



**Further Advice on bids for the Government’s 2024
Legislation Programme**

To Hon Karen Chhour, Minister for Children			
Date	14 February 2024	Deadline	14 February 2024
Briefing number	B-0084	Priority	High
Key contact	Phil Grady, Deputy Chief Executive, System Leadership	Contact number	s9(2)(a)
Second contact	s9(2)(a) General Manager, Policy	Contact number	s9(2)(a)
Security	In-confidence		

Purpose
This briefing seeks your approval for amended bids for the Government’s 2024 Legislation Programme.

Executive Summary
In your feedback on *B-0056 Bids for the Government’s 2024 Legislation Programme* you indicated the following:

- You asked for the bill that repeals section 7AA to undergo the standard 6-month timeframe at select committee.
- s9(2)(f)(iv)

s9(2)(f)(iv)

We have updated the legislation bids accordingly and attach revised versions for your consideration and approval to submit by midday on 19 February 2024.

Recommendations
s9(2)(f)(iv)

s9(2)(f)(iv)

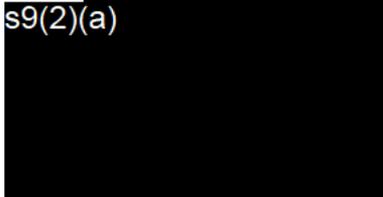


82

Sign-off
Oranga Tamariki

Sign-off
Minister for Children

s9(2)(a)



Phil Grady
DCE, System Leadership
Date signed:

Hon Karen Chhour
Minister for Children
Date signed:

Minister comments

[Empty space for Minister comments]

Satisfaction

Please select your level of satisfaction with this briefing

- Outstanding
- Good
- Acceptable
- Poor
- Unacceptable

RELEASED UNDER THE OFFICIAL INFORMATION ACT

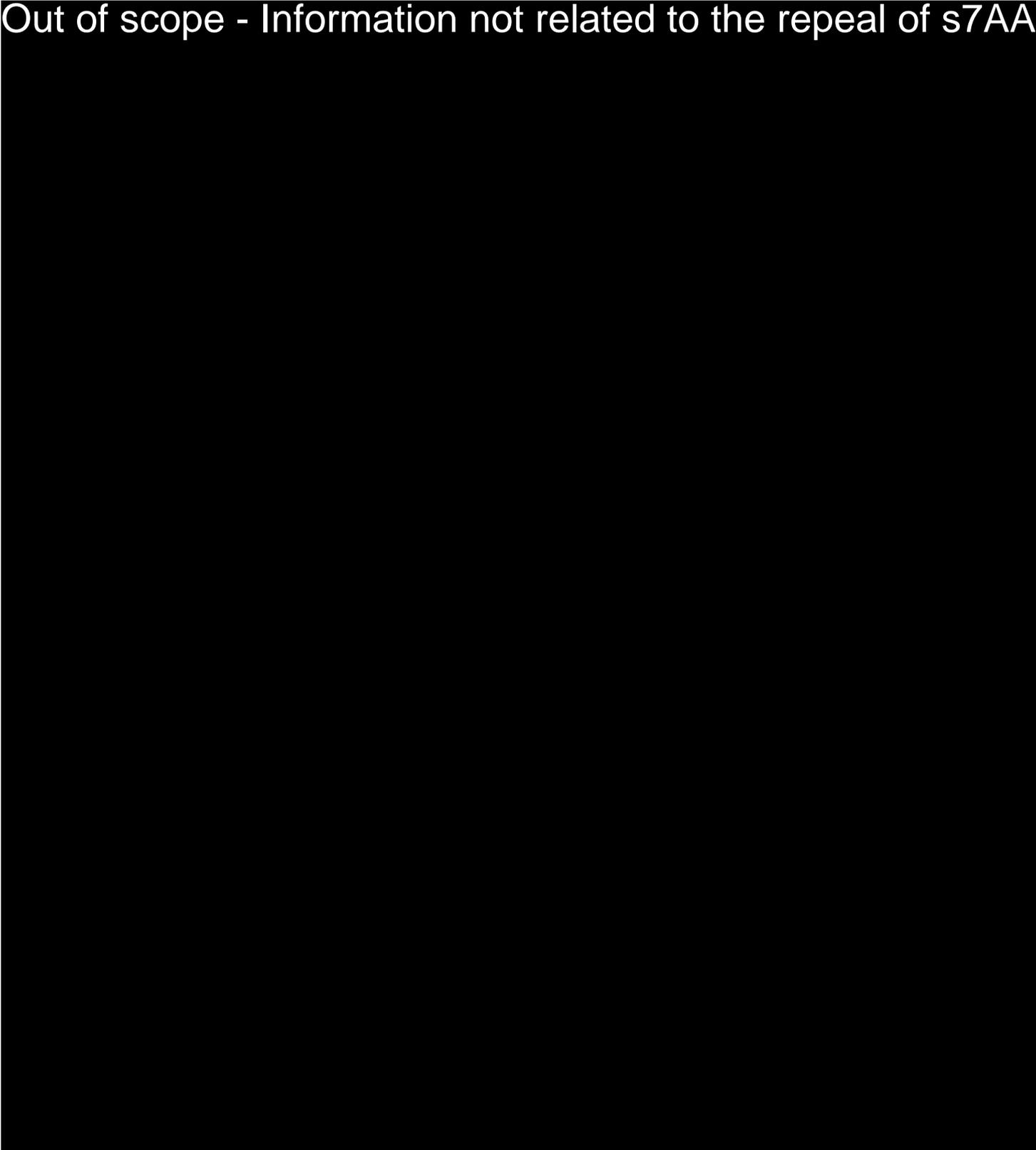
Follow-up on bids for the Government's 2024 Legislation Programme

1 s9(2)(f)(iv)

Out of scope - Information not related to the repeal of s7AA

R

Out of scope - Information not related to the repeal of s7AA



RE Repealing section 7AA

- 17 You indicated that you would like the Bill repealing section 7AA to be considered by select committee for 6 months. Accordingly, the revised bid we have attached still seeks priority to enact repeal by the end of 2024. Please note that there is a possibility that the Bill may not be enacted until early 2025 due to factors that influence the legislative process.

18 s9(2)(f)(iv) [REDACTED]

Possible approaches to the three amendment Bills expected to be introduced in 2024

19 We understand your instruction is for the repeal of section 7AA to be considered by select committee for 6 months. Out of scope - Information not related to the repeal of s7AA

[REDACTED]

20 Out of scope - Information not related to the repeal of s7AA

[REDACTED]

s9(2)(f)(iv)

[REDACTED]

RELEASED UNDER THE OFFICIAL INFORMATION ACT

1982

RM

In Confidence

Office of the Minister for Children

Oranga Tamariki (Repeal of section 7AA) Amendment Bill: Request for priority in the 2024 Legislation Programme

Summary information

- 1 Key details about the bid for legislation are:
 - 1.1 the portfolio of sponsoring Minister: Minister for Children
 - 1.2 the department responsible: Oranga Tamariki–Ministry for Children (Charlotte Beaglehole, 027 352 4576)
 - 1.3 the title of the proposed Bill: Oranga Tamariki (Repeal of section 7AA) Amendment Bill
 - 1.4 the proposed ranking of the Bill s9(2)(f)(iv)
 - 1.5 whether the Bill is estimated to be small/medium/large and whether of low/medium/high complexity: small and low complexity
 - 1.6 proposed priority for 2024: s9(2)(f)(iv)
 - 1.7 why the proposed priority is being sought: to meet a commitment made in the National-ACT coalition agreement.

Policy

- 2 The National-Act coalition agreement includes a commitment to “remove section 7AA from the Oranga Tamariki Act 1989” (the ‘Act’). This Bill will enable the Government to deliver that commitment.
- 3 A Cabinet paper seeking the policy decision to support this repeal is expected to be submitted for consideration in March.
- 4 Note that there is significant opposition to the repeal of section 7AA, including claims already made with the Waitangi Tribunal, so the Bill is likely to be contentious as it moves through the parliamentary process.

Need for legislation

- 5 Repealing section 7AA can only be achieved by amending the Act.
- 6 s9(2)(f)(iv) This priority reflects that repeal of section 7AA is a commitment in the National-Act coalition agreement.
- 7 s9(2)(f)(iv) For this Bill, I am planning to refer it to select committee for the standard 6 months. s9(2)(f)(iv)

8 s9(2)(f)(iv)

Compliance

9 It is anticipated that the Bill will comply with each of the following:

- 9.1 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993;
- 9.2 the principles and guidelines set out in the Privacy Act 2020;
- 9.3 the relevant international standards and obligations; and
- 9.4 s9(2)(h) the [Legislation Guidelines \(2021 edition\)](#), which are maintained by the Legislation Design and Advisory Committee.

10 s9(2)(h)

Binding on the Crown

11 The Oranga Tamariki Act 1989 is binding on the Crown. Repeal of section 7AA will not change the binding nature of the Act on the Crown.

Consultation

12 Repeal of section 7AA was proposed in the Act Party’s manifesto and campaigned on during the 2023 General Election campaign. No further consultation is proposed prior to the Bill being referred to select committee. A failure to effectively consult with Māori may be seen as a breach of the principles of the Treaty and harm the relationship between Māori and the Government. However, given the public commitment to repeal section 7AA in the coalition agreement, any consultation is unlikely to be considered genuine.

13 Relevant government departments will be consulted before policy decisions are sought from Cabinet. Standard consultation processes with other Ministers and across the coalition parties will also be undertaken.

14 The Bill will not be referred to the Legislation Design and Advisory Committee for advice. Drafting of the repeal will be straightforward and it will have little impact on other legislation.

s9(2)(f)(iv)

s9(2)(f)(iv)

82

RE

s9(2)(f)(iv)



82

Recommendations

16 The Minister for Children recommends that the Committee:

16.1 note that the Oranga Tamariki (Repeal of Section 7AA) Amendment Bill will remove section 7AA from the Act;

16.2 s9(2)(f)(iv)

16.3 s9(2)(f)(iv)

16.4 note that the recommended priority is sought to fulfil a commitment in the National-Act coalition agreement;

16.5 s9(2)(f)(iv)

16.6 s9(2)(f)(iv)

16.7 s9(2)(f)(iv)

Authorised for lodgement

Hon Karen Chhour
Minister for Children

RELEASED