

**Oranga Tamariki (Residential Care) Amendment  
Regulations 2026**

**Order in Council**

At Wellington this                      day of                      2026

Present:  
in Council

These regulations are made under section 447 of the Oranga Tamariki Act 1989 on the advice and with the consent of the Executive Council.

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## Regulations

### 1 Title

These regulations are the Oranga Tamariki (Residential Care) Amendment Regulations 2026.

### 2 Commencement

These regulations come into force on 30 April 2026.

### 3 Principal regulations

These regulations amend the Oranga Tamariki (Residential Care) Regulations 1996.

### 4 Regulation 2 amended (Interpretation)

- (1) In regulation 2, insert in their appropriate alphabetical order:

**authorised person** means a person approved by the chief executive under regulation 14C(1)

**authorised prescriber** has the meaning given in section 2(1) of the Medicines Act 1981

**Director-General of Health** means the chief executive of the Ministry of Health

**injectable emergency medication** means any medication approved under regulation 14C(2)

**nurse practitioner** has the meaning given in section 2(1) of the Medicines Act 1981

- (2) In regulation 2, replace the definition of **nurse** with:

**nurse—**

- (a) means a health practitioner who is, or is deemed to be, registered with the Nursing Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of nursing whose scope of practice permits the performance of general nursing functions; but
- (b) does not include a nurse who is employed in the residence principally or exclusively in any capacity other than as a nurse; and
- (c) does not include a nurse practitioner

**5 Regulation 7 amended (Right to personal privacy)**

In regulation 7(1)(a), replace “practitioner or a nurse” with “practitioner, nurse practitioner, or nurse”.

**6 Regulation 10 amended (Rights to visits and communications with family and other persons)**

In regulation 10(1)(e), after “medical practitioner,”, insert “nurse practitioner,”.

**7 Regulation 14 amended (Right to medical examinations and treatment)**

(1) Replace regulation 14(2) with:

(2) Every child or young person in a residence is entitled to—

- (a) be medically examined by a medical practitioner or nurse practitioner within 1 week after being admitted to a residence; and
- (b) choose to specify whether the examination will be performed by a medical practitioner or nurse practitioner.

(2) In regulation 14(3), replace “shall” with “may”.

(3) Replace regulation 14(4) with:

(4) No injection may be administered to a child or young person in a residence unless it is administered by—

- (a) a medical practitioner; or
- (b) a nurse practitioner; or
- (c) a nurse—
  - (i) on, and in accordance with, the prescription of an authorised prescriber; or
  - (ii) in accordance with regulation 14B; or
- (d) a dentist in connection with any dental treatment; or
- (e) an authorised person in accordance with regulation 14A or 14B.

(4) Replace regulation 14(5) with:

(5) No prescription medicine or restricted medicine may be administered to a child or young person in a residence unless that medicine is—

- (a) both—
  - (i) prescribed for that child or young person by an authorised prescriber; and
  - (ii) administered in accordance with the directions of that authorised prescriber; or
- (b) adrenaline that is administered in accordance with regulation 14B.

(5) Replace regulation 14(6) with:

(6) In this regulation and regulations 14A to 14C,—

**administer** has the meaning given in section 2(1) of the Medicines Act 1981  
**prescription medicine** and **restricted medicine** have the meanings given in section 3(3) of the Medicines Act 1981.

## **8 New regulations 14A to 14C inserted**

After regulation 14, insert:

### **14A Administration of adrenaline, glucagon, or injectable emergency medication with prescription**

An authorised person may administer an injection to a child or young person in a residence if—

- (a) the injection is of—
  - (i) adrenaline; or
  - (ii) glucagon; or
  - (iii) an injectable emergency medication; and
- (b) the injection has been prescribed to the child or young person by an authorised prescriber; and
- (c) the authorised person believes on reasonable grounds that the child or young person is experiencing a medical emergency that is a serious and immediate risk to their life; and
- (d) the injection is intended to treat that emergency until medical advice can be sought.

### **14B Administration of adrenaline without prescription**

- (1) A person listed in subclause (2) may administer adrenaline by injection to a child or young person in a residence without a prescription if—
  - (a) the strength of the adrenaline means that it is a restricted medicine and not a prescription medicine; and
  - (b) the person administering the adrenaline believes on reasonable grounds that the child or young person is experiencing a medical emergency that is a serious and immediate risk to their life; and
  - (c) the injection of adrenaline is intended to treat that emergency until medical advice can be sought.
- (2) For the purpose of subclause (1), the persons are—
  - (a) an authorised person;
  - (b) a medical practitioner;
  - (c) a nurse practitioner;
  - (d) a nurse;
  - (e) a dentist in connection with any dental treatment.

**14C Approval of authorised person and injectable emergency medication**

- (1) The chief executive may approve a person as an authorised person if—
  - (a) the person is a member of staff; and
  - (b) the person has received adequate training in the administration by injection of the relevant medication, including receiving refresher training at least once a year; and
  - (c) the approval is in relation to 1 or more of the following medications by injection:
    - (i) adrenaline;
    - (ii) glucagon;
    - (iii) an injectable emergency medication.
- (2) The chief executive may approve an injection as an injectable emergency medication if—
  - (a) the injection is a prescription medicine or restricted medicine; and
  - (b) they have consulted—
    - (i) the chief executive of Health New Zealand; and
    - (ii) the Director-General of Health; and
  - (c) they have considered the advice of clinical experts on whether—
    - (i) any health risk could be caused by a member of staff administering that medicine; and
    - (ii) there would be a serious and immediate risk to the life of a child or young person if that medicine was not administered in a medical emergency.
- (3) The chief executive must, as soon as practicable after approving an injection as an injectable emergency medication, publish notice of that approval on an internet site maintained by or on behalf of the department.

**9 Regulation 53 amended (Personal files)**

In regulation 53(2)(f)(iii), after “medical practitioner,” insert “nurse practitioner,”.

**10 Regulation 56 amended (Secure care register)**

In regulation 56(2)(g), after “medical practitioner,” insert “nurse practitioner,”.

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 30 April 2026, amend the Oranga Tamariki (Residential Care) Regulations 1996 (the **principal regulations**). These regulations—

- empower suitably qualified persons to administer adrenaline, glucagon, and any injectable emergency medication that is approved by the chief executive of Oranga Tamariki (the **chief executive**) to children and young persons in Oranga Tamariki—Ministry for Children (**Oranga Tamariki**) residences. Regulation 14 of the principal regulations requires an injection to be administered by a medical practitioner, nurse, or dentist. These regulations expand that list of persons to include a nurse practitioner and a member of staff approved by the chief executive who has received appropriate training and yearly refreshers (an **authorised person**):
- empower the chief executive to approve a medication as an injectable emergency medication following consultation with medical experts, the Director-General of Health, and the chief executive of Health New Zealand, and require the chief executive to publish notice of this approval on the Oranga Tamariki internet site:
- permit an authorised person, medical practitioner, nurse practitioner, nurse, or dentist (when providing dental care) to administer adrenaline (when classified as a restricted medicine) to a child or young person in circumstances where they are experiencing a medical emergency that requires treatment with adrenaline but have not had adrenaline prescribed to them:
- adjust the right of a child or young person entering an Oranga Tamariki residence to receive a medical examination within 1 week of being admitted. This examination can now be performed by a nurse practitioner as an alternative to a medical practitioner, and the child or young person is able to choose between being examined by a nurse practitioner or a medical practitioner:
- expand the medications that can be given to a child or young person to include any medication prescribed by an authorised prescriber. This change reflects an increase in the range of health practitioners who can prescribe medicines under the Medicines Act 1981, which currently includes optometrists, nurse practitioners, and registered midwives.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

These regulations are administered by Oranga Tamariki—Ministry for Children.