

16 September 2021

Hon David Parker, Attorney-General

**Consistency with the New Zealand Bill of Rights Act 1990: Te Pire mō te Hararei
Tūmatanui o te Kāhui o Matariki: Te Kāhui o Matariki Public Holiday Bill**

1. We have considered whether the Te Pire mō te Hararei Tūmatanui o te Kāhui o Matariki: Te Kāhui o Matariki Public Holiday 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. This advice has been prepared in relation to the latest version of the Bill (PCO 23516/5.0). We will provide you with further advice if we receive another version of the Bill that includes amendments affecting the conclusions in this advice.
3. The Bill establishes a new annual public holiday to acknowledge Matariki ('Matariki Observance Day'). The Bill is a dual language bill (English and Māori) and outlines the significance of Matariki for Māori. The Bill sets the dates for Matariki Observance Day from 2022 to 2052, establishing that it will fall on a Friday for the next thirty years (as set out in Schedule 1). It also provides regulation making powers to set subsequent dates for Matariki Observance Day (which are also required to be on Fridays).
4. The Bill makes consequential amendments to the legislation specified in Schedules 2, 3, and 4 of the Bill. Schedule 2 adds Matariki Observance Day to the list of public holidays in the Holidays Act 2003. Schedules 3 and 4 add the new public holiday to existing lists of holidays in other primary and secondary legislation.
5. 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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