

[AS REPORTED FROM THE JUSTICE AND LAW REFORM  
COMMITTEE]

*House of Representatives, 11 July 1989.*

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]

*House of Representatives, 10 October 1989.*

**[Clause 87 of this Bill was formerly clause 87 of the Law  
Reform (Miscellaneous Provisions) Bill: 122-2]**

*Hon. W. P. Jeffries*

## FENCING OF SWIMMING POOLS AMENDMENT

### ANALYSIS

Title	1. Short Title 87. Schedule amended
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### A BILL INTITULED

### **An Act to amend the Fencing of Swimming Pools Act 1987**

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

5     **1. Short Title**—This Act may be cited as the Fencing of  
Swimming Pools Amendment Act 1989, and shall be read  
together with and deemed part of the Fencing of Swimming  
Pools Act 1987 (hereinafter referred to as the principal Act).

10     **87. Schedule amended**—(1) The Schedule to the principal  
Act is hereby amended by omitting from clause 3 the words  
“any person”, and substituting the words “any child under the  
age of 6 years”.

15     (2) The Schedule to the principal Act is hereby further  
amended by inserting in clause 4, after the words “close-  
boarded”, the words “or is made of perforated material,  
netting, or mesh”.

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(3) The Schedule to the principal Act is hereby further amended by repealing clause 5, and substituting the following clauses:

“5. All fencing supports, rails, rods, and wires, that are not vertical, and all bracing that is not vertical, shall be inaccessible for use for climbing from the outside. 5

“5A. Notwithstanding **clause 5** of this Schedule, a fence may have horizontal supports, rails, rods, or wires, that are accessible for use for climbing from the outside, and horizontal bracing that is accessible for such use, if— 10

“(a) The distance between any 2 of them at any point is at least 900 mm; and

“(b) There is no other support, rail, rod, wire, or bracing (other than a vertical rail) between the same 2 at any point.” 15