



Cabinet Legislation Committee

Minute of Decision

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Oranga Tamariki (National Care Standards and Related Matters) Amendment Regulations 2019

Portfolio **Social Development**

On 21 May 2019, the Cabinet Legislation Committee:

- 1 **noted** that the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 (NCS Regulations) are expected to come into force on 1 July 2019;
- 2 **noted** that amendments to the NCS Regulations are required prior to their commencement on 1 July 2019;
- 3 **noted** that Cabinet on 25 March 2019 agreed to amend the NSC Regulations in order to:
 - 3.1 change the commencement provisions to enable the Ministry of Social Development sufficient time to develop the monitoring function, which will allow the assessment framework for the NCS to be developed over 2019/2020 and the monitoring function to commence, in full, on, or before, 31 December 2020;
 - 3.2 clarify the scope of the independent monitoring function under the NCS [CAB-19-MIN-0113];
- 4 **noted** that in the course of drafting the amendment to Regulation 77 it was noted that prescribing a date in regulations on which the framework must be developed and established would provide certainty;
- 5 **agreed** that Regulation 77 is amended to provide that the assessment framework must be developed and established no later than 31 December 2020;
- 6 **noted** that “abuse” and “neglect” will be covered by the definition of “serious harm” in section 14AA of the Oranga Tamariki Act 1989;
- 7 **agreed** that new sub-clause 83(3) incorporates the definition of “serious harm” from section 14AA into the Amendment Regulations;

- 8 **authorised** the submission to the Executive Council of the Oranga Tamariki (National Care Standards and Related Matters) Amendment Regulations 2019 [PCO 22085/2.0].

Vivien Meek
Committee Secretary

Present:

Rt Hon Jacinda Ardern
Rt Hon Chris Hipkins (Chair)
Hon Stuart Nash
Hon Iain Lees-Galloway
Hon Tracey Martin
Hon Kris Faafoi
Hon Peeni Henare
Hon Eugenie Sage

Officials present from:

Office of the Prime Minister
Officials Committee for LEG

Hard-copy distribution:

Minister for Social Development