

Family Courts Amendment Act 2004

Public Act 2004 No 44
Date of assent 19 May 2004

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Family Courts Amendment Act 2004.
- (2) In this Act, the Family Courts Act 1980 is called “the principal Act”.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 New section 6 substituted

The principal Act is amended by repealing section 6, and substituting the following section:

“6 Principal Family Court Judge

- “(1) The Governor-General must, on the advice of the Attorney-General, appoint a Principal Family Court Judge.
- “(2) The appointment must be for a period of 8 years, and the person is not eligible for reappointment.
- “(3) A person’s appointment as Principal Family Court Judge ceases if he or she ceases to hold office as a District Court Judge.
- “(4) With the prior approval of the Governor-General, the Principal Family Court Judge may resign that office but continue in office as a District Court Judge.
- “(5) To avoid doubt, a person does not cease to hold office as a District Court Judge solely because the term of the person’s appointment as Principal Family Court Judge has come to an end.
- “(6) Despite subsection (2), the Principal Family Court Judge continues in office until his or her successor comes into office.
- “(7) The Principal Family Court Judge is responsible for ensuring the orderly and expeditious discharge of the business of the Court in consultation with the Chief District Court Judge.”

4 Section 6(2) not to apply to existing Principal Family Court Judge

Nothing in section 6(2) of the principal Act, as substituted by section 3, applies to the person who, immediately before this Act came into force, held office as the Principal Family Court Judge.

Legislative history

12 May 2004

Divided from Judicial Matters Bill (Bill 71-2) as
Bill 71-3G

13 May 2004

Third reading