

House of Representatives

Supplementary Order Paper

Wednesday, 16 April 2014

Vulnerable Children Bill

Proposed amendments

Hon Paula Bennett, in Committee, to move the following amendments:

Clause 2

In *clause 2(2)(c)*, replace “**124**” (page 7, line 6) with “**123**”.

Clause 15

In *clause 15(1)*, definition of **school board**, after “a board or body that is” (page 14, line 17), insert “, or 1 or more managers who are,”.

In *clause 15(1)*, definition of **school board**, *paragraph (c)*, after “the” (page 14, line 23), insert “manager or”.

Clause 27

In *clause 27(1)*, replace “at intervals of no more than 3 years after the employer first conducts a safety check of the person under this **subpart**” (page 23, lines 17 and 18) with “within 3 years after the date of the latest safety check of the person that complied with **section 31**”.

Clause 101

In *clause 101*, replace the definition of **permanent caregiver** (page 59, line 19 to page 60, line 12) with:

“**permanent caregiver**, in relation to a child or young person,
means—

“(a) a special guardian; or

“(b) a person—

“(i) appointed as a guardian of the child or young person under section 27 of the Care of Children Act 2004, where that appointment was made in substitution for an order under section 78, 101, or **110** of this Act, or for an agreement under section 140 of this Act; and

- “(ii) who has the day-to-day care of the child or young person pursuant to a parenting order made under section 48 of the Care of Children Act 2004 or because there is no other guardian who has the day-to-day care of the child or young person

Clause 118: new section 113A(2)

In *clause 118*, replace *new section 113A(2)* (page 76, lines 24 to 28) with:

- “(2) For the purposes of this section and **section 113B**, **existing guardian** means any person (other than a special guardian) who is a guardian of the child or young person, or who would be a guardian of the child or young person if the court had not made a guardianship order under **section 110**.

Clause 121

In *clause 121(1)*, *new section 130(ea)(i)*, replace “immediately before the plan was formulated” (page 80, lines 3 and 4) with “previously and wishes to have the child or young person returned to his or her care”.

In *clause 121(2)*, *new section 130(2)*, replace “who had the care of the child or young person before the plan was formulated” (page 80, lines 19 to 21) with “referred to in **subsection (1)(ea)(i)**, or if the plan relates only to a services order under section 86 or a support order under section 91”.

In *clause 121(2)*, *new section 130(3)*, after “those needs will be met” (page 80, lines 24 and 25), insert “(unless the plan relates only to a services order or a support order)”.

Clause 127: new section 186(2A)

In *clause 127*, *new section 186(2A)(b)(ii)*, after “existing guardian” (page 84, line 8), insert “(as defined in that section)”.

Clause 129

In *clause 129(2)*, delete “the chief executive considers that” (page 84, line 28).

Clause 133: new section 389A

In *clause 133*, *new section 389A heading*, after “**financial**” (page 90, line 3), insert “**or other**”.

In *clause 133*, *new section 389A(1)*, after “financial” (page 90, line 6), insert “or other”.

In *clause 133*, *new section 389A(2)*, replace “either confirm or modify” (page 90, line 11) with “confirm, modify, or reverse”.

In *clause 133*, *new section 389B heading*, after “**financial**” (page 90, line 16), insert “**or other**”.

Clause 134

In *clause 134(1)*, replace *new section 423(1A)(b)* (page 91, lines 22 to 24) with:

- “(b) be employees of an **approved service**, which in this section and **sections 425 and 427** means any of the following:
 - “(i) an iwi social service:
 - “(ii) a cultural social service:
 - “(iii) a child and family support service:
 - “(iv) a community service.”

In *clause 134(2)*, *new section 423(3)*, replace “An employee of an iwi social service, of a cultural social service, or of the director of a child and family support service” (page 91, lines 26 and 27) with “An employee of an approved service”.

In *clause 134(2)*, *new section 423(3)(c)*, replace “the iwi social service, cultural social service, or director of a child and family support service (as applicable)” (page 92, lines 4 to 6) with “the relevant approved service”.

Clause 135

In *clause 135(1)*, replace *new section 425(1A)(b)* (page 92, lines 20 to 22) with:

- “(b) be employees of an approved service (as defined in **section 423(1A)(b)**).

In *clause 135(2)*, *new section 425(3)*, replace “An employee of an iwi social service, of a cultural social service, or of the director of a child and family support service” (page 92, lines 24 and 25) with “An employee of an approved service”.

In *clause 135(2)*, *new section 425(3)(c)*, replace “the iwi social service, cultural social service, or director of a child and family support service (as applicable)” (page 93, lines 1 and 2) with “the relevant approved service”.

Clause 136

In *clause 136*, *new section 427(1A)*, replace “an iwi social service, a cultural social service, or the director of a child and family support service” (page 93, lines 15 and 16) with “an approved service (as defined in **section 423(1A)(b)**)”.

Clause 140

In *clause 140(2)*, *new section 35(5)*, replace “while his or her guardianship of the person has effect (and independently)” (page 94, lines 32 and 33) with “(independently)”.

In *clause 140(2)*, *new section 35(6)*, delete “, while the CYPFA guardian’s guardianship has effect,” (page 95, lines 10 and 11).

Clause 141

In *clause 141(3)*, replace “under section 35(3) or **(5)** of the KiwiSaver Act 2006” (page 95, lines 25 and 26) with “(but only if the young person is under the person’s guardianship, and only in accordance with section 35(3) or **(5)** of the Kiwi-Saver Act 2006)”.

Explanatory note

This Supplementary Order Paper proposes amendments to the Vulnerable Children Bill.

Most of the amendments correct minor errors and inconsistencies, or improve the way the policy is expressed.

A minor policy change is made by the amendments to *clauses 134 to 136*. These clauses provide for employees of iwi social services, cultural social services, or child and family support services to be appointed as care and protection co-ordinators and youth justice co-ordinators. The amendments propose that employees of community services will also be able to be appointed to those roles.

Departmental disclosure statement

The Ministry of Social Development considers that a departmental disclosure statement is not required to be prepared for this Supplementary Order Paper because there are no material policy changes.
