

6 May 2019

Hon David Parker, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: New Zealand Business Number Funding (Validation and Authorisation) Bill

1. We have considered whether the New Zealand Business Number Funding (Validation and Authorisation) Bill ('the Bill') is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').
2. We have not yet received a final version of the Bill. This advice has been prepared in relation to the latest version of the Bill (PCO22028/2.4). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. The Bill is a Government Bill that seeks to regularise the current practices for funding the New Zealand Business Number (NZBN) register and provide for future funding. More specifically, the Bill:
 - a. retrospectively validates the collection and use of fees collected under the Companies Act 1993 for the NZBN register;
 - b. amends the Companies Act 1993 to provide that fees collected under that Act may be used to fund the NZBN register and related functions; and
 - c. amends the New Zealand Business Number Act 2016 to insert a regulation-making power that would enable the NZBN register and related functions to be funded from fees or levies payable by entities that have been allocated a NZBN.
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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