

# **Children, Young Persons, and Their Families Amendment Act 1994**

Public Act 1994 No 121  
Date of assent 9 December 1994

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## **An Act to amend the Children, Young Persons, and Their Families Act 1989**

**BE IT ENACTED by the Parliament of New Zealand as follows:**

### **1 Short Title and commencement**

- (1) This Act may be cited as the Children, Young Persons, and Their Families Amendment Act 1994, and shall be read together with and deemed part of the Children, Young Persons, and Their Families Act 1989 (hereinafter referred to as the principal Act).

- (2) Except as provided by section 4(2) of this Act, this Act shall come into force on the 30th day after the date on which it receives the Royal assent.

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**22 Court to set date for review of plan**

- (1) *This subsection added subsections (4) and (5) to section 134 of the principal Act.*
- (2) In respect of every plan prepared pursuant to section 128 of this Act before the date of the commencement of this section and that has not been reviewed in accordance with section 135 of this Act before that date, the person who prepared that plan shall be deemed to have been directed pursuant to section 134 of this Act (as amended by subsection (1) of this section) to review that plan.

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Section 39 was repealed, as from 30 June 2002, by section 187 Sentencing Act 2002 (2002 No 9). *See* sections 148 to 160 of that Act for the transitional and savings provisions. *See* clause 2 Sentencing Act Commencement Order 2002 (SR 2002/176).

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**45 New heading and section substituted**

- (1) This subsection substituted s 396 of the principal Act, and the heading “Iwi Social Services, Cultural Social Services, and Child and Family Support Services” above that section.
- (2) Every approval granted under the former section 396 of the principal Act (as repealed by subsection (1) of this section) as an Iwi Authority or a Cultural Authority or a Child and Family Support Service and in force immediately before the commencement of this section shall be deemed to be an approval

granted under section 396 of the principal Act (as substituted by subsection (1) of this section),—

- (a) In the case of an Iwi Authority, as an Iwi Social Service:
- (b) In the case of a Cultural Authority, as a Cultural Social Service:
- (c) In the case of a Child and Family Support Service, as a Child and Family Support Service—

on the same conditions (if any) as applied to that approval under the former section 396 of the principal Act (as so repealed) immediately before the commencement of this section.

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**47 Amendment to Summary Proceedings Act 1957**

- (1) Section 88 of the Summary Proceedings Act 1957 (as substituted by section 14 of the Summary Proceedings Amendment Act 1987 and amended by section 14 of the Summary Proceedings Amendment Act 1993) is hereby amended by inserting in subsection (3), immediately before the words “The District Court Judge”, the words “Subject to subsection (3AA) of this section,”.
- (2) *This subsection inserted section 88(3A) of the principal Act*
- (3) Without limiting section 6 of the Sentencing Act 2002 or section 25(g) of the New Zealand Bill of Rights Act 1990, section 88 of the Summary Proceedings Act 1957 (as amended by this section) shall apply—
  - (a) In respect of the enforcement of any fine (as defined in section 79 of that Act) where default in the payment of the fine is made on or after the commencement of this section:
  - (b) Where default in the payment of any fine (as so defined) is made before the date of the commencement of this section and no action has been taken under section 88 of that Act before that date.
- (4) Section 88 of the Summary Proceedings Act 1957 shall apply as if this section had not been passed in any case where action in respect of any fine (as so defined) has commenced under that section before the date of the commencement of this section but has not been completed before that date; except that where any enforcement action under Part 3 of that Act in re-

spect of the fine is completed and further enforcement action under that Part is to be taken, the further enforcement action shall be taken under that Part as amended by this section.

Subsection (3) was amended, as from 30 June 2002, by section 186 Sentencing Act 2002 (2002 No 9), by substituting the words “section 6 of the Sentencing Act 2002” for the words “section 4 of the Criminal Justice Act 1985”. *See* sections 148 to 160 of that Act for the transitional and savings provisions. *See* clause 2 Sentencing Act Commencement Order 2002 (SR 2002/176).

#### **48 Amendment to Coroners Act 1988**

*[Repealed]*

Section 48 was repealed, as from 1 July 2007, by section 146 Coroners Act 2006 (2006 No 38).