

21 February 2024

Hon Judith Collins KC, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Business Payment Practices Act Repeal Bill

1. We have considered whether the Business Payment Practices Act Repeal 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 26085/2.2). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. The Bill repeals the Business Payment Practices Act 2023 (the Act) and revokes the Business Payment Practices Regulations 2023 (the Regulations). It also consequentially amends the Tax Administration Act 1994. The Bill provides for self-repeal 28 days after it comes into force.
4. The Act was put in place to address long business to business payment times by requiring large entities to disclose their payment terms and practices on a public register. Most provisions of the Act, and the Regulations, have not yet come into force.
5. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.



Jeff Orr
Chief Legal Counsel
Office of Legal Counsel