

1 June 2023

Hon David Parker, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Water Services Entities Amendment Bill

Purpose

1. We have considered whether the Water Services Entities Amendment 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 (PCO 25493/1.14). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. The Bill is part of a suite of legislation to reform water services regulation and service delivery in New Zealand and amends the Water Services Entities Act 2022. The key features of the new approach are:
 - a. representation of all territorial authority owners on the regional representative group of the entity they own:
 - b. a model that involves 10 water services entities, which are more closely based around existing regions:
 - c. a longer window for establishment of water services entities, between 1 July 2024 and 1 July 2026: and
 - d. a new mechanism called community priority statements, that give community groups who have an interest in a water body an opportunity to make statements to their entity about their priorities for that body.
4. The Bill also amends related transitional provisions in, and makes consequential amendments to, relevant 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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