

14 February 2018

Hon David Parker, Attorney-General

**Consistency with the New Zealand Bill of Rights Act 1990: Accident Compensation (Recent Migrants and Returning New Zealanders) Amendment Bill**

1. We have considered whether the Accident Compensation (Recent Migrants and Returning New Zealanders) Amendment Bill ('the Bill'), a member's Bill in the name of Melissa Lee MP, is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').
2. The Bill amends the Accident Compensation Act 2001. The Bill's general policy statement notes that a small group of migrants and returning New Zealanders, upon reaching superannuation age, are not eligible to receive New Zealand superannuation as they do not meet the residential qualifications. The Bill's purpose is to allow that group to continue receiving Accident Compensation Corporation ('ACC') weekly compensation until such point that they meet the residential qualification criteria set out in s 8 of the New Zealand Superannuation and Retirement Income Act 2001.
3. Under the current scheme, the weekly compensation ACC provides to claimants ceases once a person reaches the New Zealand superannuation qualification age. This includes those who are not eligible to receive New Zealand superannuation as they do not meet the residential qualifications. The Bill is designed to enable that group to receive weekly compensation to the amount equivalent to the current rate of New Zealand superannuation until they become eligible to receive New Zealand superannuation.
4. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.

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