



14 August 2023

Attorney-General

**New Zealand Bill of Rights (Right to Lawfully Acquired Property) Amendment Bill –  
Consistency with the New Zealand Bill of Rights Act 1990  
Our Ref: ATT395/392**

1. You have asked for advice on a private member's Bill, which would amend the New Zealand Bill of Rights Act 1990 (**BORA**) to include a right to own and use property.
2. The Bill would introduce a new section 11A:  
  
*Right to lawfully acquired property*  
  
*(1) Everyone has the right to own and use their lawfully acquired property, whether they own the property individually or in association with others.*  
  
*(2) Everyone has the right not to be deprived of their lawfully acquired property except on such grounds that are established by law and with reasonable compensation.*
3. Although BORA does not currently include a right to own and use property, such a right would not be inconsistent with the existing rights in BORA. We therefore advise that the bill appears consistent with BORA.
4. In accordance with Crown Law's policies, this advice has been peer reviewed by Abbey Lawson, Crown Counsel.

David Neild  
Crown Counsel

Encl.

Noted / Approved / Not Approved

Hon David Parker  
Attorney-General

16/8/2023