

UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

30TH ANNIVERSARY EDITION



MANAAKITIA Ā TĀTOU TAMARIKI

Children's
Commissioner

**CHILDREN'S
RIGHTS
ALLIANCE**
AOTEAROA
NEW ZEALAND



Save the Children

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for every child

The United Nations Convention on the Rights of the Child 1989 (the Children's Convention) sets out the rights of all children under the age of 18 years and the responsibilities of governments to ensure those rights are respected.

The New Zealand Government signed up to the Children's Convention in 1993. This means the Government has agreed to promote, respect, protect and fulfil the rights of all children.

There are three Optional Protocols that complement the Convention and provide greater protection for children in certain areas:

- **Optional Protocol on the Involvement of Children in Armed Conflict** - New Zealand ratified in 2001.
- **Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography** - New Zealand ratified in 2011.
- **Optional Protocol on a Communications Procedure (for rights violations)** - New Zealand has not yet ratified.

Introduction from the Children's Commissioner



The Children's Convention is an exciting document. Even 30 years after it was written, it still speaks powerfully. It is an important charter of guarantees for all children. When faithfully applied and upheld, it will ensure that children flourish, prosper and thrive.

This 30th anniversary edition includes the full text of the Children's Convention in English and in te reo Māori. My hope is that people of all ages use it to learn about children's rights and to hold those in power to account for the promises they have made to children.

In Aotearoa, the Children's Convention needs to be implemented in the context of Te Tiriti o Waitangi. Te Tiriti o Waitangi and the Children's Convention are complementary treaties that reinforce the rights of tamariki Māori as tangata whenua. Tamariki and rangatahi Māori rights to culture, religion and language are affirmed in the Children's Convention. Governments must take unique measures to ensure tamariki and rangatahi Māori have their individual and collective rights as indigenous children fulfilled.

Children live, learn and grow, not in isolation but as part of families, whānau, hapū, iwi, wider family groups and communities. The Children's Convention recognises the human rights of every child and the responsibilities, rights and duties of parents and family. It recognises that children should grow up in a family environment, in an atmosphere of happiness, love and understanding.

A key statutory obligation for the Children's Commissioner is to raise awareness and understanding of the Children's Convention and to advance and monitor the application of it by Departments of State and other instruments of the Crown.

When people know and respect children's rights, act in the best interests of children and when children's views are taken into account, it is not only good for children, but it is also good for us all.

I encourage everyone using this copy of the Children's Convention to reaffirm their commitment to upholding and protecting the rights of children.

A handwritten signature in black ink that reads "Andrew Becroft". The signature is written in a cursive, flowing style.

Judge Andrew Becroft
Children's Commissioner

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United Nations Convention on the Rights of the Child 1989

Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 entry into force 2 September 1990, in accordance with article 49.

Preamble

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and

international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

PART I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being

of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.
2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others; or
- (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order

(ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the

desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;
- (b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

- (e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason , as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.
2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.
3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development
4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to

information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.
2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:
 - (a) To diminish infant and child mortality;
 - (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
 - (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

- (d) To ensure appropriate pre-natal and post-natal health care for mothers;
 - (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;
 - (f) To develop preventive health care, guidance for parents and family planning education and services.
3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.
2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.
3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;

- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
 3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:
 - (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
 - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
 - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
 - (e) The development of respect for the natural environment.
2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
 - (a) Provide for a minimum age or minimum ages for admission to employment;
 - (b) Provide for appropriate regulation of the hours and conditions of employment;
 - (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or

other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts.

Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.
2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:
 - (a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
 - (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
 - (i) To be presumed innocent until proven guilty according to law;

- (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
- (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
- (iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;
- (v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;
- (vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;
- (vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:
- (a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;
 - (b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.
4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

- (a) The law of a State party; or
- (b) International law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.
2. The Committee shall consist of eighteen experts of high moral standing and recognized competence in the field covered by this Convention.^{1/} The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.
3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.
4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address

a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.
6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.
7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.
9. The Committee shall elect its officers for a period of two years.
10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.
11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.
12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights

- (a) Within two years of the entry into force of the Convention for the State Party concerned;
 - (b) Thereafter every five years.
2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.
 3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.
 4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
 5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
 6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;
- (c) The Committee may recommend to the General Assembly to request the Secretary-General to

undertake on its behalf studies on specific issues relating to the rights of the child;

- (d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.
3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the

present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations. In witness thereof the

undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

1/ The General Assembly, in its resolution 50/155 of 21 December 1995 , approved the amendment to article 43, paragraph 2, of the Convention on the Rights of the Child, replacing the word "ten" with the word "eighteen". The amendment entered into force on 18 November 2002 when it had been accepted by a two-thirds majority of the States parties (128 out of 191).

HE WHAKAAETANGA WHAKATAU I TE MANA O TE TAMAITI A TE WHAKAKOTAHITANGA O NGĀ WHENUA O TE AO

TE PUTANGA WHAKANUI I TE 30 TAU



MANAAKITIA Ā TĀTOU TAMARIKI

Children's
Commissioner

**CHILDREN'S
RIGHTS
ALLIANCE**
AOTEAROA
NEW ZEALAND



Save the Children

unicef 
for every child

He Whakaaetanga Whakatau i te Mana o te Tamaiti a te Whakakotahitanga o ngā Whenua o te Ao

I whakapūmautia, ka whakapuakina kia hainatia, kia whakamanatia, kia whakaaetia e te whakataunga 44/25 a te Rūnanga Whānui, i te 20 o Noema, 1989 te urunga atu kia mana, i te 2 o Hepetema, 1990, i runga i ūpoko 49. I whakatūturutia te Hui Whakatau i Te Mana o Te Tamaiti a Te Whakakotahitanga o Ngā Whenua Ao e te Kāwanatanga o Aotearoa i 1993.

Whakamārama

Ngā Rōpū Kāwanatanga o Te Hui Whakatau Ināianeī

I te mea ko ngā tikanga i whakapuakitia i roto i te kaupapa a te Whakakotahitanga o ngā Whenua o te Ao, arā, ko te whakaaetanga ki te tino rangatiratanga, me te ōritetanga o te mana motuhake o te kāhui tāngata, te pūtake o te noho herekore, o te tika, me te rongomau i tēnei ao.

I runga i te whakaaro nā ngā tāngata o te Whakakotahitanga o ngā Whenua o te Ao i Whakatūturu tō rātou whakapono ki te mana tuku iho o te tangata, tōna rangatiratanga me tōna nui, nā, kua ngākaunui rātou ki te whakakaha i te haere whakamua, me te whakapai ake i tōna oranga i runga i te kahanga o te noho herekore.

Me mōhio hoki i roto i te whakapuakitanga whānui a te Whakakotahitanga o ngā Whenua o te Ao mō te rangatiratanga tangata, ā, i roto anō hoki i ngā kawenata-ā-lwi mō ngā mana tangata, i whakapuakina i whaakaetia e rātou, arā, e āhei ana te hunga katoa ki ngā mana me ngā herekore katoa kua tuhia rā e rātou ki roto i tā rātou tuhinga kaupapa mō te mana tangata i runga anō i te kī kāore he whakaaro whakahāwea, he pēhea tōna āhua, ko wai tōna iwi, he aha tōna kara, he tāne, he wāhine rānei ia, he aha tāna reo, tōna hahi, ōna whakaaro rānei ki ngā kōrero pōti Kāwanatanga, ētahi atu whakaaro rānei, e pā ana ki te wāhi i whānau mai ai ia, te iwi nō reira mai rā ia, ētahi atu karangatanga rānei ōna.

Kia mahara, i roto i te kaupapa whānui a Te Mana Tangata i whakapuakina e te Whakakotahitanga o ngā Whenua o te Ao, arā, e āhei ana te tamaiti ki ngā manaakitanga motuhake katoa me ngā āwhina.

Nā, kia mahara, ko te whānau, ko rātou nei te rōpū o te huihuinga tangata me te āhukatanga mō te tipu me te ora o ōna mema katoa, ina koa te tamariki, ko rātou tētahi tino hunga, kia tiakina kia hoatu ki te whānau ngā āwhina kia taea ai e rātou ā rātou mahi i waenganui i te iwi.

E mārama ana hoki e pai ai te āhua o te noho a te tamaiti me tipu ake ia i roto i te āhukatanga whānau, i roto i te hari, i te aroha, me te māramatanga.

I te mea me āta whakareri te tamaiti ki te noho i runga i tōna ake oranga i roto i te whakaminenga, ā, i whakatipuria ake i roto i te wairua o ngā āhukatanga i whakapuakina i roto

i te kaupapa o te Whakakotahitanga o ngā Whenua o te Ao ā, ko te mea nui rawa ia ki roto i te wairua o te rongomau o te wehi, o te whakamomori, te noho herekore o te ōrite me te kaha.

Kia maumahara hoki ko te whakaaro tiaki i te tamaiti i tuhia i te hui 1924 ki roto i te pukapuka whakatakoto kaupapa a Geneva mō te whakapuaki i ngā mana o te tamaiti, ā, i tautokona anō e te Huihuinga-ā-iwi ki roto i tā rātou whakapuakitanga i aua mana o te tamaiti i te hui 20 o Noema 1959, ā e whakaaetia anō hoki aua kōrero i roto i te Kawenata a ngā Whakawhanaungatanga ā Iwi o te Ao mō te Mana Tangata, Mana Pōti, kāore ha kei roto i ngā Ūpoko 23, 24, kei roto anō hoki i ngā kawenata a ngā whakatōpū-ā-iwi o te ao te whakakaupapatanga i ngā mana whakawhitiwhiti oranga, take huihui rānei ā-iwi tae atu hoki ki ā rātou tikanga mana tuku iho, kāore ha i ngā mea kei roto i te Ūpoko 10, ā, i ētahi atu rōpū whakahaere motuhake a ngā Rōpū whakakotahitanga ā-iwi rānei e taunga ana e kāingākau ana ki te āwhina i ngā take mō te ora o te tamaiti.

Waihoki, i waitohutia rā i roto i te Whakapuakitanga o ngā Mana o te Tamaiti, i te mea “kei te nohinohi tonu tana tinana me tana hinengaro, me motuhake tonu te tiaki, me te atawhai i a ia, tae atu hoki ki ngā ture e tika ana hei tiaki i a ia i mua, i muri i tōna whānautanga mai”.

Kia maharatia anō hoki, kei roto i te pukapuka Whakapuaki take te whakakaupapatanga i te nohoanga-ā-iwi me ngā ture whakahaere e pā ana ki te tiaki me te ora mō te tamaiti, me te tino whakaaro anō ki te kāinga whakanoho i te

tamaiti me te whakatau a ngā whakawhanaunga-ā-iwi o te ao me ngā iwi kāinga mō te whakahaere i te ture whakawā tamariki hara i runga i te iti o te ture i whakaritea e ngā iwi whakawhanaunga o te ao hei utu mō taua hara (e ai ki ngā ture a Beijing) me ngā whakapuakitanga kaupapa mō te tiaki i ngā wāhine me ngā tamariki i roto i ngā putanga ohorere me ngā putanga pakanga.

Me te mōhio anō kei ngā whenua katoa o te ao e noho ana ētahi tamariki i roto i te mutunga mai o te hē, ā, ko ēnei ngā tamariki hei tino whakaarotanga.

Ko te mātau ki te nui o ngā tikanga me te nui hoki o ngā whakataunga tuku iho o ia iwi mō te tiaki me te whakatipu pai hoki i te tamaiti.

Ko te mōhio hoki, ko te mea nui ko te mahi tahi o ngā iwi hei whakapai ake i te noho a ngā tamariki i tēnā whenua, i tēnā whenua, kāore ha i ngā whenua kei te whakatiputipu tonu kua whakaae ki ēnei e whai ake nei.

TE WĀHANGA TUATAHI

Ūpoko 1

Mō ngā take e pā ana ki tēnei hui whakatakoto tikanga ko te kupu “tamaiti” e mea ana ko te hunga katoa kei raro iho ngā tau i te tekau mā waru, mehemea rānei i raro i te ture e pā ana ki te tamaiti kua eke kē ngā tau ki te mātāmuatanga.

Ūpoko 2

1. Me whakahōnore me tino aro ngā Rōpū Kāwanatanga ki ngā whakakaupapatanga a tēnei whakaaetanga i ngā mana e pā ana ki te tamaiti i runga anō i te kaha o te ture e āhei ana ki a rātou ā, i runga anō hoki i te ōrite o te whiu ahakoa ko wai te tamaiti, ko wai ōna mātua, ōna mātua whāngai rānei, tōna karangatanga ā-iwi, tōna kara, he tāne, he wāhine rānei ia, he aha tōna reo, tōna hāhi, ōna whakaaro pōti Kāwanatanga, ētahi atu whakaaro rānei, mō te iwi me tōna karangatanga i te whenua i ahu mai ai ia, he aha ana taonga, he aha rānei te mate hauā e pā ana ki a ia, he pēhea tōna whanaungatanga, mai ētahi atu āhua rānei e pā ana ki a ia.
2. Me anga hoki ngā Rōpū Kāwanatanga ki te whakahaere i ngā take katoa e tika ana kia ū tūturu ai te tiaki i te tamaiti i ngā whakaaro whakahāwea, i ngā whiu rānei e pā ana nō te mea he iwi ke noa atu tōna karangatanga, āna nei mahi, āna nei whakaaro e whakaputa ana ngā whakaaro whakapono rānei a ōna mātua, mātua whāngai rānei, whakaaro rānei a tana whānau.

Ūpoko 3

1. I roto i ngā mahi katoa e pā ana ki ngā tamariki ahakoa i raro i ngā whakahaere a ngā tari Kāwanatanga me ētahi atu Tari o Te Ora kāore i raro i te Kāwanatanga, tā ngā kōti whakahaere ture rānei, tā ngā Kaiwhakahaere rānei kua whakamanaia e te ture, ētahi atu rōpū whakahaere i te ture rānei, engari ia, ko te tino whakaaro nui kia puta ko ngā painga e puta ana ki te tamaiti.

2. Me anga ngā Rōpū Kāwanatanga ki te whakatūturu i te tiaki me te atawhai e tika ana mō te oranga o te tamaiti, me te whakaaro anō hoki ki ngā mana me ngā mahi a ōna mātua, mātua whāngai rānei, ētahi atu tāngata rānei kua whakamanatia hei tiaki i a ia, ā, mō tēnei take me mahi e rātou ngā mahi e tika ana i raro i te ture me ngā whakahaere e tika ana.
3. Me whakatūturu ngā Rōpū Kāwanatanga i ngā whare, i ngā mahi, me ngā tikanga mō te atawhai me te tiaki i te tamaiti kia eke ki ngā āhuatanga i whakaritea e ngā hunga whai mana, e mātau ana, kāore ha, i ngā wāhanga kāore e pāngia e te aitua, ā, e noho ora ai tana tinana, ā, i runga anō i te tika me te nui o ā rātou rōpū kaimahi, tae atu hoki ki te whakahaere a te Kaitirotiro kua tohunga ki ēnei mahi.

Ūpoko 4

Me whakamahi hoki e ngā Rōpū Kāwanatanga ngā ture katoa e tika ana, ngā whakahaere, me ētahi atu āhuatanga, hei whakatutuki i ngā mana i whakaaetia e tēnei whakaaetanga. Mō ngā take e pā ana ki te oranga taha moni, te taha-ā-iwi, me ngā mana taonga tuku iho, me anga ngā Rōpū Kāwanatanga ki te mahi i ngā tikanga ki te mutunga mai o te kaha o ngā mātāpuna kei a rātou, ā, ki ngā wāhi e hiahiatia ai i roto i ngā mahi i whakawhaititia hei mahitahitanga mā ngā iwi.

Ūpoko 5

Me whakahōnore ngā Rōpū Kāwanatanga ki ngā mahi ki ngā mana me ngā mahi a ngā mātua ki ngā wāhi anō e tika ana ki ngā mema o te whānau, o te whakaminenga rānei kua whakatakotoria e tēna rohe, e tēna rohe, e ngā mātua

whāngai me ētahi atu tāngata kua whakamanaia hei tiaki i te tamaiti ki te hoatu ki te tamaiti te huarahi tika e ōrite ana ki te tipu ake o te tamaiti, ki te ārahi te huarahi e tika ana hei mahinga mā te tamaiti i ngā mana kua whakaaetia e tēnei whakaaetanga.

Ūpoko 6

1. E whakaae ana ngā Rōpū Kāwanatanga ki te mana tuku iho o ia tamaiti mō tōna oranga.
2. Me whakatūturu e ngā Rōpū Kāwanatanga ki te mutunga mai o te kaha e taea e rātou te ora me te tipu o te tamaiti.

Ūpoko 7

1. Whānau mai ana te tamaiti kia tere tonu te rēhita, ā, ka whai mana ia ki tētahi ingoa mōna, ki te mana anō hoki e mōhio ai ia, ko wai tōna iwi, ā, mehemea e taea ana kia mōhio ko wai ōna mātua, ā, ki te mōhio ka āwhina tonu ōna mātua i a ia.
2. Me anga te Rōpū Kāwanatanga ki te whakatutuki i ēnei mana i runga i ā rātou Ture-ā-lwi me ngā mahi i whakahaua kia mahia e rātou i raro i ā rātou Ture-ā-Whenua, e pā ana ki ēnei mahi kāore ha, mehemea kāore he tūrangawaewae o te tamaiti.

Ūpoko 8

1. Me whakahōnore ngā Rōpū Kāwanatanga ki te pupuri i ngā mea katoa e mōhiohia ai ko wai te tamaiti, tae atu hoki ki tōna iwi, ki tōna ingoa, me ōna whanaunga e mōhiohia ana e te ture, ā, kāore hoki e taea te whakahē.

2. Ki te tango hētia ētahi wāhi, te katoa rānei o āna tikanga e mōhiohia ai ko wai ia, me hoatu e ngā Rōpū Kāwanatanga te āwhina me te tiaki e tika ana, arā, kia tere ai te whakatūturu anō ko wai ia.

Ūpoko 9

1. Me anga ngā Rōpū Kāwanatanga ki te whakatūturu kia kaua e wehea te tamaiti i ōna mātua, mehemea kāore ngā mātua e whakaae kia wehea rātou, ēngari mehemea tētahi hunga tika kua whakamanaia i raro i ngā whakahaere a te ture e whakaaro ana e paingia ana taua wehenga, mō te tamaiti ka whakaaetia, ēngari kei te tirohanga anō i aua ture te tikanga. Tērā pea e tika ana taua whakatau, kāore ha, i ngā take e tūkinotia ana e whakaaro koretia ana te tamaiti e ōna mātua, i ngā take rānei e noho wehewehe ana ngā mātua; hei konei ka whakatauria te whakaaro ki hea te tamaiti noho ai.
2. I roto katoa i ngā whakahaere e pā ana ki te kōwae 1 o tēnei Ūpoko, ka hoatu he wā mō ngā hunga katoa e whai take ana i roto i ēnei whakahaere, ki te whakaputa i ō ratou whakaaro.
3. Ka whakahōnoretia e ngā Rōpū Kāwanatanga te mana o te tamaiti kua wehe i tētahi o ōna mātua, i ōna mātua tokorua rānei ki te mau tonu i tōna whanaungatanga ki ā rāua me te kite auau ā-tinana i ōna mātua tokorua i ngā wā e whakaritea ana, ēngari, kāhore mehemea kāore e pai ana tēnei mō te tamaiti.
4. Mehemea nā te Rōpū Kāwanatanga te whakaaetanga ki tēnei wehenga, arā, nāna i pupuri i mauherehere, i pana

rānei i ō rātou ake whenua, i whakamate rānei (tae atu ki te mate e pā noa mai i te wā e mauherehere ana) tētahi, ngā mātua tokorua rānei o te tamaiti, te tamaiti tonu rānei, me whakaatu e taua Rōpū Kāwanatanga, ina inoia atu ki a rātou, ngā tino whakamārama ki ngā mātua, ki te tamaiti, mehemea rānei e tika ana ki tētahi atu o te whānau, ahakoa kei hea ngā hunga o te whānau e ngaro ana, ēngari mehemea kāore e pai ana tēnei whakamārama mō te painga o te tamaiti, kātahi ka whakakorea. Me whakatūturu anō hoki ngā Rōpū Kāwanatanga, arā, ko ā rātou whakamārama i tono atu ai kia kaua e raruraru ki te hunga e pā ana ki ēnei whakamāramatanga.

Ūpoko 10

1. I runga i ngā mea hei whakaarotanga, mā ngā Rōpū Kāwanatanga i raro i Ūpoko 9, kōwae 1, ko ngā tono a tētahi tamaiti, a ōna mātua rānei, ki te whakauru, ki te whakarere rānei i tētahi Rōpū Kāwanatanga mō te huihui-ā-whānau te take, me āta whiriwhiri e te Rōpū Kāwanatanga i runga i te tika i te aroha, me te pai o te whakatau. Me whakatūturu hoki ngā Rōpū Kāwanatanga kia kaua e pā tētahi kino ki ngā kaitono me ngā mema o tō rātou whānau, nā runga i taua tukunga tono.
2. Ko te tamaiti kei ētahi whenua kē noa atu ngā mātua e noho ana, e whai mana ana ki te kite auau i ōna mātua i runga i te kite-ā-tinana i ōna mātua tokorua, otirā, i ētahi āhuatanga motuhake, kāore e whakaaetia i runga i tērā āhuatanga. I raro i aua whakaritenga, me ngā ture i whakahaua kia mahia e ngā Rōpū Kāwanatanga i raro i te Ūpoko 9, kōwae 1, me whakahōnore e ngā Rōpū Kāwanatanga te mana o te tamaiti me ōna mātua ki te

whakarere, ā, ahakoa ko hea te whenua, tō rātou ake whenua rānei, ko te whakauru mai rānei ki tō rātou ake whenua. Ko te mana ki te whakarere ahakoa ko hea te whenua kei ngā here anake i whakatakotoria e te ture te tikanga e tika ana hei tiaki i te ora-ā-iwi, i te pai o tāna noho i waenganui i te iwi, i te pai o te hauora o te iwi i te mōhio ki te tika, ki te hē, ki ngā mana rānei o te noho herekore o ētahi atu, kia rite ki ētahi atu mana e whakaarohia ana e tēnei whakaaetanga.

Ūpoko 11

1. Me whakatakoto e ngā Rōpū Kāwanatanga ētahi tikanga e ārai atu i te mau hē, me te kore o te tamaiti e whakahokia mai i tāwāhi.
2. I runga i tēnei āhukatanga, me kaha ngā Rōpū Kāwanatanga ki te whakatutuki i ngā whakaaetanga a te hunga takirua, a te hunga maha rānei, te whakaaetanga rānei ki ngā kirimini i whakatakotoria.

Ūpoko 12

1. Me whakatūturu ngā Rōpū Kāwanatanga i te mana o te tamaiti e mōhio ana ki te whakatakoto i ōna ake whakaaro, ā, ki te whakaputa noa hoki i ana whakaaro ki ngā āhukatanga katoa e pā ana ki te tamaiti, ki ngā whakaaro o te tamaiti, me whakaaro i runga i ōna tau me tōna pakeke.
2. I runga i tēnei āhukatanga, ka āta whakawāteatia he wā mō te tamaiti ki te kōrero i ōna whakaaro, i mua i ngā kōti whakawā, me ngā whakahaere e pā ana ki te tamaiti, arā, māna tonu rānei e kōrero, mā tētahi kai kōrero kē noa

atu rānei, mā tētahi rōpū rānei e tika ana, ēngari, me tika i runga i ngā kaupapa whakahaere a te ture-ā-whenua.

Ūpoko 13

1. Me whai mana te tamaiti ki te whakaputa noa i ōna whakaaro; ko tēnei mana e whakawātea ana i a ia ki te kimi, kia whiwhi, ki te hoatu māramatanga, me ngā momo whakaaro katoa ahakoa pēhea ngā āhuatanga, i kōrerotia, i tuhituhitia rānei, mahi-ā-ringa, ētahi atu kaipānui rānei e pā ana ki te tamaiti.

2. Tērā anō ētahi here kei runga i ēnei mana, ēngari ko ngā here anake e pā ana ki tā te ture i whakatakoto ai, ā, e tika ana hoki.

(a) Mō te whakahōnore i ngā mana me ngā ingoa pai o ētahi atu;

(b) Mō te tiaki rānei i te ora o te iwi, te pai rānei o te noho a te whakaminenga, tōna hauora tōna noho rānei ki te tika ki te hē rānei.

Ūpoko 14

1. Me whakahōnore e ngā Rōpū Kāwanatanga te mana o te tamaiti ki ōna ake whakaaro, ki tōna hinengaro, ki tōna hāhi whakaponohoki.

2. Me whakahōnore e ngā Rōpū Kāwanatanga te mana me ngā mahi a ngā mātua, ā, i ngā wā e tika ana, me pērā anō rātou ki ngā mātua whāngai (Kaitiaki i whakamana) hei tohutohu i te tamaiti ki te whakamahi i tāna mana i te wā e pakeke haere ana ōna whakaaro.

3. Ko te mana ki te whakaatu i tōna hāhi, i tōna whakapono rānei, kei te here ā te ture te tikanga hei tiaki i te ora o te iwi te noho pai, ki te hauora, me te mōhio ki te tika ki te hē, ki ngā mana tuku iho katoa rānei me te noho herekore o ētahi.

Ūpoko 15

1. E mātau ana ngā Rōpū Kāwanatanga ki ngā mana o te tamaiti ki ngā herekore i a ia, i āna takatū i roto i te iwi, i āna haere rānei ki ngā huihuinga whakahoahoa.
2. Kāore he here mō te whakahaere i ēnei mana i tua atu i tā te ture i whakatau ai, ā, e tika ana mō te huihuinga tāngata e noho ana i runga i te ture herekore hei painga mō te noho-ā-iwi mō te ora rānei o ngā tāngata, te noho pai ā ngā tāngata, te tiaki i te hauora o ngā tāngata, i ō rātou mōhio ki te hē, ki te tika, ki te tiaki rānei i ngā mana me te noho herekore o ētahi.

Ūpoko 16

1. Kauga te noho a te tamaiti e whakararuru noatia; e ngā whakararuru poka noa, i tōna noho ko ia anake, i tōna noho i tōna whānau, i tōna kāinga, ki āna reta rānei, ki ngā whakakino hē noa rānei ki tōna hōnore me tōna ingoa pai.
2. E whai mana ana te tamaiti kia tiakina e te ture ki te pā he raruru ki a ia, ki te tūkinotia rānei ia.

Ūpoko 17

E mātau ana ngā Rōpū Kāwanatanga ki te nui o te mahi e mahia ana e te katoa o ngā kaikawe kōrero, ā, me whakatūturu e rātou kia whai huarahi te tamaiti ki ngā

whakaaturanga me ngā mea i puta mai i ngā mātāpuna huhua-ā-iwi, me ngā mātāpuna a ngā iwi rānei, kāore ha, ko ngā mea e hāngai ana ki te whakapiki i tāna noho whakawhanaunga ki te katoa, tōna wairua, me tāna noho i runga i te tika me te ora o te tinana me te hinengaro. Nā reira, ko ngā Rōpū Kāwanatanga, me:

- (a) whakangākaunui i ngā mātāpuna whakaatu kōrero kia pānui whānuitia ngā whakaaturanga me ngā mea e pā ana ki te noho ā-iwi me ngā tikanga hei painga mō te tamaiti, i runga i te wairua o Ūpoko 29.
- (b) whakangākaunui i ngā iwi kia mahi tahi ki te whakaputa, ki te whakawhiti, ki te pānui i ōna whakaaturanga ki ngā mea i puta huhua mai e puta mai ana rānei i ngā mātāpuna-ā-iwi, a ngā huihuinga rānei a ngā iwi.
- (c) whakangākaunui ki te whakaputa, ki te whakarato i ngā pukapuka mā ngā tamariki.
- (d) whakangākaunui i te mātāpuna kawē kōrero kia āta whakaaro rātou ki ngā hiahia e pā ana ki te reo o te tamaiti o ngā iwi iti, tamaiti tūturu rānei nō tōna whenua.
- (e) whakangākaunui i te whakatipu i te ārai tika i te tamaiti i ngā whakaaturanga me ngā mea kāore e pai ana mōna, ki te whakaaro anō hoki ki ngā tikanga i whakatakotoria i roto i te Ūpoko 13 me te 18.

Ūpoko 18

1. Me kaha ngā Rōpū Kāwanatanga ki te whakawaia i a rātou kia āta kite ai rātou arā, ko te atawhai, me te whakatipu i te tamaiti e pā tahi ana ki ngā mātua tokorua. Kei ngā mātua, mātua whāngai rānei i whakamanā hei tiaki hei whāngai, whakatipu i te tamaiti. Kia whakaaro anō hoki ko ngā mea e paingia ana mō te tamaiti te mea nui.
2. Hei whakapūmau, ā, hei whakanui hoki i ngā mana i whakatakatoria i roto i tēnei whakaaetanga, me hoatu e ngā Rōpū Kāwanatanga ngā āwhina e tika ana ki ngā mātua, ki ngā mātua whāngai rānei, i roto i ā rātou mahi whāngai tamariki; ā, ka whakatūturu hoki ki te hanga i ngā whare, me ngā mahi katoa mō te atawhai tamariki.
3. Me mahi e ngā Rōpū Kāwanatanga ngā tikanga katoa e tika ana kia tūturu ai ngā tamariki a ngā mātua kei te mahi ki ngā hua e puta mai ana i ngā wāhi tiaki tamariki, me ngā painga e āhei ki ngā tamariki.

Ūpoko 19

1. Me whakahaere e ngā Rōpū Kāwanatanga ngā ture e tika ana, ngā whakahaere, ngā tikanga mō te huihuinga tāngata me ngā tikanga o te mātauranga hei tiaki i te tamaiti i ngā āhuatanga tūkino katoa, e pā ana ki te tinana ki te hinengaro rānei, ngā mate, ngā tūkino rānei, ngā whakarere noatanga, te mau hē, te mau kino, me te whakamahi i te mau tamaiti hei painga ki te kaitiaki anake, tae atu hoki ki ngā mahi taitōkai i te tamaiti, i te wā e noho ana te tamaiti i raro i te maru o tētahi o ngā mātua, o ngā mātua tokorua rānei, mātua whāngai rānei, i tētahi atu tangata rānei kei a ia te tamaiti e noho ana.

2. Ko ēnei tikanga tiaki e tika ana kia whakaurua atu ngā tikanga pai, hei whakatau i ngā kaupapa huinga tāngata ki te hoatu āwhina anō hoki e tika ana hei tautoko i te tamaiti me te hunga kei a rātou te tamaiti e noho ana, me ētahi atu āhukatanga hei ārai atu i ngā hē, ā, hei whakaaturanga hei rīpoatatanga, hei whakamōhioatanga, hei kimihanga, i te mau me te whai atu hoki i nga maukinotanga i te tamaiti, i kōrerotia i mua ake nei, ā, e tika ana kia whakawātia.

Ūpoko 20

1. Ko te tamaiti i wehea mai i tōna whānau mō te wā poto, wā pūmau rānei, ki te kore rānei e whakaaetia kia noho pērā tonu ia i runga i tērā āhukatanga hei painga tonu mōna, e āhei ana ia kia āta tiakina, ā, kia āwhinatia e te Kāwanatanga.
2. Me whakatūturu ngā Rōpū Kāwanatanga i runga anō i ā rātou ture-ā-iwi, i ētahi atu āhukatanga atawhai i taua tamaiti.
3. Kei roto i tēnei tū atawhai, ētahi atu āhukatanga, tuku i te tamaiti ki ngā wāhi atawhai tamariki e ai ki te ture a kafalah (Islamic Law) te tuku atu kia whāngaitia kia waihotia rānei mehemea e pai ana ki ngā whare atawhai tamariki. Ina whakaarotia he rongoa mō ēnei āhukatanga me āta whakaaro te whakapūmau i te whakatipu haeretanga i te tamaiti, ā, ki te iwi i takea mai ai te tamaiti, tōna whakapono, āna tikanga, me tōna reo i whakatipuhia mai ai ia.

Ūpoko 21

Ko ngā Rōpū Kāwanatanga e whakaae ana, e whakaae ana hoki mā ōna kaupapa whāngai tamariki e whakatūtūre ko te mea tino nui hei whakaarotanga mā rātou ko te painga o te tamaiti, ā, me anga rātou ki te:

- (a) Āta titiro, arā, ko te tuku i te tamaiti mē ētahi e whakatipu ko te hunga anake kua whakaaetia e ngā kaipupuri i te mana mō te tuku i te tamaiti i runga i ngā ture me ngā whakahaere e pā ana, i runga anō hoki i te tika me te pono o ngā whakamārama katoa ka whakaaetia tēnei tuku i te tamaiti i runga anō hoki i te āhua o te tamariki ki ngā mātua, ki ngā whanaunga, ki ngā mātua whāngai, ā, mehemea e hiahiatia ana, kua whakaae kē te hunga e pā ana ki tēnei tuku i te tamaiti mā ētahi e whakatipu ēngari i runga i ngā tohutohu tērā pea e hiahiatia ana.
- (b) Me mātau ko ngā take tuku tamariki mā ētahi e whāngai i roto i ngā whakawhitiwhiti o tēnā whenua, o tēnā whenua, ka whakaarohia he wāhanga tikanga anō mō te atawhai i te tamaiti mehemea kāore e taea te whakanoho te tamaiti mē tētahi matua whāngai, whānau rānei e whakatipu ki te kore rānei e kitea he wāhi nohonga e pai ana mō te atawhai te tamaiti i tōna ake whenua i tipu ake ai ia.
- (c) Kia pūmau hoki te mana mō te tamaiti tērā ka awhitia i roto i tētahi atu whenua, kia mau tonu ai ngā ture tiaki pērā me ērā o tōna ake whenua.

(d) Me mahi ngā tikanga katoa e taea ana i roto i ngā tikanga whāngai tamariki o tōna whenua tipu kia kore ai e noho hei mea mahi moni noa iho mā te hunga whāngai tamariki.

(e) Kia kaha ki te āki atu i ngā kaupapa o tēnei upoko, i ngā wāhi e taea ana arā, me whakatutuki ngā whakaritenga, ngā kirimini rānei i waenganui i te hunga tokorua, tokomaha rānei, kei roto i tēnei kaupapa mahi, kia tūturu ai te whakanoho i te tamaiti a te hunga whaimana tika, rōpū rānei.

Ūpoko 22

1. Me anga ngā Rōpū Kāwanatanga ki te whakahaere i ngā tikanga e tika ana mō te tamaiti e kimi ana he kāinga hei nohonga mōna, e kīia ana rānei he tamaiti e kimi ana he wāhi nohonga mōna i raro i te ture e pā ana ki ngā iwi katoa, ki ngā ture rānei o tōna whenua tipu, me ngā whakahaere, ahakoa haere koia anake, i haere tahi rānei me ōna mātua, i te taha rānei o tētahi atu tangata, ka āhei tonu ia ki ngā atawhai e tika ana me ngā āwhina aroha ki ngā mana e āhei ai te tamaiti i raro i ngā tikanga o tēnei huihuinga me ngā mana tangata o ētahi atu whenua, ngā tuhituhinga aroha ki te tangata rānei e kīia nei he wāhanga nō aua Rōpū Kāwanatanga e kōrerotia nei.
2. Mō tēnei take me anga ngā Rōpū Kāwanatanga ki ngā wāhi e whakaarohia ana e rātou he tika, ki te āwhina i ngā mahi ahakoa he aha a te kotahitanga a ngā Iwi o te Ao, me ētahi atu a te Tari o te Kāwanatanga, ētahi atu rōpu noa rānei, e mahi tahi ana i te taha o te Kotahitanga a ngā Iwi o te Ao ki te tiaki, ki te āwhina i tēnei momo tamaiti, ā, ki

te kimi hoki i ngā mātua, i ētahi atu rānei o te whānau, o te tamaiti rānei e kimi kāinga nohonga mōna, kia whiwhi ai ia ki ngā whakaaturanga e tika ana mōna, ki te hoki anō ki tōna whānau. Ki te heipū, kāore ngā mātua, ētahi atu rānei o te whānau e kitea, ka āhei tonu te tamaiti ki taua atawhai e hoatu ana ki tētahi atu tamaiti mō ngā wā katoa o tōna oranga, mō te wā poto noa rānei i wehea mai ai ia i tōna whānau, me tētahi atu take kua tuhia nei ki roto i ngā kaupapa o ēnei Whakaaetanga.

Ūpoko 23

1. Whakaae ana ngā Rōpū Kāwanatanga, arā, ko te tamaiti e mate ana i te mate hinengaro, e hauā ana rānei te tinana, me whiwhi tonu ia ki te oranga pai mō ngā rā o tōna oranga, i runga i ngā āhua e tūturu tonu ai tōna wehi e tipu ake ai tōna whakamanawa ki a ia anō, a, kia ngawari ai tāna takatū i waenganui i te iwi.
2. E whakaae ana ngā Rōpū Kāwanatanga ki te mana o te tamaiti hauā, kia tino atawhaingia, ā, kia whakangākaunuitia ki te roanga atu o ēnei āwhina, ēngari kei ngā mātāpuna e āhei ana ki te tamaiti te tikanga, me ngā mea o rātou e tiaki e āwhina ana i te tamaiti, i te mea kua tukua atu nei he āwhina e tika ana ki te āhuetanga e pā ana ki te tamaiti, ki ngā mātua, ki ētahi atu rānei e atawhai ana i te tamaiti.
3. I te mea e mōhiotia ana ngā hiahia motuhake o te tamaiti hauā, ka āwhinatia kāore he utu i runga i ngā kaupapa o te kōwae tuarua o tēnei Ūpoko, arā, ngā wāhi e taea ana, me te mōhio anō ki te mātāpuna ā-moni a ngā mātua, a ētahi atu rānei kei te mau i te tamaiti, ka meinga

ēnei hei whakatūturu kia whiwhi ai te tamaiti hauā ki te huarahi o te mātauranga, ki te ako i ngā mahi a te hauora, ki ngā mahi e tika ai tāna noho i waenganui i te iwi, ki te whakareri i a ia ki ngā huarahi e whiwhi mahi ai ia, ā, e uru atu ai ia ki ngā huarahi o ngā whakangahau, i runga i ngā āhua e tika ana ki te kaha o te tamaiti kia eke ia ki te taumata o te noho pai i roto i te iwi me tōna whakatiputipu i ia anō tae atu hoki ki ngā tikanga i tipu mai ia i roto, me ngā tikanga tuku iho, me te taha wairua.

4. Me kaha ngā Rōpū Kāwanatanga ki te whakanui, i roto i te wairua āwhina o ngā iwi katoa, ki te whakawhitiwhiti i ngā māramatanga e tika ana i roto i ngā āhuatanga o te mahi tiaki i te ora tinana i ngā mahi rongoā mate, ngā mahi e pā ana ki te hinengaro me ngā mea e tika ana hei whakaora i te tamaiti hauā, tae atu hoki ki ngā whakaaturanga e pā ana ki ngā mahi whakahou i te noho i te mahi me te whai i te mātauranga, ngā mahi pūmau, i runga i te wawata kia taea e ngā Rōpū Kāwanatanga te whakapai ake o rātou kaha me o rātou mōhio ā, ki te whakanui atu hoki i o rātou mōhioatanga ki ēnei mahi. Nā reira, me āta tiro tiro ngā mea e hiahia ana e ngā whenua kei te whakatiputipu tonu.

Ūpoko 24

1. Me whakaae ngā Rōpū Kāwanatanga ki te mana o te tamaiti kia whiwhi ia ki te mutunga mai o te ora o te tinana, ā, ki nga āhuatanga mō te rongoā mate, ā, me te whakahoki mai anō i te ora pūmau. Me whakamātau ngā Rōpū Kāwanatanga ki te whakatūturu kia kaua e āraia te mana o tētahi tamaiti ki aua mahi hauora.

2. Me anga ngā Rōpū Kāwanatanga ki te tino whakatinana i tēnei mana, kāore ha, ki te mahi i ngā mahi e tika ana:
- (a) Ki te whakaiti i te matemate o te tamaiti e pēpi tonu ana, e nohinohi tonu ana rānei;
 - (b) Ki te āta titiro ki te whiwhi o ngā tamariki ki ngā āwhina katoa o ngā rongoā whakaora mate ēngari ia, ko te mea nui rawa ia ko te whakatipu o te ora o te tamaiti;
 - (c) Ki te ārai i ngā mate huhua, me ngā mate nā te korekai, tae atu hoki ki ngā mahi tiaki i te ora o te tamaiti kua oti nei te whakatakoto ki roto i te tono mō ngā mea hou mō te hoatu i ngā āwhina kai, me ngā wai unu e tika ana mō te ora o te tinana, me te whakaaro anō hoki ki ngā wetiweti o ngā wāhi kua paruhia;
 - (d) Ko te hanga he āhua e tika ana mō te tiaki i te whaea i mua ,ā, i muri iho hoki i tōna whakawhānautanga;
 - (e) Ki te āta whakamōhio atu ki ngā wāhanga katoa e noho ana te iwi, kore ha, ki te whakamōhio atu ki ngā mātua me ngā tamariki, arā, kei te wātea te huarahi ki te mātauranga, ā, ka āwhinatia rātou ki ngā mahi tiaki i te tamaiti, ki ngā kai e pai ana mō tōna oranga me te pai o te whāngai i te pēpi ki ngā ū o te whaea me te pai o te mā o ngā wāhi nohanga, ā, me te tūpato kei pāngia e ngā mate aitia;

- (f) Ko te hanga tikanga hei tiaki i te hauora o te tamaiti, hei āwhina i ngā mātua i ngā whānau hoki e whakaora ana i ngā tikanga e mātau ai rātou ki ēnei āhuatanga me ngā mahi.
3. Me anga ngā Rōpū Kāwanatanga ki te mahi i ngā mea katoa e pai ana, e tika ana, hei horoi atu i ngā tikanga o neherā, kāore e pai ana mō te hauora o ngā tamariki.
4. Me anga ngā Rōpū Kāwanatanga ki te whakakaha, ki te whakangākaunui hoki i te mahi tahi o ngā iwi o te ao, ki te āta mahi haere iti nei i tēnā wā, ā, tae noa ki te tino whakatūturutanga o tēnei mana kua tuhia nei i roto i tēnei ūpoko. I runga i tēnei āhuatanga me āta whakaaro ngā hiahia o ngā whenua whakatipu.

Ūpoko 25

E whakaae ana ngā Rōpū Kāwanatanga ki te mana o te tamaiti i whakanohoia e ngā hunga whai mana, kia atawhaitia ai, kia tiakina ai, kia rongoātia ai tōna mate tinana, hinengaro rānei, kia tiro tirohia ai ngā mahi mō te whakaora i te tamaiti i tēnā wā, i tēnā wā me ētahi atu āhuatanga e pā ana ki tōna whakanohanga.

Ūpoko 26

1. Me whakaae ngā Rōpū Kāwanatanga ki te mana o ia tamaiti ki ngā moni hua e puta ana i ngā tari toko i te ora tae atu hoki ki ngā inihua ā iwi, ā, me anga hoki rātou ki te mahi kia tutuki katoa ēnei mana, i runga i ngā ture-ā-iwi.
2. Me hoatu ngā moni hua, mehemea e tika ana i runga i te mōhio ake anō ki ngā mātāpuna me ngā āhuatanga o te

tamaiti, me te hunga kei a rātou ngā whakahaere mō te atawhai i te tamaiti, me ētahi atu whakaarotanga e pā ana ki te tono moni mā te tamaiti.

Ūpoko 27

1. E whakaae ana ngā Rōpū Kāwanatanga ki te mana o ia tamaiti ki te āhua o te noho e tika ana mō te ora o te tinana, hinengaro, wairua, me te mōhio ki te tika ki te hē ki te whakaaro pai, me te tipu ake i roto i te iwi.
2. Ko ngā mātua, ko ētahi atu rānei, ko rātou nei te kaitiaki i te tamaiti, mā rātou te mahi hei whakaū i ngā mahi e taea ana e rātou, i runga anō hoki i te oranga moni e taea ana e rātou, te āhua o te noho, me te whakatipu i te tamaiti.
3. I runga i ngā āhukatanga-ā-iwi e ahei ana ki a rātou, me mahi e ngā Rōpū Kāwanatanga ngā tikanga hei āwhina i ngā mātua me ētahi atu kaitiaki o te tamaiti, ki te whakatutuki i tēnei mana, ā, ki ngā wāhi e hapa ana, ka hoatu i ngā āwhina e tika ana, ā, ka tautoko i ngā kaupapa kāore ha, ki ngā kai, ki ngā kākahu me ngā kāinga noho.
4. Me tahuri ngā Rōpū Kāwanatanga ki te tango mai i te oranga moni o te tamaiti, i ngā mātua i ētahi atu rānei kei a rātou ngā moni me te oranga o te tamaiti, ahakoa rātou kei roto i tēnei Rōpū Kāwanatanga, kei tāwāhi rānei; kāore koa, mehemea kei tētahi whenua kē noa atu te kaitiaki moni o te tamaiti e noho ana, me anga ngā Rōpū Kāwanatanga ki te whakangāwari i te huarahi ki ngā kirimini-ā-iwi, ki ngā whakatutukitanga rānei o ēnei kirimini tae atu hoki ki ētahi whakaritenga e tika ana.

Ūpoko 28

1. Me whakaae ngā Rōpū Kāwanatanga ki te mana o te tamaiti ki te ako i te mātauranga i tēnā wā, i tēnā wā kia riro mai ai tēnei mana i runga anō hoki i te kaupapa ōrite, kāore ha, me anga rātou ki te:
 - (a) Whakature i te ako i te mātauranga ki te katoa, mai i ngā kura tuatahi, ā, i runga i te kore utu;
 - (b) Ki te whakangākaunui i te ako i ngā huhua o ngā mea hei akonga i ngā kura tuarua, tae atu hoki ki ngā tū momo ako e whiwhi mahi ai te tamaiti, ā, me wātea tēnei huarahi ki ia tamaiti i runga i ngā tikanga e tika ana, mō te ako i te mātauranga, kāore he utu, me te hoatu āwhina taha moni ki ngā mea e kore moni ana;
 - (c) Me whakawātea ki te katoa, te huarahi ki te taumata o te mātauranga i runga i te kaha o ngā mea katoa e taea ana;
 - (d) Me hanga ngā whakaakoranga o te mātauranga, me ngā akonga mō te whiwhi mahi kia wātea ki ngā tamariki katoa;
 - (e) Me hanga ētahi tikanga hei whakakaingākau i ngā tamariki kia ū ki te kura, kia iti ake ai te heke o ngā tamariki e puta ana ki waho o ngā kura.
2. Me anga ngā Rōpū Kāwanatanga ki te mahi i ngā āhua e tika ana kia tūturu ai te whakahaere a te kura i ngā whiu mō ngā tamariki kāore e whakarongo ki ngā ture o te kura,

i runga i ngā āhua e rite ana ki te rangatiratanga tangata, me ngā kaupapa o tēnei whakaaetanga.

3. Me whakawhānui atu, me whakangākaunui hoki te mahi tahi o ngā iwi katoa i ngā take e pā ana ki te mātauranga, kāore ha, ki te āpiti āwhina atu e kore ai e kūare ngā tamariki puta noa i te ao, ā, ki te whakangāwari hoki i ngā huarahi ki ngā maramatanga i hua mai i ngā tikanga whakaako o ēnei rā. I runga i ēnei whakaaro, me āta titiro ngā hapa o ngā whenua kei te whakatiputipu tonu.

Ūpoko 29

1. E whakaae ana ngā Rōpū Kāwanatanga, arā, ko te ako i te tamaiti ki te mātauranga, me whakatutuki ngā whakahau e whai ake nei arā:

- (a) Ko te whakatipu i te pai o te āhua o te tamaiti ki ngā mea e tau ana ia, tōna hinengaro, tōna tinana, ki te mutunga mai o te kaha e taea ana;
- (b) Ko te whakakaha i te tipu o tōna whakahōnore mō ngā mana tangata me ngā noho herekore me ngā kaupapa kua tuhia ki roto i te pukapuka whakatakoto kaupapa a te Whakakotahitanga o ngā Whenua o te Ao;
- (c) Ko te whakawhānui atu i te whakahōnore mō ngā mātua o te tamaiti, āna tikanga e mōhiotia ai ia, tōna reo, ōna uara, ngā uara-ā-iwi o te whenua kei reira te tamaiti e noho ana, tōna whenua i tipu mai ai ia, me ngā tū āhua nohoanga tāngata i rerekē atu i tōna;

(d) Ko te whakareri i te tamaiti mō tōna noho pai i roto i te iwi herekore, i roto i te wairua o te māramatanga, o te rongomau, o te whakamomori, o te ōrite o te wahine me te tāne, me te noho hoahoa i waenganui i ngā tāngata katoa, i ngā iwi nō ētahi whenua kē noa atu, i te iwi whānui tonu, me ngā rōpū whakapono, tae atu ki ngā iwi ake o tēnei whenua;

(e) Ko te whakanui atu; te whakahōnore mō tōna takiwā me te aotūroa.

2. Kaua tēnei ūpoko, te Ūpoko 28 rānei e pohēhētia e whakararuru ana i te noho herekore a ngā hunga takitahi, me ngā rōpū e whakatū ana, ā, e whakahaere ana hoki i ngā whare o te mātauranga, ko te mau ki ngā kaupapa, i ngā wā katoa, i whakatakotoria ake i roto i te kōwae tuatahi o tēnei ūpoko, me ngā mea hoki e hiahiatia ana, arā, ko te mātauranga e whakaakona ana i ēnei whare me tika ki te iti o te whakaakoranga tērā e whakatakotoria e te Kāwanatanga.

Ūpoko 30

Ko ngā Rohe Kāwanatanga e noho ana te hunga nō ētahi whenua kē noa atu, ā, ko tō rātou whakapono, tō rātou reo he iti, he rerekē noa atu i tō te whakaminenga tāngata; ko ngā tamariki e pā ana ēnei āhua, kāore e āraia te huarahi tika e āhei ana ki a rātou e āraia rānei ā rātou huihuinga ki ētahi atu rānei o rātou ki te ārai rānei i tō rātou ngākaunui ki ā rātou nei tikanga mai i tō rātou whakatipuranga, ki te whakaputa rānei i ō rātou whakaaro ki te whakapono, ki te kauhau rānei i roto i tō rātou ake reo.

Ūpoko 31

1. E tūturu ana te whakaaro o ngā Rōpū Kāwanatanga ki te mana o te tamaiti ki te whakatā ki te whakauru atu rānei i a rātou ki roto i ngā mahi tākaro, e tika ana ki te pakeke o te tamaiti ā, ki te whakauru i a rātou ki roto i ngā tikanga waiata, poi, haka, mahinga katoa rānei o te whakairo, mahi tukutuku, ētahi atu mahinga katoa rānei e taka ana ki raro i tēnei kupu.
2. Me whakahōnore, ā, me whakanui atu hoki te mana o te tamaiti kia tino whai wāhanga ai ia ki ngā tikanga me ngā mahi tohunga o te ora, me te whakakaha i te whiwhi ki ngā tikanga tika, ōrite hoki o te whiwhi ki ngā tikanga, mahinga-ā-ringa, ngā whakangahau, me ngā mahi tākaro i a ia e whakatā ana.

Ūpoko 32

1. E whakaae ana ngā Rōpū Kāwanatanga ki te mana o te tamaiti kia tiakina, kei whakamahia hei huarahi noa iho mō te mahi moni, kia tiakina hoki i ngā mahi tērā pea e wetiweti, e whakararururu rānei i te kura a te tamaiti, kāore rānei e pai ana mō te hauora o te tamaiti, mō te tinana mō te hinengaro mō te wairua, mō ngā whakaaro pai ki te pai rānei o tāna tipu ake i roto i te iwi.
2. Me anga ngā Rōpū Kāwanatanga ki te whakahaere i ngā tikanga e pai ana ki te taha ture, ki ngā whakahaere, ki te taha noho-ā-iwi me ngā tikanga mō te mātauranga kia tūturu ai te mahi whakareri i ngā tikanga o tēnei upoko. Mō ēnei āhuatanga, ā, i runga anō hoki i te whakaaro ki ngā tikanga whakahaere a ētahi atu iwi, me anga ngā Rōpū Kāwanatanga ki te:

- (a) Whakarite i te pakeke o te tamaiti, tamariki rānei e āhei ai ia ki te whiwhi mahi;
- (b) Whakarite i ngā haora e tika ana me ngā āhuatanga o te mahi,
- (c) Whakarite mō ngā whiu e tika ana, ētahi atu tikanga rānei e whakamanaia ana e rātou kia tūturu ai te mahi o ngā tuhituhinga o tēnei ūpoko.

Ūpoko 33

Me whakamahi e ngā Rōpū Kāwanatanga ngā mahi e tika ana, tae atu ki ngā ture whakahaere i te noho a te iwi me ngā tikanga o te mātauranga, hei tiaki i te tamaiti i te kai taru kino, ētahi atu taru whakapohewa rānei, i whakamāramatia rā i roto i ngā tuhituhinga a ngā iwi, me te whakatūpato kei whakamahia ngā tamariki ki te whakatipu ki te hoko i ēnei momo taru.

Ūpoko 34

Me tiaki ngā Rōpū Kāwanatanga i te tamaiti kei whakaurua ki ngā mahi raweke, kei taitōkaitia ia rānei. Mō ēnei āhuatanga, me mahi e ngā Rōpū Kāwanatanga ngā whakarite ā-iwi, a te hunga tokorua, tokomaha rānei hei ārai atu:

- (a) I te whakamahi, ki te ārahi rānei i te tamaiti ki ngā mahi taitōkai;
- (b) Kei tukua te tamaiti kia taitōkaitia mō te moni te take, mō ētahi atu āhua rānei, e pā ana ki ngā mahi taitōkai;

- (c) Te whakaāhuatanga o te tamaiti e tū tahanga ana, ā, e mahi ana i ngā mahi o te kikokiko hei taonga mā ētahi atu.

Ūpoko 35

Me anga ngā Rōpū Kāwanatanga ki te mahi i ngā tikanga katoa, arā, ki ngā mea ā-iwi a te hunga tokorua, a te hunga tokomaha rānei, e kore ai e kahakina, e hokohokona rānei ngā tamariki mō te moni, ahakoa he aha te take, te āhua rānei.

Ūpoko 36

Me tiaki ngā Rōpū Kāwanatanga i te tamaiti kei meinga kia mahi i ngā mea e hē ana mō te ora o te tamaiti.

Ūpoko 37

Me whakatūturu ngā Rōpū Kāwanatanga, arā:

- (a) Kaua tētahi tamaiti e tukua kia whakamamae kinotia ki ētahi atu mahinga kino, aroha kore rānei, te kino rānei o te mau, o te whiu rānei. Kaua hoki te hunga kei raro iho i te tekau mā waru tau te pakeke e whakawhiua kia whakamatea rawatia, kia mauheretia rānei, kāore he huarahi e tuku kia haere noa, mō ō rātou hara.
- (b) Kaua e whakararurarutia te noho māhorahora a te tamaiti mehemea kāore he ture i whakaritea i whakaarohia rānei mō te pupuri i a ia. Ina hopukina te tamaiti, pupuritia rānei, ā, mauhereheretia rānei, me whakahaere i raro i te ture e rite ana, ā, ko te whakatinanatanga o ēnei ture e āhei ana mehemea kāore tētahi atu rongoā e kitea, ā, mehemea e whai

wāhi ana ēnei ture, me whakapoto te wā e pā ana ki te tamaiti.

(c) Ko ia tamaiti kua unuhia atu tōna herekore me āta mau i runga i te aroha me te whakahōnore me te tū rangatiratanga tuku iho o te tangata ā, i runga hoki i te āhuetanga e whakaritea ai ngā hiahia o te hunga o tōna whakatipuranga. Ko te mea nui rawa ia, ko ngā tamariki katoa i tangohia atu i a rātou tō rātou mana noho i runga i te herekore, me wehe mai i ngā pūtake; ōtirā, kua e wehea mehemea e kitea ana he painga mō te tamaiti ki te torotoro rānei i tana whānau i runga i te kite auau, i te tuhituhi rānei, ēngari, e kore ai ia e āhei, mā ētahi āhuetanga anake kāore nei e tika ana;

(d) Ko ia tamaiti i whakakorea tana noho herekore, e whakamana ana ki te huarahi tere tonu ki te āwhina a te ture ki ētahi atu āwhina rānei e tika ana, tae atu hoki ki te mana ki te ui i te tika o te whakakorenga i tōna noho herekore i mua i te aroaro o tētahi kōti, i te aroaro rānei o tētahi tangata whai mana, mōhio, ā, kāore e whakamanawa ana ki tētahi atu, ā, ewhakarongo ana hoki ki ngā kōrero a ngā taha e rua, ā, e tika ana hoki te tamaiti kia tere te mōhio ki te whakatau o ēnei momo āhuetanga.

Ūpoko 38

1. Me tautoko ngā Rōpū Kāwanatanga, ā, kia mana hoki, taua tautoko i ngā ture e hōrapa ana ki ngā āhua manaaki i te tangata puta noa i te ao, kare kau ki ngā ture e whai wāhi ana i roto i ngā pakanga tērā e pā ana ki te tamaiti.

2. Me anga ngā Rōpū Kāwanatanga ki te mahi i te katoa o ngā mahi e taea ana ki te whakatūturu, arā, ko te hunga katoa kāore anō kia eke ngā tau ki te tekau mā rima kia kua rātou e uru ki roto i ngā āhuatanga o te riri.
3. Me kua ngā Rōpū Kāwanatanga e anga ki te whakauru i tētahi tamaiti kāore anō kia eke ngā tau ki te tekau mā rima ki roto i ngā ope pakanga. Ina whakaurua te hunga kua eke ngā tau ki te tekau mā rima ēngari kāore ano tekau mā waru, me tīmata te whakauru a ngā Rōpū Kāwanatanga i ngā mea pakeke i te tuatahi.
4. I runga i te āhuatanga o nga mahi hei mahinga mā rātou i raro i te ture aroha a ngā iwi tiaki i te hunga i roto i ngā pakanga, me mahi e ngā Rōpū Kāwanatanga ngā āhua katoa e tūturu ai te tika, te atawhai i te tamaiti i te wā o te whawhai.

Ūpoko 39

Me tino kaha ngā Rōpū Kāwanatanga ki te whai i ngā āhuataunga e kaha ake ai te ora o te tinana, me te hinengaro o te tamaiti, ā, me ngā āhuataunga whakahoki mai i te tamaiti kua tūkinotia nei, ahakoa pēhea, arā, i ngā tūkinos e pā ana ki te whakarere i te tamaiti, i te whakamahi i te tamaiti hei painga kē mā te kaitiaki anake, ki te whakamamae i te tamaiti, ētahi atu tūkinotanga, patu rānei i te tamaiti kāore nei e rite ana ki te patu mō te hunga tāngata, ngā mahi pakanga rānei. Ko ēnei whakaoranga mai i te tamaiti me te whakahounga o tāna noho i waenganui i te iwi me whakahaere i roto i te āhua e piki atu ai te kaha o tōna ōranga me tōna whakahōnore i a ia anō e hoki mai anō ai tōna rangatiratanga tuku iho.

Ūpoko 40

1. Kia whai māhara anō ngā Rōpū Kāwanatanga ki te mana o te tamaiti kua whakapaetia nei, ā, e mōhiotia ana hoki nāna i takatakahi ngā ture kia manaakia tonutia rātou i raro i ngā kaupapa manaaki i te tamaiti me te mana o te tamaiti kia taea ai e taua tamaiti te whakamana i ngā āhuatanga katoa e pā ana ki te tangata, ā, e pā ana hoki ki te tū māhorahora a ētahi atu, ā, e whai whakaaro ana hoki ēnei kaupapa ki ngā tau o te tamaiti ā, ki ngā kaupapa hoki e taea ai te whakahoki mai taua tamaiti ki roto i te whānau, ā, ki te whakauru atu rānei i a ia ki roto i ngā mahi a te iwi kia pai ake ai tōna noho.

2. E tutuki ai ēnei take, ā, i runga anō i te whakaaro ki ngā tuhituhinga e pā ana, me anga ngā Rōpū Kāwanatanga ki te whakatutuki i ngā take e whai ake nei kāore ha:
 - (a) Kāore e taea tētahi tamaiti kia kōrero hētia, kia whakaponotia rānei i hara i raro i te ture, mehemea he maha he hapanga rānei kāore kē e aukatitia ana e ngā ture-ā-motu, e ngā ture rānei o ngā whakawhanaungatanga o ngā iwi i te wā i hara ai te tamaiti;

 - (b) Ko ia tamaiti i kōrero hētia i whakapaetia rānei i takahia e ia te ture hara, kua whai i ngā tika tūturu e whai ake nei;
 - (i) E kore e kīa kua hē kia kitea rā ano te tika o tōna hara e te ture;

- (ii) Kia tere tonu te whakaatu i ngā whakapae hara o te tamaiti, ā, mehemea e tika ana, kia whiwhi ngā mātua, ngā mātua whāngai rānei i ngā āwhina ki te ture, ētahi atu āwhina rānei e tika ana ki te hanga i ngā take kōrero hei whakaputa hei ārai hoki i tōna hara;
- (iii) Kia kua e whakatōroa atu te whakawā te hara o te tamaiti, ā, kia noho mā tētahi rōpū motuhake kua tino mātau, kua whakamana hei whakahaere i ēnei take, ā, ahakoa pēhea, ka piri pono tonu ki te tika i raro i te ture e hāngai ana, ā, mā tētahi atu rōpū rānei kua whakamanaia hei whakawā i te tika o te hara i runga i te whakaaro ōrite e pā ana ki te ture, ā, ki te whakaputa i aua whakaaro i te wā e noho mai ana te hunga e mātau ana ki ngā ture, ki ngā āwhina rānei e tika ana, ēngari kāhore mehemea e whakaarohia ana kāore e pai tēnei ki te tamaiti kāore ha; mehemea e whakaarohia ana te pakeke o te tamaiti, te āhua e pā ana ki a ia, ki āna mātua, mātua whāngai rānei;
- (iv) Kia kua e ākina ki te tamaiti kia tuku kōrero, kia whakaae rānei kei te hara a ia; ki te whakamātau, ki te uiui rānei i te hunga tuku kōrero kāore nei e pai ana ngā whakaaro ki te tamaiti, ā, ki te whakauru mai hoki ina whakamātautautia ngā hunga tuku kōrero mō te tamaiti, i raro i ngā kaupapa pono, ā, ōrite hoki.
- (v) Mehemea i whakaarohia kua hara te tamaiti i raro i ngā Ture hara, ko te take whiriwhiri anō i taua

whakatau me ngā whiu, mā tētahi atu rōpū tiketike atu te mōhiotanga ki ngā ture, rōpū mōtuhake hoki, ā, rōpū kāre nei i whai wāhi ki tēnei take, ā, rōpū rānei e whai wāhi ana ki ngā whakahaere o ngā ture e whakatau i raro anō o ngā ture i whakaritea.

(vi) Kia whiwhi i te āwhina kore utu a te kaiwhakamārama i ngā kōrero ki te reo e kōrerohia ana mehemea kāhore te tamaiti e mōhio ki taua reo;

(vii) Kia whakahōnoretia te matatapu o āna mahi, tōna noho i te wā katoa e whakahaeretia ana te hara o te tamaiti.

3. Me kaha ngā Rōpū Kāwanatanga ki te whakatakoto i ngā ture me ngā mana whakahaere i nga whare mō ngā tamariki kāore koa ki ngā mea e tāpaea ana i hara, ā, e tautokona ana tō rātou hara i te ture, kāore ha:

(a) Te whakataunga i te iti o te pakeke o te tamaiti e whakaarohia ana kāore e taea te kī kua hara rātou i te ture;

(b) Mehemea e tika ana, ā, e pai ana ngā whakahaere mō ēnei momo tamariki, kāore noa iho he mahi e mauria rawatia ki te aroaro o te ture, mehemea te mana tangata me ngā whakatūpatō ki te ture e whakahōnore nuitia ana.

4. He huhua ngā huarahi e wātea ana pēnei i te mahi tiaki i te tamaiti, ārahi, titiro i ngā ōta tohutohu, poropeihana, mātua whāngai, ngā mahi e pā ana ki te mātauranga, ngā

kaupapa akonga rānei e whiwhi mahi ai te tamaiti, ētahi atu whakahaere rānei, ā, ētahi atu whare tiaki tamariki e tika ana kia tūturu ai te whakahaere i ngā tikanga e tika ana ki ngā tamariki i runga i te ōrite o tō rātou ora, me te ōrite o ngā āhua me te hara e pā ana ki a rātou.

Ūpoko 41

Kāore he mea i tuhia ki roto i tēnei Whakaaetanga hei whakararuraru i ngā mea e pā ana ki ngā mana o te tamaiti tērā pea kei roto i :

- (a) Te ture a ētahi atu Rōpū Kāwanatanga;
- (b) Te ture rānei a ngā Iwi o taua Rohe Kāwanatanga ināianeī.

TE WĀHANGA TUARUA

Ūpoko 42

Me anga ngā Rōpū Kāwanatanga ki te whakamohio i ngā kaupapa whānui me ngā whakahaere a te whakaaetanga i runga i te huarahi e tika ana kia mohio ai ngā pakeke me ngā tamariki he aha ngā kaupapa a tēnei whakaaetanga.

Ūpoko 43

1. Mō te āhua tiro tiro i te haere o ngā mahi kua mahia e ngā Rōpū Kāwanatanga i tō rātou kaha kia ea i a rātou ngā mahi i whakahau mā rātou e tēnei Whakaaetanga ka whakatūria he komiti mō te whakamana o te tamaiti hei whakahaere i ngā mahi e whakahautia nei i kōnei.

2. Kia tekau ngā tohunga mō tenei komiti, ā, me eke ki runga noa atu tō rātou mōhio ki te tika ki te hē, me te pai o tā rātou noho, ā, e mōhio ana te kaha o tō rātou mōhio ki ngā mahi kua whakahaeretia e tenei Whakaaetanga. Ko ngā mema o tenei komiti mā ngā Rōpū Kāwanatanga e pōti mai i roto, i te rārangi ingoa o ō rātou Rohe-ā-lwi, ā, me mahi rātou i runga i te kaha o ia tangata o rātou, ā, i runga anō i te ōrite o ngā wehewehenga rohe me ngā whakahaere a te ture e tino mōhio ana.
3. Me pōti puku ngā mema o te komiti i tohia mai i roto i te rārangi ingoa nā ngā Rōpū Kāwanatanga. Ko ngā ingoa o aua hunga me tango mai i te rārangi ingoa o ō rātou rohe
4. Ko te pōtitanga tuatahi o ngā mema mō te komiti, kua e tūreiti ake i te ono marama i muri iho i te whakamāramatanga o te tū o tenei Whakaaetanga, i muri atu i tēnā, i ia rua tau. Kua i raro iho i te whā marama i mua i te rā i whakaritea mō ia pōtitanga, me tuhituhi te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao he reta ki ngā Rōpū Kāwanatanga e tono atu ana ki a rātou kia tukua mai ngā ingoa i whakaarotia e rātou, kia tae ki a rātou i roto i ngā marama e rua. Ko te toenga mai o aua rārangi ingoa, ka anga te Hēkeretari-Tianara ki te whakarārangi i aua ingoa i whakaingoatia i runga i te whakarārangitanga pūrārangi me te whakaatu anō i ngā Rōpū Kāwanatanga nā rātou nei rātou i whakaingoa, kātahi ka tuku atu ai ki ngā Rōpū Kāwanatanga o tenei Whakaaetanga.
5. Ko ngā pōti a ngā huihuinga o ngā Rōpū Kāwanatanga i karangatia e te Hēkeretari-Tianara me tū ki te Tari Ūpoko

o te Whakakotahitanga o ngā Whenua o te Ao. I ēnei huihuinga me rua/toru (ara 2/3) ngā Rōpū Kāwanatanga e tae ki ngā huihuinga, ā, ko ngā tāngata i pōtitia mō te komiti, ko ngā mea i maha ake ngā pōti mō rātou, ā, me te tino pono hoki o te mārāma o aua pōtitanga, a ngā Rōpū Kāwanatanga i reira e pōti ana.

6. Ko ngā mema o te komiti me pōti mō te whā tau. Ka āhei kia pōtitia anō rātou mehemea ki te whakaingoa anō rātou. Ka pau te kaha o ngā mema e rima i pōtitia i te pōti tuatahitanga i te mutunga o te rua tau, i muri tonu iho o te pōtitanga tuatahi mā te Tiamana o te hui e tuku mā te rotarota e whiriwhiri ngā ingoa o ēnei mema tokorima.
7. Mehemea ki te mate tētahi mema o te komiti, rihaina rānei, e whakapuaki rānei te take e kore ai e taea e ia ngā mahi a te komiti, ka riro mā te Rōpū Kāwanatanga nā rātou nei i whakaingoa taua mema e whakatū tētahi atu tohunga anō i roto i a Tātou Kārangatanga-ā-lwi, hei whakatutuki i te roanga atu o te wā e tū ai taua mema, ēngari i runga anō i tā te komiti i whakaae ai.
8. Mā te Komiti tonu e whakatakoto ana ture whakahaere.
9. Mā te Komiti tonu āna āpiha e pōti mō te rua tau.
10. Ko ngā huihuinga a te komiti me tū i te ūpoko o te tari o te Whakakotahitanga o ngā Whenua o te Ao, i tētahi atu wāhi rānei e paingia ana e te komiti. Ko ngā huihuinga a te komiti me whakatū i ia tau. Mā te komiti e whakatau te roanga o aua huihuinga, māna anō hoki e whakaaro mēnā e pai ana kia whiriwhiria houtia e ngā Rōpū Kāwanatanga

o tēnei huihuinga ngā take i huia ēngari mā te huihuinga whānui e whakaae e whakakore rānei.

11. Mā te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao e hoatu ngā kaimahi e hiahiatia ana, me ngā wāhi mahi e pai ai te mahi i ngā mahi a te komiti i raro i tēnei Whakaaetanga.

12. I runga i te whakaae a Te Huihuinga Whānui o Te Whakakotahitanga ko ngā mema o te whakaminenga whānui i whakatūria i raro i tēnei Whakaaetanga ka utua mā ngā mātāpuna a te Whakakotahitanga o ngā Whenua o te Ao i runga i ngā whakarite me ngā tikanga e whakatauria ana e te whakaminenga.

Ūpoko 44

1. Me anga ngā Rōpū Kāwanatanga ki te mea mā te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao e pānui ki te komiti ngā rīpoata mō ngā take kua tautokona e rātou, ā, e whakawhiwhia ana ki te mana kua whakaaetia i kōnei, i runga anō hoki i te ngākaunui ki aua mana:

(a) I roto o te rua tau o te whakamanatanga o te Whakaaetanga mō Te Rōpū Kāwanatanga e pā ana.

(b) I muri atu i tēnā i ia rima tau.

2. Ko ngā rīpoata i tuhia i raro i tēnei ūpoko, me whakaatu i ngā āhuatanga, me ngā uauatanga, mehemea e tika ana, e pā ana ki te rahi o te whakatutukitanga i ngā mahi i raro i tēnei Whakaaetanga. Kia maha hoki ngā whakamārama o

ngā rīpoata kia kaha ai te mārama o te komiti ki ēnei mahi a te Whakaaetanga mō te whenua e pā ana ki a ia ēnei āhuatanga.

3. Ko te Rōpū Kāwanatanga kua tukuna tā rātou rīpoata tuatahi ki te komiti, kāore noa iho he tikanga i roto i ōna rīpoata e tuku atu ai i muri iho i runga i te kōwae 1(b) o tēnei ūpoko, e tuaruatia ai ngā rīpoata kua oti kē te tuku atu.
4. E āhei ana te komiti ki te tono atu ki ngā Rōpū Kāwanatanga me ētahi atu whakamāramatanga i tua atu, e taea ai e tēnei Whakaaetanga (mō te tamaiti tēnei) te whakahaere ēnei take.
5. Me tuku e te Huihuinga o te Whakaminenga, arā, mā roto atu i te Rōpū o Te Rūnanga, me te Huihuinga Tāngata, i ia rua tau, ngā rīpoata mō ā rātou mahi.
6. Me tuku ngā Rōpū Kāwanatanga ā rātou rīpoata kia āhei ai ngā tāngata o ō rātou ake whenua kia kite.

Ūpoko 45

Kia tino tika ai te whakahaere o ngā take a te Whakaaetanga, ā, kia whakamanawa hoki i te mahi ngātahi a ngā iwi i ngā mahi kua kōrerotia e te Whakaaetanga:

- (a) Ko ngā Tari i whakamotuhaketia, arā, te mātāpuna moni o ngā tamariki a ngā Whakakotahitanga o ngā Whenua o te Ao me ētahi atu Rōpū a te Whakakotahitanga o ngā Whenua o te Ao, e whai mana ana kia whai wāhi rātou ki te whakataunga mō te whakahaere o aua

tikanga a tēnei Whakaaetanga e taka ana ki raro i te whānuitanga o tō rātou mana. E āhei ana te komiti ki te tono atu ki ngā tari i whakamotuhaketia ki te mātāpuna moni o ngā tamariki a te Whakakotahitanga o ngā Whenua o te Ao me ērā atu Rōpū tika e whakaaro ana rātou he pai mō te āta tohutohu i ngā whakamahi a te Whakaaetanga i ngā whakahaere i roto i te whānuitanga o ngā mana o tēnā, o tēnā mahi. E āhei ana te komiti ki te tono atu ki ngā tari i whakamotuhaketia ki te mātāpuna moni a te Whakakotahitanga o ngā Whenua o te Ao, me ētahi atu rōpū o te Whakakotahitanga o ngā Whenua o te Ao, kia tukua mai ngā rīpoata o te whakahaere a te Whakaaetanga i ngā mahi e taka ana ki raro i te whānuitanga o rātou whakahaere;

(b) Me tuku atu e te komiti mehemea e whakaarohia ana kei te tika ki ngā tari i whakamotuhaketia ki ngā mātāpuna moni a ngā tamariki o te Whakakotahitanga o ngā Whenua o te Ao i ngā rīpoata mai a ngā Rōpū Kāwanatanga kei roto i te tono mai, te whakaatu mai rānei i ngā mea e hiahiatia ana mō ngā tohutohu tohunga ngā āwhina rānei, hui atu ki ngā tirotirohanga a te komiti me ngā mea i whakaarotia e rātou tērā e pā ana, mehemea rā e whakaaro pērā ana rātou, mō ēnei tono whakaaturanga rānei;

(c) E āhei ana te komiti ki te mea atu ki te Rūnanga Whānui tonu mā rātou e kōrero atu ki te Hēkeretari-Tianara, kia riro māna e tirotiro ngā āhuetanga motuhake e pā ana ki ngā mana o te tamaiti, mō te taha ki te komiti;

(d) Ka āhei te komiti ki te whakaputa i ētahi āhuatanga pai mō ngā whakamārama i puta mai i roto i ngā Ūpoko 44 me 45 o tēnei Whakaaetanga. Ko ēnei whakaputanga whakaaro me ngā whakaaro e tika ana me tuku atu ki tētahi Rōpū Kāwanatanga e hāngai ana ki a rātou ēnei kōrero, ā, ka rīpoata ki te Rūnanga Whānui, āpiti atu hoki ki ngā kōrero mai a ngā Rōpū Kāwanatanga mehemea he kōrero anō a rātou.

TE WĀHANGA TUATORU

Ūpoko 46

Kei te wātea te whakaūnga o tēnei Whakaaetanga kia hainatia e ngā iwi o te Whakakotahitanga o ngā Whenua o te Ao.

Ūpoko 47

Kei te noho wātea tēnei Whakaaetanga ki ētahi atu whakaaro whakatikatika rānei e whakaarohia ana. Ko ngā whakaaro whakatikatika, me hoatu ki te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao.

Ūpoko 48

Ka noho puare tonu tēnei Whakaaetanga ki ētahi atu Rōpū Kāwanatanga o ētahi atu whenua ahakoa ko wai. Ko ngā tono whakauru mai me waiho ki te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao.

Ūpoko 49

1. Ka mana tēnei Whakaaetanga ā te toru tekau o ngā rā i muri iho i te hoatutanga ki te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao te rua tekau

o ngā whakatinanatanga i ngā whakaaetanga rānei
a ngā Rōpū Kāwanatanga.

2. Mā ia Rōpū e whakaae ana e tuku mana ana rānei ki te Rōpū Huihui i muri mai i tā rātou whakatakotoranga o te rua tekau o ngā kawenata tautoko, hei taua wā, arā, te toru tekau o ngā rā i muri mai i te whakatakotoranga a ia Rōpū Kāwanatanga i ā rātou kawenata whakaae, tuku mana rānei, ka mana Te Whakaaetanga.

Ūpoko 50

1. Mehemea e hiahiatia ana tētahi Rōpū Kāwanatanga ahakoa ko tēhea, ki te tuku whakaaro kia whakarerekētia ngā ture me tuku atu ō rātou whakaaro ki te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao. Hei reira, ka whakamōhio atu te Hēkeretari-Tianara i ngā whakaaro kua puta, ki ia Rōpū Kāwanatanga ki ia Rōpū Kāwanatanga, me te tono ki a rātou mehemea e whakaae ana rātou kare rānei kia whakahuihuitia rātou he whiriwhiri he pōti rānei i te tono whakarerekē i ngā ture. Mehemea i roto i te whakamārama i muri mai o te whakamōhioatanga i ngā whakarerekētanga tahi/toru (1/3) o ngā Rōpū Kāwanatanga i whakaae me tū te hui me karangahia e te Hēkeretari-Tianara i raro i te mana o te Whakakotahitanga o ngā Whenua o te Ao he hui. Ko ngā whakarerekētanga i whakaaetia e te tokomaha o ngā Rōpū Kāwanatanga i tae ki te hui, ā, i pōti i taua hui me tuku atu tēnei whakaaetanga ki te Whakakotahitanga o ngā Whenua o te Ao, ā, mā rātou hoki e whakamana.
2. Ko ngā whakarerekētanga Kaupapa i tuhia i raro i kōwae 1 o tēnei ūpoko ka whai mana ina whakaaetia e te Rūnanga

Whanui o te Whakakotahitanga o ngā Whenua e Ao, ā, e tautokona ana e nga Rōpū Kāwanatanga i runga i te pōti rua/toru (2/3).

3. Ki te whakamanaia tētahi whakarerekētanga, whakaaro hou rānei, ka herea ngā Rōpū Kāwanatanga i whakaae ki aua whakarerekētanga, ētahi atu Rōpū Kāwanatanga hoki kei te noho here tonutia e ngā tikanga o tēnei Whakaaetanga e ngā whakarerekētanga hoki i whakaaetia e rātou i mua atu.

Ūpoko 51

1. Kia tae ki te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao ngā āwangawanga a ia Rōpū Kāwanatanga i puta i a rātou, ā, mana, mā te Hēkeretari-Tianara e tuku ki ia Rōpū Kāwanatanga te kaupapa o aua āwangawanga i te wā e whakaaetia ana e whakatinanatia ana rānei.
2. Ko ngā kaupapa kāore e tino hāngai ana ki ngā tikanga me ngā whakahaere a tēnei huihuinga, kāore e whakaaetia.
3. E taea ana te whakakāhore ēnei kaupapa, i tēna wā, i tēna wā, mehemea ka tukuna atu te pānui ki te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao, ā, māna e whakamōhio atu tēnei take ki ngā Rōpū Kāwanatanga katoa.

Ūpoko 52

Ka āhei tētahi Rōpū Kāwanatanga ki te whakahē i tēnei Whakaaetanga (mō te mana o te tamaiti) ina tuhituhi atu rātou ki te Hēkeretari-Tianara o te Whakakotahitanga o ngā

Whenua o te Ao tā rātou whakahē. Ka mana taua whakahē i roto i te kotahi tau i muri iho o te taenga atu o taua whakamōhioatanga ki te Hēkeretari-Tianara.

Ūpoko 53

Ko te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao te kaupupuri i ngā mea katoa o tēnei Whakaaetanga.

Ūpoko 54

Ko te tuhinga taketake mai o tēnei Whakaaetanga kei ngā tuhituhinga o ngā reo Arapi, Hainamana, Ingarihi, Wiwi, Rūhia, me te reo Paniora, ā, he ōrite tonu te mana o aua kaupapa i aua reo, ā, ko ēnei kōrero me waiho ki te Hēkeretari-Tianara o te Whakakotahitanga o ngā Whenua o te Ao, ā, māna e tiaki. Ko te tohu whakamana o tēnei huihuinga kei ngā ingoa kua whakatōria ki kōnei i raro anō o te mana i tukua iho ki a rātou e ō rātou Kāwanatanga.

