

**Reprint  
as at 31 March 2014**



**Property (Relationships)  
Amendment Act (No 2) 2013**

Public Act    2013 No 82  
Date of assent    24 September 2013  
Commencement    see section 2

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This Act is administered by the Ministry of Justice.**

**The Parliament of New Zealand enacts as follows:****1 Title**

This Act is the Property (Relationships) Amendment Act (No 2) 2013.

**2 Commencement**

This Act comes into force on 1 October 2014 unless it is earlier brought into force on a date appointed by the Governor-General by Order in Council.

Section 2: this Act brought into force, on 31 March 2014, by the Property (Relationships) Amendment Act (No 2) 2013 Commencement Order 2014 (LI 2014/96).

**3 Principal Act**

This Act amends the Property (Relationships) Act 1976 (the **principal Act**).

**4 Section 22 amended (Jurisdiction)**

Repeal section 22(3) to (5).

**5 Section 37A amended (Court may appoint lawyer for children)**

Replace section 37A(2)(a) with:

“(a) must be determined in accordance with regulations made under section 16D of the Family Courts Act 1980 or, if no such regulations are made, by the Registrar of the court; and”.

**6 New section 38A and cross-heading inserted**

After section 38, insert:

*“Transfer of proceedings*

**“38A Transfer of proceedings to High Court**

“(1) A Family Court Judge may order the transfer of proceedings to the High Court if the Judge is satisfied that the High Court is the more appropriate venue for dealing with the proceedings.

“(2) In considering whether to make an order under subsection (1), the Judge must have regard to—

- “(a) the complexity of the proceedings or of any question in issue in the proceedings:
  - “(b) any proceedings before the High Court that are between the same parties and that involve related issues:
  - “(c) any other matter that the Judge considers relevant in the circumstances.
- “(3) An order may be made under subsection (1) on—
- “(a) the application of a party to the proceedings; or
  - “(b) the court’s initiative.
- “(4) Any proceedings transferred to the High Court by an order made under subsection (1) continue in that court as if they had been properly commenced there.”

**7 Section 53 amended (Rules of court and regulations)**  
Repeal section 53(2A)(a).

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## Reprints notes

### *1 General*

This is a reprint of the Property (Relationships) Amendment Act (No 2) 2013 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### *2 Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### *3 Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### *4 Amendments incorporated in this reprint*

Property (Relationships) Amendment Act (No 2) 2013 Commencement Order 2014 (LI 2014/96)

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