



Oranga Tamariki (Residential Care) Amendment Regulations 2018

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 2nd day of July 2018

Present:

Her Excellency the Administrator of the Government in Council

These regulations are made under section 447 of the Oranga Tamariki Act 1989 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Oranga Tamariki (Residential Care) Amendment Regulations 2018.

2 Commencement

These regulations come into force on 1 July 2019.

3 Principal regulations

These regulations amend the Oranga Tamariki (Residential Care) Regulations 1996 (the **principal regulations**).

4 Regulation 3 amended (Right to professional and planned standards of care)

(1) After regulation 3(1)(a), insert:

(ab) the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018; and

(2) Replace regulation 3(1)(b) with:

(b) the purposes and principles set out in sections 4A, 5, 13, and 208 of the Act (as inserted, substituted, or amended) by sections 10, 11, 16, and 101 of the Children, Young Persons, and Their Families (Oranga Tamariki) Amendment Act 2017; and

(3) After regulation 3(3)(a), insert:

(ab) be consistent with the other plan prepared for the child or young person under regulations 16 to 25 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 and the requirements for that plan under those regulations:

5 Regulation 5 amended (Right to use personal effects)

After regulation 5(6), insert:

(7) If there is any inconsistency between this regulation and the provisions of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018, this regulation prevails.

6 Regulation 6 amended (Right to wear own clothing and articles of adornment)

After regulation 6(7), insert:

(8) If there is any inconsistency between this regulation and the provisions of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018, this regulation prevails.

7 Regulation 37 amended (Inspection of residences)

- (1) In regulation 37(1), after “these regulations”, insert “, the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018,”.
- (2) In regulation 37(5)(a) and (b), after “these regulations”, insert “, the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018,”.

8 Regulation 58 amended (Access, use, and retention of records)

In regulation 58(1)(a), replace “of any enactment” with “of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 and any other enactment”.

Michael Webster,
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 July 2019, amend the Oranga Tamariki (Residential Care) Regulations 1996 to—

- make those regulations consistent with the requirements of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018; and
- set out rules to state which set of regulations applies if there is any inconsistency between the provisions of the 2 sets of regulations.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 5 July 2018.

These regulations are administered by the Oranga Tamariki—Ministry for Children.