



# Children, Young Persons, and Their Families Amendment Act 2010

Public Act 2010 No 102  
Date of assent 23 August 2010  
Commencement see section 2

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### The Parliament of New Zealand enacts as follows:

- 1 Title**

This Act is the Children, Young Persons, and Their Families Amendment Act 2010.
- 2 Commencement**
  - (1) Sections 1 to 3, and 4(1) come into force on the day after the date on which this Act receives the Royal assent.
  - (2) Section 4(2) comes into force on 27 September 2010.
- 3 Principal Act amended**

This Act amends the Children, Young Persons, and Their Families Act 1989.

**4 Payment to person or organisation providing care**

- (1) Section 363 is amended by adding the following subsection:
- “(4) Subsections (1) to (3) do not apply, and must be treated as never having applied, in respect of a child’s or young person’s placement with his or her parent (before or after the commencement of this subsection) if—
- “(a) the child or young person is or was a child or young person to whom section 361 applies or applied; and
  - “(b) under section 362, the child or young person is or was placed in the charge of the parent.”
- (2) Section 363 is further amended by adding the following subsections:
- “(5) The minimum rates of payment determined under subsection (1) in respect of the board and lodgings of children and young persons must be adjusted, by Order in Council, as at 1 April each year so that in each case the new rate is the rate as at that date adjusted by any percentage movement upwards in the CPI between the CPI for the quarter ended with 31 December 1 year before the immediately preceding 31 December and the CPI for the quarter ended with the immediately preceding 31 December.
- “(6) The adjustments (by any percentage movement upwards in the CPI) required under subsection (5) as at 1 April 2011, 1 April 2012, and 1 April 2013 must, despite subsections (5) and (9), be calculated,—
- “(a) if, and insofar as, they relate to movements during quarters that end before 29 April 2010, using index numbers for those quarters of the consumers price index-all groups published by Statistics New Zealand; and
  - “(b) if, and insofar as, they relate to movements during quarters that end after 28 April 2010, using index numbers for those quarters of the consumers price index-all groups excluding cigarettes and other tobacco products published by Statistics New Zealand.
- “(7) An adjustment under subsection (5) must not reduce the weekly amounts payable under subsection (1) in respect of the board and lodgings of children and young persons.

- “(8) Every Order in Council made under subsection (5) comes into force or is considered to have come into force on 1 April of the calendar year in which it is made, and applies to the rates payable in respect of the board and lodgings of children and young persons on and after that date.
- “(9) In this section, **CPI** means the consumers price index-all groups published by Statistics New Zealand.”

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### **Legislative history**

17 August 2010	Divided from Social Assistance (New Work Tests, Incentives, and Obligations) Amendment Bill (Bill 125–2) by committee of the whole House as Bill 125–3A
18 August 2010	Third reading
23 August 2010	Royal assent

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This Act is administered by the Ministry of Social Development.

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