



Cabinet Legislation Committee

Minute of Decision

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Child Protection (Child Sex Offender Government Agency Registration) Amendment Bill: Approval for Introduction

Portfolio **Police**

On 19 September 2024, the Cabinet Legislation Committee:

- 1 **noted** that the Child Protection (Child Sex Offender Government Agency Registration) Amendment Bill (the Bill) holds a priority of Category 5 on the Legislation Programme (to be referred to a Select Committee in 2024);
- 2 **noted** that the Bill effects Cabinet decisions [SWC-22-MIN-0213, SOU-24-MIN-0082] by making a range of largely administrative amendments to the Child Protection (Child Sex Offender Government Agency Registration) Act 2016 (the Act), the most substantive of which are to:
 - 2.1 require registrable offenders to report that a child is going to be residing at the same address 48 hours before this occurs (rather than 72 hours after);
 - 2.2 require registrable offenders to report attendance at education or training courses and clarify that voluntary work must be reported;
 - 2.3 clarify the definition of locality for registrable offenders with no permanent address/fixed abode in New Zealand;
 - 2.4 enable notices to be served to registrable offenders by electronic means (as well as by post);
 - 2.5 require registrable offenders travelling out of the country to report this information at least seven days in advance (rather than the current 48 hours in advance);
 - 2.6 require registrable offenders to report their return to New Zealand no more than 72 hours after re-entering, electronically or by telephone (rather than the current 10 day in-person requirement);
 - 2.7 clarify that where there is a successful appeal against registration, that information contained on the Child Sex Offender Register that relates to the registrable offender must be removed;
 - 2.8 remove the requirement for an application for review to be made within 28 days of registration;
 - 2.9 add seven additional qualifying offences to the Act;

- 2.9.1 provision of sexual services by a person under the age of 18 years if the victim is under the age of 16 years (sections 20, 21, 22(1) and 22(2) of the Prostitution Reform Act 2003);
 - 2.9.2 knowingly importing or exporting objectionable publications if the subject or a subject of the publication is under 16 years and the publication deals with sex (section 390 of the Customs and Excise Act 2018);
 - 2.9.3 dealing in people under 18 years for sexual exploitation, removal of body parts, or engagement in forced labour if the person is under 16 years and subject to sexual exploitation (section 98AA of the Crimes Act 1961);
 - 2.9.4 intentionally or recklessly makes an intimate visual recording of another person if the subject of the visual recording is under 16 years and the visual recording deals with sex (section 216H of the Crimes Act 1961);
- 3 **approved** the Child Protection (Child Sex Offender Government Agency Registration) Amendment Bill [PCO 23509/17.0] for introduction, subject to the final approval of the government caucuses and sufficient support in the House of Representatives;
- 4 **agreed** that the Bill be introduced in early October 2024;
- 5 **agreed** that the Government propose that the Bill be:
- 5.1 referred to the Justice Committee for consideration;
 - 5.2 enacted by November 2025;
- 6 **authorised** the Parliamentary Counsel Office to make additional minor or technical drafting changes prior to introduction of the Bill.

Tom Kelly
Committee Secretary

Present:

Rt Hon Winston Peters (Chair)
Hon Nicola Willis
Hon Shane Jones
Hon Brooke van Velden
Hon Dr Shane Reti
Hon Judith Collins KC
Hon Mark Mitchell
Hon Tama Potaka
Hon Casey Costello
Hon Nicole McKee
Hon Matt Doocey
Hon Andrew Bayly
Hon Scott Simpson, MP
Jamie Arbuckle, MP
Todd Stephenson, MP

Officials present from:

Officials Committee for LEG
Prime Minister's Office