

16 July 2019

Hon David Parker, Attorney-General

**Consistency with the New Zealand Bill of Rights Act 1990: Subordinate Legislation Confirmation Bill (No 3)**

1. We have considered whether the Subordinate Legislation Confirmation Bill (No 3) ('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 (PCO 21835/2.4). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. The Bill confirms subordinate legislation that would otherwise lapse or be deemed invalid at specified deadlines under the Legislation Act 2012. It confirms orders and regulations made under the following Acts:
  - a. Agricultural Compounds and Veterinary Medicines Act 1997;
  - b. Animal Products Act 1999;
  - c. Arms Act 1983;
  - d. Biosecurity Act 1993;
  - e. Civil Aviation Act 1990;
  - f. Commodity Levies Act 1990;
  - g. Customs and Excise Act 1996 and Customs and Excise Act 2018;
  - h. Energy (Fuels, Levies, and References) Act 1989;
  - i. Fisheries Act 1996;
  - j. Gambling Act 2003;
  - k. New Zealand Superannuation and Retirement Income Act 2001 and Social Security Act 2018;
  - l. Road User Charges Act 2012;
  - m. Tariff Act 1988; and
  - n. Wine Act 2003.
4. The Bill also repeals the Subordinate Legislation Confirmation Act (No 2) 2018.

5. For the purposes of this advice, we have not considered the validity of the subordinate legislation itself or its consistency with the Bill of Rights Act.
6. 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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