



# Health and Disability Commissioner Amendment Act 2007

Public Act 2007 No 62  
Date of assent 19 September 2007  
Commencement see section 2

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## The Parliament of New Zealand enacts as follows:

- 1 Title**  
This Act is the Health and Disability Commissioner Amendment Act 2007.
- 2 Commencement**  
This Act is deemed to have come into force on 25 January 2005.
- 3 Principal Act amended**  
This Act amends the Health and Disability Commissioner Act 1994.

**4 New section 9 substituted**

Section 9 is repealed and the following section substituted:

**“9 Deputy Commissioners**

- “(1) One or more Deputy Health and Disability Commissioners may be appointed in the same way as the Commissioner is appointed, except that the Minister must consult the Commissioner before recommending a person for appointment as a Deputy Commissioner.
- “(2) A Deputy Commissioner has any powers, duties, and functions that—
- “(a) the Commissioner delegates to the Deputy Commissioner under section 68(3A); and
  - “(b) the Deputy Commissioner may exercise and perform under subsection (3).
- “(3) During the absence of the Commissioner from duty (for any reason) or a vacancy in the office of the Commissioner (for any reason), the powers, duties, and functions of the Commissioner may be exercised and performed by—
- “(a) the Deputy Commissioner who was nominated for the purpose by the Commissioner before the absence or vacancy by a written notice that is in force at the time of the absence or vacancy; or
  - “(b) if there is no such notice, the Deputy Commissioner who has been Deputy Commissioner for the longest time.”

**5 Delegation of functions and powers**

Section 68(2) is amended by inserting “to any person other than a Deputy Commissioner” after “may not delegate”.

**6 Further provisions relating to delegations**

Section 69 is amended by omitting “section 9 or” from subsections (1), (3), (4), and (6).

**7 Revocation of delegations**

Section 71(1) is amended by omitting “section 9 or”.

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**Legislative history**

11 September 2007	Divided from Statutes Amendment Bill (Bill 107–2) by committee of the whole House
11 September 2007	Third reading
19 September 2007	Royal assent

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This Act is administered by the Ministry of Health.

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