

Version
as at 28 October 2021



Children's Act 2014

Public Act 2014 No 40
Date of assent 30 June 2014
Commencement see section 2

Act name: amended, on 21 December 2018, by section 5 of the Children's Amendment Act 2018 (2018 No 58).

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by Oranga Tamariki—Ministry for Children and the Ministry of Education.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Children's Act 2014.

Section 1: amended, on 21 December 2018, by section 5 of the Children's Amendment Act 2018 (2018 No 58).

2 Commencement

- (1) This Act comes into force on the day after the date on which it receives the Royal assent, except as provided in subsections (2) and (3).
- (2) Section 18 and Part 3 come into force on a date or dates to be appointed by the Governor-General by Order in Council, and 1 or more Orders in Council may be made appointing different dates for different provisions.
- (3) Any provision not brought into force earlier comes into force 2 years after the date on which this Act receives the Royal assent.
- (4) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 2(2): Part 3 brought into force, on 1 July 2015, by section 2 of the Vulnerable Children Act Commencement Order 2015 (LI 2015/107).

Section 2(4): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

2A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

Section 2A: inserted, on 21 December 2018, by section 6 of the Children's Amendment Act 2018 (2018 No 58).

3 Act binds the Crown

- (1) This Act binds the Crown.
- (2) Subsection (1) is subject to section 12 (effect of strategy and plan), section 20 (effect of child protection policy), and section 22 (application to Crown Organisations for offences relating to safety checking of children's workers).

Section 3(2): amended, on 21 December 2018, by section 7 of the Children's Amendment Act 2018 (2018 No 58).

Part 1

Strategy for improving children's well-being and oranga tamariki action plan

Part 1: replaced, on 21 December 2018, by section 8 of the Children's Amendment Act 2018 (2018 No 58).

4 Purpose of this Part

The purpose of this Part is to—

- (a) require the Government to adopt, publish, and review a strategy for improving the well-being of children; and
- (b) ensure that children's agencies work together to improve the well-being of particular groups of children.

Section 4: replaced, on 21 December 2018, by section 8 of the Children's Amendment Act 2018 (2018 No 58).

4A Treaty of Waitangi (Tiriti o Waitangi)

The duties of the responsible Minister set out in sections 6D(1)(d) and 7C(2)(a) are imposed in order to recognise and provide a practical commitment to the Treaty of Waitangi (te Tiriti o Waitangi).

Section 4A: inserted, on 21 December 2018, by section 8 of the Children's Amendment Act 2018 (2018 No 58).

5 Interpretation

- (1) In this Part, unless the context otherwise requires,—

child means any of the following:

- (a) a person who is under the age of 18 years;
- (b) a person who is under the age of 21 years and has been in care (as defined in this subsection);
- (c) a person who is under the age of 25 years and is receiving transition support from the department under Part 7 of the Oranga Tamariki Act 1989

children's agencies means those departments of State or instruments of the Crown that are, with the authority of the Prime Minister, for the time being responsible (alone, or with 1 or more other departments or instruments) for the administration of all or any provisions of 1 or more of the following Acts:

- (a) Domestic Violence Act 1995;
- (b) Education and Training Act 2020;
- (c) New Zealand Public Health and Disability Act 2000;
- (d) Oranga Tamariki Act 1989;
- (e) Policing Act 2008;
- (f) Social Security Act 2018;