



# Conversion Practices Prohibition Legislation Act 2022

Public Act      2022 No 1  
Date of assent      18 February 2022  
Commencement      see section 2

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### Schedule 1 Transitional, savings, and related provisions

#### The Parliament of New Zealand enacts as follows:

##### 1 Title

This Act is the Conversion Practices Prohibition Legislation Act 2022.

##### 2 Commencement

- (1) This Act, except the provisions specified in subsection (2), comes into force on the day after the date on which it receives the Royal assent.
- (2) The following provisions come into force 6 months after the date on which this Act receives the Royal assent:
  - (a) subpart 2 of Part 2:
  - (b) Part 3.

### Part 1 Preliminary provisions

##### 3 Purpose of this Act

The purpose of this Act is to—

- (a) recognise and prevent harm caused by conversion practices; and
- (b) promote respectful and open discussions regarding sexuality and gender.

##### 4 Interpretation

In this Act, unless the context otherwise requires,—

**conversion practice** has the meaning given to it in section 5

**health practitioner** has the same meaning as in section 5(1) of the Health Practitioners Competence Assurance Act 2003

**health service** has the same meaning as in section 5(1) of the Health Practitioners Competence Assurance Act 2003

**serious harm**, in relation to an individual, means any physical, psychological, or emotional harm that seriously affects the health, safety, or welfare of the individual.

## 5 Meaning of conversion practice

- (1) In this Act, **conversion practice** means any practice, sustained effort, or treatment that—
- (a) is directed towards an individual because of the individual's sexual orientation, gender identity, or gender expression; and
  - (b) is done with the intention of changing or suppressing the individual's sexual orientation, gender identity, or gender expression.
- (2) However, **conversion practice** does not include—
- (a) any action that a health practitioner takes when providing a health service if the health practitioner—
    - (i) considers in their reasonable professional judgement it is appropriate to take that action; and
    - (ii) complies with all legal, professional, and ethical standards when taking the action; or
  - (b) assisting an individual who is undergoing, or considering undergoing, a gender transition; or
  - (c) assisting an individual to express their gender identity; or
  - (d) providing acceptance, support, or understanding of an individual; or
  - (e) facilitating an individual's coping skills, development, or identity exploration, or facilitating social support for the individual; or
  - (f) the expression only of a belief or a religious principle made to an individual that is not intended to change or suppress the individual's sexual orientation, gender identity, or gender expression.

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### Examples of conversion practices

The following are examples of a conversion practice if each practice, sustained effort, or treatment described is directed towards an individual because of that individual's sexual orientation, gender identity, or gender expression:

- using shame or coercion intending to give an individual an aversion to same-sex attractions or to encourage gender-conforming behaviour;
- encouraging an individual to believe that their sexual orientation, gender identity, or gender expression needs changing because it is a defect or disorder;
- carrying out a prayer-based practice, a deliverance practice, or an exorcism intending to change or suppress an individual's sexual orientation, gender identity, or gender expression.

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Compare: Public Health Act 2005 s 213F (Qld); Sexuality and Gender Identity Conversion Practices Act 2020 s 7 (ACT); Change or Suppression (Conversion) Practices Prohibition Act 2021 s 5 (Vic)

## 6 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.