



**THE OLD PEOPLE'S HOMES REGULATIONS 1987,
AMENDMENT NO. 1**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 8th day of June 1993

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 120A of the Health Act 1956 (as substituted by section 92 (1) of the Building Act 1991 and as amended by section 32 of the Health Amendment Act 1993), Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Old People's Homes Regulations 1987, Amendment No. 1, and shall be read together with and deemed part of the Old People's Homes Regulations 1987* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of July 1993.

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term "home", and substituting the following definition:

"'Home' means any premises where 3 or more persons who have attained the age of 65 years and are not related by blood or

marriage to the householder are, or are to be, in residence and paying for their lodging and for 1 or more meals a day, being any premises that are, or purport to be, conducted principally for aged-frail persons, and not being a licensed hospital within the meaning of the Hospitals Act 1957 or a hospital within the meaning of the Mental Health (Compulsory Assessment and Treatment) Act 1992.”

3. Application for licence—Regulation 21 (1) (a) of the principal regulations is hereby amended by omitting the word “Department”, and substituting the word “Ministry”.

4. Duration and renewal of licences—Regulation 24 (3) of the principal regulations is hereby amended by revoking paragraph (b), and substituting the following paragraph:

“(b) The following documents:

“(i) A copy of an operative evacuation scheme for public safety which meets the requirements of section 21A of the Fire Service Act 1975 and Part II of the Fire Safety and Evacuation of Buildings Regulations 1992*; and

“(ii) Evidence that the premises comply with the provisions of the Building Act 1991 in respect of their use; and

“(iii) A copy of a current building warrant of fitness (if applicable) issued pursuant to section 45 of the Building Act 1991.”

5. Transfer of licence—Regulation 26 of the principal regulations is hereby amended by omitting the word “Department”, and substituting the word “Ministry”.

6. Third Schedule amended—(1) The Third Schedule to the principal regulations is hereby amended by inserting, after clause 1, the following clauses:

“1A. A copy of an operative evacuation scheme for public safety which meets the requirements of section 21A of the Fire Service Act 1975 and Part II of the Fire Safety and Evacuation of Buildings Regulations 1992*.

“1B. Evidence that the premises comply with the provisions of the Building Act 1991 in respect of their use.

“1C. A copy of whichever of the following is applicable:

“(a) A compliance schedule issued pursuant to section 44 of the Building Act 1991; or

“(b) A current building warrant of fitness issued pursuant to section 45 of the Building Act 1991.”

(2) The Third Schedule to the principal regulations is hereby amended by revoking clause 3.

7. Fourth Schedule revoked—The principal regulations are hereby amended by revoking the Fourth Schedule.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 1993, amend the Old People's Homes Regulations 1987. The amendments are—

- (a) In the case of regulations 2, 3, and 5, consequential upon the passing of the Health and Disability Services Act 1993, the Health Amendment Act 1993, the Hospital Amendment Act 1993, and the Mental Health (Compulsory Assessment and Treatment) Act 1992; and
- (b) In the case of regulations 4, 6, and 7, consequential upon the coming into force of the Building Act 1991 and the Building Regulations 1992, and the coming into force of section 21A of the Fire Service Act 1975 and Part II of the Fire Safety and Evacuation of Buildings Regulations 1992.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 10 June 1993.

These regulations are administered in the Department of Health.