Children, Young Persons, and Their Families (Forms) Amendment Regulations 2012

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 27th day of August 2012

Present:
His Excellency the Governor-General in Council

Pursuant to section 447 of the Children, Young Persons, and Their Families Act 1989, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal regulations	2
4	Schedule 1 amended	2

Regulations

1 Title

These regulations are the Children, Young Persons, and Their Families (Forms) Amendment Regulations 2012.

2 Commencement

These regulations come into force on 1 October 2012.

3 Principal regulations

These regulations amend the Children, Young Persons, and Their Families (Forms) Regulations 1989.

4 Schedule 1 amended

(1) In Schedule 1, form 1,—

(a) replace "swear:" with "state—"; and

(b) after paragraph 3, insert:

"I confirm the truth and accuracy of the statements in paragraphs 1 to 3."; and

(c) replace "**Sworn** at [*place, date*] before me:" with "Date:"; and

(d) delete "[*Signature*]"; and

(e) delete "*District Court Judge"; and

(f) delete "*Registrar (not being a constable)"; and

(g) delete "*Justice of the Peace"; and

(h) delete "*Solicitor of the High Court"; and

(i) delete "*Delete if inapplicable."

(2) In Schedule 1, form 2,—

(a) replace "made on oath" with "verified in accordance with section 99 of the Search and Surveillance Act 2012"; and

(b) replace "section 124 of the Children, Young Persons, and Their Families Act 1989" with "sections 101(2) and 131 of the Search and Surveillance Act 2012"; and

(c) after "sections 54 and 55 of that Act.", insert:

"If it is not possible or practicable for you to have this warrant in your possession at the time of execution, one of the following documents may be executed in accord-

ance with section 105 of the Search and Surveillance Act 2012:

"(a) a facsimile, or a printout of an electronically generated copy, of the warrant as issued:

"(b) a copy made by the person to whom the warrant is issued, at the direction of the issuing officer and endorsed to that effect."; and

(d) replace "District Court Judge (*or* Justice of the Peace *or* Registrar (not being a constable))" with "(Issuing officer)".

(3) In Schedule 1, form 3,—

(a) replace "swear:" with "state—"; and

(b) after paragraph 4, insert:

"I confirm the truth and accuracy of the statements in paragraphs 1 to 4."; and

(c) replace "**Sworn** at [*place, date*] before me:" with "Date:"; and

(d) delete "[*Signature*]"; and

(e) delete "*District Court Judge"; and

(f) delete "*Registrar (not being a constable)"; and

(g) delete "*Justice of the Peace"; and

(h) delete "*Solicitor"; and

(i) delete "*Delete if inapplicable."

(4) In Schedule 1, form 4,—

(a) replace "made on oath" with "verified in accordance with section 99 of the Search and Surveillance Act 2012"; and

(b) replace "section 124 of the Children, Young Persons, and Their Families Act 1989" with "sections 101(2) and 131 of the Search and Surveillance Act 2012"; and

(c) above "[*Signature*]", insert:

"If it is not possible or practicable for you to have this warrant in your possession at the time of execution, one of the following documents may be executed in accordance with section 105 of the Search and Surveillance Act 2012:

"(a) a facsimile, or a printout of an electronically generated copy, of the warrant as issued:

"(b) a copy made by the person to whom the warrant is issued, at the direction of the issuing officer and endorsed to that effect."; and

(d) replace "District Court Judge (*or* Justice of the Peace *or* Registrar (not being a constable))" with "(Issuing officer)".

Michael Webster,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 October 2012, adjust forms 1 to 4 of Schedule 1 of the Children, Young Persons, and Their Families (Forms) Regulations 1989 to align them with the requirements related to warrants in the recently enacted Search and Surveillance Act 2012.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 30 August 2012.
These regulations are administered by the Ministry of Social Development.

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2012