



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Oversight of Oranga Tamariki System Act Commencement Order 2023 and associated Regulations, and Children and Young People's Commission (Relevant Agencies) Regulations 2023

Portfolio **Social Development and Employment**

On 16 March 2023, the Cabinet Legislation Committee:

- 1 **noted** that in December 2022, the Cabinet Social Wellbeing Committee (SWC) agreed policy decisions that informed the development of the Oversight of Oranga Tamariki System Regulations 2023 and the Children and Young People's Commission (Relevant Agencies) Regulations 2023 [SWC-22-MIN-0255];
- 2 **noted** that in the drafting process, the Parliamentary Counsel Office identified minor issues with the wording of some of the regulations, which have been changed to ensure greater clarity and consistency with the primary legislation;
- 3 **noted** that in December 2022, SWC agreed that the minimum requirements for the annual report of the Monitor on compliance with National Care Standards should include information on the efficacy of practice by Oranga Tamariki, as required under the Oranga Tamariki Act 1989, to inform persons who have made a report of concern whether the report has been investigated, and whether any further action has been taken [SWC-22-MIN-0255];
- 4 **agreed** that the reporting requirement referenced in paragraph 3 above should instead sit under the minimum reporting requirements for the 3-yearly State of Oranga Tamariki System report;
- 5 **authorised** the submission to the Executive Council of the:
 - 5.1 Oversight of Oranga Tamariki System Regulations 2023 [PCO 25235/7.0];
 - 5.2 Children and Young People's Commission (Relevant Agencies) Regulations 2023 [PCO 25236/3.0];
 - 5.3 Oversight of Oranga Tamariki System Act Commencement Order 2023 [PCO 25272/5.0];
- 6 **noted** that the Oversight of Oranga Tamariki System Act Commencement Order 2023 brings forward the date of commencement of the Oversight of Oranga Tamariki System Act 2022 from 1 July 2023 to 1 May 2023;

- 7 **noted** that the Oversight of Oranga Tamariki System Regulations 2023 come into effect on 1 May 2023, at the same time that the Oversight of Oranga Tamariki System Act 2022 commences;
- 8 **noted** that the Children and Young People’s Commission (Relevant Agencies) Regulations 2023 come into effect on 1 July 2023, the same time that the Children and Young People’s Commission Act 2022 commences.

Rebecca Davies
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Michael Wood
Hon David Parker
Hon Kieran McAnulty
Hon Barbara Edmonds
Hon Dr Duncan Webb
Hon Willow-Jean Prime
Tangi Utikere, MP

Officials present from:

Office of the Prime Minister
Officials Committee for LEG