

**Reprint
as at 31 January 2018**



**Children, Young Persons, and Their Families Amendment
Act (No 2) 2016**

Public Act 2016 No 75
Date of assent 7 November 2016
Commencement see section 2

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Ministry of Social Development.

11	Section 179 amended (Further provisions relating to medical, psychiatric, and psychological examinations)	3
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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Children, Young Persons, and Their Families Amendment Act (No 2) 2016.

2 Commencement

- (1) This Act comes into force on a date appointed by the Governor-General by Order in Council, and 1 or more Orders in Council may be made bringing different provisions into force on different dates.
- (2) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

Section 2(1): this Act brought into force, on 31 January 2018, by clause 2 of the Children, Young Persons, and Their Families Amendment Act (No 2) 2016 Commencement Order 2017 (LI 2017/204).

3 Principal Act

This Act amends the Oranga Tamariki Act 1989 (the **principal Act**).

Section 3: amended, on 14 July 2017, by section 149 of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31).

4 Section 2 amended (Interpretation)

- (1) In section 2(1), insert in their appropriate alphabetical order:

health practitioner has the same meaning as in section 5 of the Health Practitioners Competence Assurance Act 2003

hospital has the same meaning as in section 2(1) of the Mental Health (Compulsory Assessment and Treatment) Act 1992

- (2) In section 2(1), repeal the definition of **psychiatric hospital**.
- (3) In section 2(1), definition of **residence**, paragraph (c)(ii), delete “psychiatric”.

5 Section 12 amended (Duty of medical practitioner to minimise distress to child or young person)

- (1) In the heading to section 12, replace “**medical practitioner**” with “**health practitioner**”.

- (2) In section 12, replace “medical practitioner” with “health practitioner”.
- 6 Section 49 amended (Court may order medical examination of child or young person)**
In section 49(1), replace “medical practitioner” with “health practitioner whom the court considers qualified for the purpose”.
- 7 Section 52 amended (Medical practitioner to prepare report on examination)**
- (1) In the heading to section 52, replace “**Medical**” with “**Health**”.
- (2) In section 52(1), replace “medical practitioner” with “health practitioner”.
- 8 Section 53 amended (Medical examination of child or young person at request of social worker)**
- (1) In section 53(2), replace “medical practitioner” with “health practitioner qualified for the purpose”.
- (2) In section 53(3), replace “medical practitioner” with “health practitioner qualified for the purpose”.
- 9 Section 55 amended (Restrictions on internal examinations and examinations under general anaesthetic)**
In section 55(1)(a), replace “medical practitioner” with “health practitioner”.
- 10 Section 56 amended (Medical practitioner to prepare report on examination)**
- (1) In the heading to section 56, replace “**Medical**” with “**Health**”.
- (2) In section 56, replace “medical practitioner” with “health practitioner”.
- 11 Section 179 amended (Further provisions relating to medical, psychiatric, and psychological examinations)**
- (1) In section 179(1), replace “registered medical practitioner” with “health practitioner whom the court considers qualified for the purpose”.
- (2) In section 179(2), replace “registered medical practitioner” with “health practitioner”.
- (3) In section 179(3)(a), replace “registered medical practitioner” with “health practitioner”.
- 12 Section 181 amended (Court may order examination to be carried out in psychiatric hospital)**
- (1) In the heading to section 181, delete “**psychiatric**”.
- (2) In section 181(1)(a), replace “medical practitioners” with “health practitioners”.

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- (3) In section 181(1), (2), and (4), replace “psychiatric hospital” with “hospital” in each place.
 - (4) In section 181(3), replace “medical practitioner” with “health practitioner”.

13 Section 182 amended (Release of child or young person from psychiatric hospital where detention no longer required)

- (1) In the heading to section 182, delete “**psychiatric**”.
- (2) In section 182, delete “psychiatric” in each place.

Reprints notes

1 *General*

This is a reprint of the Children, Young Persons, and Their Families Amendment Act (No 2) 2016 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Children, Young Persons, and Their Families Amendment Act (No 2) 2016 Commencement Order 2017 (LI 2017/204)

Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31): section 149