

**Reprint**  
**as at 1 July 2012**

**Mental Health Commission  
Amendment Act 2007**

Public Act 2007 No 30  
Date of assent 17 August 2007

Mental Health Commission Amendment Act 2007: expired, on 1 July 2012,  
pursuant to section 13(1) of the Mental Health Commission Act 1998 (1998  
No 5).

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

**This Act is administered by the Ministry of Health.**

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

- 1 Title**  
 This Act is the Mental Health Commission Amendment Act 2007.
- 2 Commencement**  
 This Act comes into force on 30 August 2007.
- 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 The Title is repealed.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**  
 (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  
 “(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”.
- (2) Section 2(2) is repealed.

**6 New section 6 substituted**

Section 6 is repealed and the following section substituted:

**“6 Functions of Commission**

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
- “(b) to promote and facilitate collaboration and communica-  
tion about mental health issues among—
  - “(i) stakeholders and representatives in the mental  
health, government, academic, and community  
sectors; and
  - “(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 ill-  
ness and prejudice shown towards people with  
mental illness and their families and caregivers;  
and
  - “(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—
  - “(i) at intervals agreed between the Minister and the  
Commission; and
  - “(ii) when otherwise requested by the Minister; and
  - “(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
- “(f) to stimulate and undertake research into any matter relevant to mental illness.”

**7 New section 10 substituted**

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.”

**8 Expiry and repeal of Act**

- (1) Section 13(1) is amended by omitting “2007” and substituting “2015”.
- (2) Section 13(2) is repealed.

**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.
- (2) After the commencement of this Act, a person to whom this section applies holds office for the shorter of the following periods:
- (a) 6 months from that commencement;
- (b) a term determined by the Minister.
- (3) Despite subsection (2), a person may be reappointed after the expiry of the term of office determined in accordance with that subsection.
- (4) Except as provided in this section and section 10, the Crown Entities Act 2004 applies to all members of the Commission.

- (5) This section overrides section 10 of the principal Act.

**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.
- (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.

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**Notes****1 General**

This is an eprint of the Mental Health Commission Amendment Act 2007. The eprint incorporates all the amendments to the Act as at 1 July 2012. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

**2 About this eprint**

This eprint has not been officialised. For more information about eprints and officialisation, please see <http://www.pco.parliament.govt.nz/eprints/>.

**3 List of amendments incorporated in this eprint  
(most recent first)**

Mental Health Commission Act 1998 (1998 No 5): section 13(1)

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