a lay advocate appointed under section 163.

Clause 20 amends section 186(1) as a consequence of the repeal of section 67 (*see clause 10*). The amendment simplifies the provision and deletes the reference to a declaration.

Clause 21 amends section 187(1) as a consequence of the repeal of section 67 (*see clause 10*). The amendment simplifies the provision and deletes the reference to a declaration.

Clause 22 replaces section 196 with *new section 196*, as the specific privilege relating to the disclosure in proceedings of protected communications to a medical practitioner or clinical psychologist set out in section 32 of the Evidence Amendment Act (No 2) 1980 no longer applies owing to its repeal. *New section 196* provides that if a court is, in relation to a child or young person, asked to exercise its discretion under section 69 of the Evidence Act 2006, the court must give the lawyer appointed under section 159 of the principal Act to represent the child or young person an opportunity to be heard on the matter.

Clause 23 replaces section 198(2). *New section 198(2)* provides that nothing in section 197 applies to any application for a care or protection order on the ground specified in section 14(1)(e).

Clause 24 adjusts the definition of protection proceedings in section 207B as a consequence of the repeal of section 67 (*see clause 10*). The amendment replaces the reference to a declaration with a reference to a care or protection order.

Clause 25 amends section 207O, which concerns appeals against an order for transfer. Section 207O(b) is replaced with *new section 207O(b)* to provide that an appeal must be brought within 10 working days after the day on which the order was made.

Clause 26 amends section 207U, which also concerns appeals against an order for transfer. Section 207U(b) is replaced with *new section 207U(b)* to provide that an appeal must be brought within 3 working days after the day on which the order was made.

Clause 27 amends section 207ZC to correct a cross-reference.

Clause 28 amends section 214, which sets out requirements relating to the arrest of a child or young person without a warrant, to remove a cross-reference. *New section 214(2A)* is also inserted to clarify that the requirements in section 214(1) do not prevent a constable from arresting a child or young person without warrant under section 214A if the criteria in that section are met.

Clause 29 amends section 214A, which provides that a child or young person may be arrested without warrant for breach of their bail conditions. Section 214A(b)(i) is replaced with *new section 214A(b)(i)* to clarify that a child or young person may be arrested without warrant if they are in breach of their bail conditions, or have recently breached their bail conditions for a third time. *New section 214A(2) and (3)* are also inserted. *New section 214A(2)* provides that if a child or young person appears before a court and the court considers the child's or young person's bail, no breach of a bail condition that occurred before the appearance may be used to support a subsequent arrest under section 214A. *New section 214A(3)* clarifies that section 214A does not apply if the child or young person is arrested without warrant under section 35 of the Bail Act 2000.

Clause 30 repeals section 239A because it has expired.

Clause 31 amends section 242 to adjust a cross-reference.

Clause 32 replaces section 248A(1), which concerns the appointment of youth advocates, with *new section 248A(1)*. *New section 248A(1)* provides that section 248A applies if an offence is punishable by imprisonment of 10 years or more and a family group conference relating to the offence is required. *Clause 32* also replaces section 248A(2) with *new section 248A(2) and (2A)* to provide that the chief executive must appoint a youth advocate for a child or young person at the family group conference if the child or young person would be without legal representation at the family group conference.

Clause 33 amends section 258(1), which concerns the functions of family group conferences. The amendment clarifies that family group conferences may make certain decisions regarding children who are in need of assistance as well as regarding those who are in need of care or protection.

Clause 34 amends section 261, which concerns family group conference decisions, recommendations, and plans, to clarify that it applies to decisions, recommendations, and plans, regarding children who are in need of assistance as well as those who are in need of care or protection.

Clause 35 amends section 272 as a consequence of the repeal of section 67 (*see clause 10*). The amendment replaces section 272(1A)(b)(i) with *new section 272(1A)(b)(i)* to replace the current reference to a declaration with a reference to a care or protection order.

Clause 36 replaces section 273(1) to clarify that section 273, which concerns the manner of dealing with offences, applies to certain young persons who are charged with certain offences.

Clause 37 amends section 311, which provides that if a charge against a young person is proved before the Youth Court, the court may make an order placing the young person in the custody of the chief executive of Oranga Tamariki. The amendment replaces section 311(3) with *new section 311(3)*. *New section 311(3)* provides that a supervision order may be made on the same date that a young person is released from the custody of the chief executive.

Clause 38 amends section 325. The amendment replaces section 325(1) with *new section 325(1)* to provide that the Registrar of the court may, in the absence of relevant regulations, determine the fees and expenses of a youth advocate appointed under section 323.

Clause 39 amends section 328A. The amendment replaces section 328A(1) with *new section 328A(1)* to provide that the Registrar of the court may, in the absence of relevant regulations, determine the fees and expenses of a lay advocate appointed under section 326.

Clause 40 amends the heading to section 350 to better align it with the content of the provision.

Clause 41 amends section 365 to expressly provide that, when placing a child or young person in a residence, the chief executive must comply with requirements in regulations. The amendments also change the term “guardianship” to “sole guardianship”.

Clause 42 amends section 386A, which concerns advice and assistance for young persons up to age 25. The amendment extends the provision to young persons in a youth unit of a prison.

Clause 43 amends section 447, which provides for the making of regulations under the Act. The amendments replace section 447(1)(fa)(iii) with *new section 447(1)(fa)(iii)* and insert *new section 447(1)(fa)(v)* to add the power to make regulations for providing for the training and support of caregivers and care providers and for assessing the safety and suitability of caregivers and other persons living in certain residences.

Part 2

Amendments to Schedule 1AA of principal Act

Clause 44 amends Schedule 1AA, which sets out transitional provisions, to correct several cross-references and to provide for the continuation of determinations made before the commencement date of this Bill.

Hon Kelvin Davis

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The Parliament of New Zealand enacts as follows:**1 Title**

This Act is the Oranga Tamariki Amendment Act **2021**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent. 5

3 Principal Act

This Act amends the Oranga Tamariki Act 1989.

Part 1**Amendments to principal Act 10****4 Section 11 amended (Child’s or young person’s participation and views)**

In section 11(2)(f), replace “young person” with “young person, in a manner and in language appropriate for their age and level of understanding”.

5 Section 17 amended (Investigation of report of ill-treatment or neglect of child or young person) 15

In the heading to section 17, replace “ill-treatment or neglect” with “concerns about safety or well-being”.

6 Section 18B replaced (Person described in this section)

Replace section 18B with:

18B Person described in this section 20

A person described in this section is a person who has been convicted under the Crimes Act 1961 of the murder, manslaughter, or infanticide of a child or young person who was in the person’s care or custody at the time of the child’s or young person’s death.

7 Section 66D repealed (Public notification of information about combined datasets) 25

Repeal section 66D.

8 Section 83 amended (Care or protection orders)

Repeal section 83(2A) and (2B).

9 Section 87 amended (Restraining orders) 30

In section 87(1), replace “may make” with “may, on or at any time after becoming satisfied that the child or young person is in need of care or protection, make”.

- 10 Section 95 amended (Conditions of support order or interim support order)**
- In section 95(1)(d), replace “who is the subject of a declaration made” with “who the court is satisfied is in need of care or protection”.
- 11 Section 104 amended (Effect of custody order)** 5
- Replace section 104(3)(c) with:
- (c) for the purpose of exercising that authority,—
- (i) may enter and search any dwelling house, building, aircraft, ship, carriage, vehicle, premises, or place, with or without assistance and by force if necessary; and 10
- (ii) must, on first entering any dwelling house, building, aircraft, ship, carriage, vehicle, premises, or place and, if requested, at any subsequent time,—
- (A) produce evidence of their identity; and
- (B) disclose that they are exercising that authority under this Act. 15
- 12 Section 110 amended (Guardianship orders)**
- Repeal section 110(4).
- 13 Section 113A amended (Special guardianship orders)**
- (1) Before section 113A(1), insert: 20
- (1AA) If a person who is appointed as a sole or additional guardian of a child or young person under section 110 is a natural person, the court may make an order appointing the person as a special guardian of the child or young person (including when the order under section 110 is made at a hearing under section 127). 25
- (2) In section 113A(1), delete “referred to in section 110(4)”.
- 14 Section 121 amended (Court may make orders for access and exercise of other rights by parents and other persons)**
- Replace section 121(2)(c) and (ca) with:
- (c) makes an order under section 110 or 110AA appointing the chief executive or any other person the sole guardian of a child or young person,— 30
- 15 Section 126 amended (Persons who may apply for variation or discharge of order)**
- Replace section 126(f) with:
- (f) any person on whom the application for a care or protection order has been served in accordance with section 152: 35

- 16 Section 137 amended (Court to consider report and make directions)**
In section 137(1)(f), replace “declaration under section 67” with “care or protection order”.
- 17 Section 144 amended (Agreement not to be made without consent of child or young person)** 5
Replace section 144(1) with:
- (1) No agreement may be made under section 140 with respect to a child of or over the age of 12 years or a young person unless—
- (a) the child or young person consents to the making of the agreement; and
- (b) the consent is recorded. 10
- 18 Section 158 amended (Applications may be heard together)**
Repeal section 158(2) and (3).
- 19 Section 165 amended (Payment of lay advocate)**
Replace section 165(1) with:
- (1) The fees and expenses of a lay advocate appointed under section 163 must— 15
- (a) be determined in accordance with regulations made under this Act or, if no such regulations are made, by the Registrar of the court; and
- (b) be paid out of a Crown Bank Account from money appropriated by Parliament for the purpose.
- 20 Section 186 amended (Report by social worker)** 20
- (1) In section 186(1), replace “If the court makes a care or protection order, the” with “The”.
- (2) In section 186(1)(a)(ii), delete “to whom the declaration relates”.
- 21 Section 187 amended (Cultural and community reports)**
- (1) In section 187(1), replace “Where the court makes a care or protection order” 25 with “If a court is satisfied”.
- (2) In section 187(1)(c), replace “where the declaration was made on the ground specified in section 14(1)(a) or (b)” with “if section 14(1)(a) or (b) applies”.
- 22 Section 196 replaced (Special provisions applying to disclosure of communications to medical practitioner or clinical psychologist)** 30
Replace section 196 with:
- 196 Opportunity to be heard if court to exercise certain discretion**
If a court is, in relation to a child or young person, asked to exercise its discretion under section 69 of the Evidence Act 2006, the court must give the lawyer

- appointed under section 159 of this Act to represent the child or young person an opportunity to be heard on the matter.
- 23 Section 198 amended (Special provisions applying to applications for care or protection order on ground of child’s offending)**
- Replace 198(2) with: 5
- (2) Nothing in section 197 applies to any application for a care or protection order on the ground specified in section 14(1)(e).
- 24 Section 207B amended (Interpretation)**
- In section 207B, definition of **protection proceedings**, paragraph (b), replace “declaration under section 67 that a child or young person is in need of care or protection” with “care or protection order”. 10
- 25 Section 207O amended (Appeal against order for transfer)**
- (1) In section 207O(a), delete “despite section 346(b),”.
- (2) Replace section 207O(b) with:
- (b) the appeal must be brought within 10 working days after the day on which the order was made: 15
- 26 Section 207U amended (Appeal against order for transfer)**
- (1) In section 207U(a), delete “despite section 346(b),”.
- (2) Replace section 207U(b) with:
- (b) the appeal must be brought within 3 working days after the day on which the order was made: 20
- 27 Section 207ZC amended (Aboriginal or Torres Strait Islander children or young persons)**
- In section 207ZC(2), replace “section 5(b)” with “section 5(1)(c)(iv)”.
- 28 Section 214 amended (Arrest of child or young person without warrant)** 25
- (1) In section 214(1), delete “section 214A and”.
- (2) After section 214(2), insert:
- (2A) Nothing in subsection (1) prevents a constable from arresting a child or young person without warrant under section 214A if the criteria in that section are met. 30
- 29 Section 214A amended (Arrest of child or young person in breach of bail condition)**
- (1) Replace section 214A(b)(i) with:
- (i) the child or young person is in breach of, or has recently breached, a condition of that bail; and 35

- (2) In section 214A, insert as subsections (2) and (3):
- (2) If a child or young person appears before a court and the court considers the child’s or young person’s bail, no breach of a bail condition that occurred before the appearance may be used to support a subsequent arrest under this section. 5
- (3) This section does not apply if a child or young person is arrested without warrant under section 35 of the Bail Act 2000 in accordance with section 214 of this Act.
- 30 Section 239A repealed (Expiry of sections 238(1A) to (1C), and 239(3))**
Repeal section 239A. 10
- 31 Section 242 amended (Order under section 238 sufficient authority for detention of child or young person)**
In section 242(3), replace “this section” with “subsection (1)(b)”.
- 32 Section 248A amended (Chief executive to appoint youth advocate to represent child or young person if offence punishable by imprisonment of 10 years or more)** 15
- (1) Replace section 248A(1) with:
- (1) This section applies if—
- (a) an offence referred to in section 245(1) is an offence punishable by imprisonment of 10 years or more; and 20
- (b) a youth justice co-ordinator is required to convene a family group conference because they have received a notification under section 247(b) relating to that offence.
- (2) Replace section 248A(2) with:
- (2) Before the family group conference is convened, the chief executive must appoint a youth advocate to represent the child or young person at the family group conference unless the chief executive is satisfied that legal representation has been arranged (or is to be arranged) for the child or young person in relation to the family group conference. 25
- (2A) If an arrangement described in subsection (2) ceases (or fails to come into being), the chief executive must appoint a youth advocate to represent the child or young person at the family group conference. 30
- 33 Section 258 amended (Functions of family group conference)**
In section 258(1)(a)(ii), after “protection,” insert “or is in need of assistance,”.

- 34 Section 261 amended (Family group conference may make decisions, recommendations, and plans relating to care or protection of child or young person)**
- (1) In the heading to section 261, after “**protection**”, insert “**or assistance**”.
- (2) In section 261(1),— 5
- (a) after “section 14),”, insert “or is in need of assistance,”; and
- (b) replace “protection matters” with “protection or assistance matters”; and
- (c) after “in relation to the care or protection”, insert “or assistance”.
- 35 Section 272 amended (Jurisdiction of Youth Court and children’s liability to be prosecuted for criminal offences)** 10
- Replace section 272(1A)(b)(i) with:
- (i) makes a care or protection order on that ground; or
- 36 Section 273 amended (Manner of dealing with offences (other than murder or manslaughter))**
- (1) In the heading to section 273, replace “**murder or manslaughter**” with “**murder, manslaughter, or offence specified in Schedule 1A**”. 15
- (2) Replace section 273(1) with:
- (1) This section applies if a young person is charged with an offence other than—
- (a) murder or manslaughter; or
- (b) in the case of a young person who is aged 17 years,— 20
- (i) murder or manslaughter; or
- (ii) an offence specified in Schedule 1A.
- 37 Section 311 amended (Supervision with residence order)**
- Replace section 311(3) with:
- (3) The order required by subsection (2A)(b) must be made either at the same time as the order made under subsection (1) or after that time but— 25
- (a) before the expiry of the order made under subsection (1); or
- (b) before or on the date on which the young person is released from the custody of the chief executive under section 314, if that is earlier than the expiry of the order made under subsection (1). 30
- 38 Section 325 amended (Payment of youth advocate)**
- Replace section 325(1) with:
- (1) The fees and expenses of a youth advocate must—
- (a) be determined in accordance with regulations made under this Act or, if no such regulations are made, by the Registrar of the court; and 35

- (b) be paid out of a Crown Bank Account from money appropriated by Parliament for the purpose.
- 39 Section 328A amended (Payment of lay advocate)**
- Replace section 328A(1) with:
- (1) The fees and expenses of a lay advocate appointed under section 326 must— 5
- (a) be determined in accordance with regulations made under this Act or, if no such regulations are made, by the Registrar of the court; and
- (b) be paid out of a Crown Bank Account from money appropriated by Parliament for the purpose.
- 40 Section 350 amended (Decision of High Court and Family Court to be sent to chief executive)** 10
- In the heading to section 350, replace “chief executive” with “principal manager”.
- 41 Section 365 amended (Chief executive may place children and young persons in residences)** 15
- In section 365(1),—
- (a) replace “may” with “may, in accordance with prescribed requirements,”; and
- (b) replace “guardianship” with “sole guardianship”.
- 42 Section 386A amended (Advice and assistance for young persons up to age of 25 years)** 20
- In section 386A(1)(a), replace “311” with “311, detention in a youth unit of a prison under section 238(1)(f),”.
- 43 Section 447 amended (Regulations)**
- (1) Replace section 447(1)(fa)(iii) with: 25
- (iii) the provision of training and support for caregivers and care providers:
- (2) After section 447(1)(fa)(v), insert:
- (vi) the assessment of the safety and suitability of caregivers and their households: 30

Part 2

Amendments to Schedule 1AA of principal Act

- 44 Schedule 1AA amended**
- (1) In Schedule 1AA, heading to clause 11, replace “68” with “67”.

- (2) In Schedule 1AA, clause 11(2), replace “68” with “67” in each place.
- (3) In Schedule 1AA,—
 - (a) insert the Part set out in the *Schedule* of this Act as the last Part; and
 - (b) make all necessary consequential amendments.

Schedule
Schedule 1AA amended

s 44(3)

Part 5

Provisions relating to Oranga Tamariki Amendment Bill 2021

5

24 Certain determinations made before commencement date

(1) For the purpose of this clause, **commencement date** means the date on which this clause comes into force.

(2) Any determination made under section 83(2A) before the commencement date continues to have effect until it is terminated or expires and this Act continues to apply to those determinations as if the Oranga Tamariki Amendment Act **2021** had not been enacted.

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