

Mental Health Commission Amendment Bill

Government Bill

As reported from the committee of the whole House

Key to symbols used in reprinted bill

As reported from a select committee

New (unanimous)

Subject to this Act,

Text inserted unanimously

As reported from the committee of the whole House

Struck out

Subject to this Act,

Text struck out

New

Subject to this Act,

Text inserted

Hon Pete Hodgson

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Mental Health Commission Amendment Act
2006.
- 2 Commencement**
This Act comes into force on 30 August 2007. 5
- 3 Principal Act amended**
This Act amends the Mental Health Commission Act 1998.

Part 1 Amendments to principal Act

4 Title

The Title is repealed.

5 Interpretation

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- (1) Section 2(1) is amended by inserting the following definition after the definition of **provider**:

“**stakeholder** includes—

“(a) the Ministry; and

“(b) district health boards; and

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“(c) mental health service funders; and

“(d) providers; and

“(e) people with mental illnesses, and their families and caregivers; and

“(f) groups representing the interests of people with mental illness and their families and caregivers”.

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- (2) Section 2(2) is repealed.

6 New section 6 substituted

Section 6 is repealed and the following section substituted:

“6 Functions of Commission

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The functions of the Commission are—

“(a) to act as an advocate for the interests of people with mental illness and their families generally (rather than for individuals or groups), while taking into account the interests of other stakeholders; and

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“(b) to promote and facilitate collaboration and communication about mental health issues among—

“(i) stakeholders and representatives in the mental health, government, academic, and community sectors; and

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“(ii) members of the general public; and

“(c) to work, independently and with others,—

“(i) to promote better understanding of mental illness by the community; and

“(ii) to reduce the stigma associated with mental illness and prejudice shown towards people with mental illness and their families and caregivers; and

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- “(iii) to eliminate inappropriate discrimination on the ground of mental illness against people with mental illness and their families and caregivers; and
- “(d) to monitor, and to report to and advise the Minister on, any matter relating to the implementation of the national mental health strategy— 5
- “(i) at intervals agreed between the Minister and the Commission; and
- “(ii) when otherwise requested by the Minister; and 10
- New (unanimous)**
- “(iii) from time to time, as the Commission thinks fit; and
- “(e) to stimulate and support policy-makers and the funders and providers of mental health services in developing integrated, effective, and efficient methods or systems of providing care that meet the needs of their communities; and 15
- “(f) to stimulate and undertake research into any matter relevant to mental illness.”
- 7 New section 10 substituted 20**
- Section 10 is repealed and the following section substituted:
- “10 Term of office of member of Commission to cease when Act expires, or earlier**
- When this Act expires, the term of office of every member of the Commission who has not ceased to hold office before that time expires.” 25
- 8 Expiry and repeal of Act**
- (1) Section 13(1) is amended by omitting “2007” and substituting “2015”. 25
- (2) Section 13(2) is repealed. 30

Part 2 Transitional provisions

9 Office of members of Commission

- (1) This section applies to a person who, immediately before the commencement of this Act, held office as a member of the Commission. 5

Struck out

- (2) After the commencement of this Act, a person to whom this section applies holds office as if he or she had been appointed for a term of 6 months on that commencement.

New

- (2) After the commencement of this Act, a person to whom this section applies holds office for the shorter of the following periods: 10
- (a) 6 months from that commencement:
 - (b) a term determined by the Minister.

- (2A) Despite **subsection (2)**, a person may be reappointed after the expiry of the term of office determined in accordance with that subsection. 15

- (3) Except as provided in this section and **section 10**, the Crown Entities Act 2004 applies to all members of the Commission.
- (4) This section overrides section 10 of the principal Act. 20

10 Superannuation, retiring allowances, and compensation for loss of office

- (1) Despite **section 9** of this Act, clause 10 of Schedule 1 of the principal Act continues to have the effect, if any, in relation to a person to whom **section 9** applies, as if that section had not been enacted. 25
- (2) No person to whom **section 9** applies is entitled to compensation for loss of office other than as provided under this section.

11 Reports under repealed section 6(1)(a)

Reports that, but for the repeal of the former section 6 of the principal Act, would have been required to be presented in the year in which this Act comes into force need not be presented.

Legislative history

5 December 2006	Introduction (Bill 100-1)
12 December 2006	First reading and referral to Health Committee
30 May 2007	Reported from Health Committee (Bill 100-2)
7 August 2007	Second reading
8 August 2007	Committee of the whole House (Bill 100-3)
