

**Reprint
as at 1 August 2012**



**Children, Young Persons, and
Their Families Amendment Act
2011**

Public Act 2011 No 33
Date of assent 22 July 2011
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Children, Young Persons, and Their Families Amendment Act 2011.

Note
Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This Act is administered by the Ministry of Social Development.

2 Commencement

- (1) This Act (except section 5) comes into force on the day after the date on which it receives the Royal assent.
- (2) Section 5 comes into force on the earlier of—
 - (a) a date appointed by the Governor-General by Order in Council; and
 - (b) the expiry of the period of 15 months that starts on the date on which this Act receives the Royal assent.

Section 2(2)(a): section 5 brought into force, on 1 August 2012, by the Children, Young Persons, and Their Families Amendment Act 2011 Commencement Order 2012 (SR 2012/127).

3 Principal Act amended

This Act amends the Children, Young Persons, and Their Families Act 1989.

4 Interpretation

Section 2(1) is amended by repealing the definition of **traffic offence** and substituting the following definition:

“**traffic offence** means—

- “(a) any offence against the Road User Charges Act 1977, the Land Transport Act 1998, or the Land Transport Management Act 2003 or against any regulation, rule, or bylaw made under any of those Acts:
- “(b) any offence against any regulation, rule, or bylaw made under any other Act if the offence relates to the use of motor vehicles or parking places or transport stations”.

5 Hierarchy of court’s responses if charge against young person proved

Section 283 is amended by repealing paragraph (j) and substituting the following paragraph:

- “(j) make an order that could have been made by a court other than a Youth Court under section 128 or 129 of the Sentencing Act 2002 (which relate to confiscation of motor vehicles) if the young person were an adult and had been convicted of the offence in a court other than a Youth Court, and, if the court makes the order, the following sections of that Act apply (to the extent

they are applicable and subject to any necessary modifications):

“(i) section 128 or 129 (as the case may be):

“(ii) sections 129EA, 130, 131 to 136, 137, and 138 to 142:”.

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Notes**1 General**

This is a reprint of the Children, Young Persons, and Their Families Amendment Act 2011. The reprint incorporates all the amendments to the Act as at 1 August 2012, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Children, Young Persons, and Their Families Amendment Act 2011
Commencement Order 2012 (SR 2012/127)
