

19 June 2023

Hon David Parker, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Secondary Legislation Confirmation Bill (No 2)

1. We have considered whether the Secondary Legislation Confirmation Bill (No 2) (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 25241/4.0). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. The Bill's purpose is to prevent the revocation of certain secondary legislation which, by virtue of the enactment under which it is made, is due to be revoked at a stated time unless earlier confirmed by an Act of Parliament.
4. The Bill confirms certain orders and regulations made during the period starting on 1 July 2022 and ending with the close of 30 June 2023 under the following Acts:
 - a. Biosecurity Act 1993;
 - b. Commodity Levies Act 1990;
 - c. Customs and Excise Act 2018;
 - d. Land Transport Act 1998;
 - e. New Zealand Superannuation and Retirement Income Act 2001;
 - f. Social Security Act 2018; and
 - g. Tariff Act 1988.
5. The Bill also repeals the Secondary Legislation Confirmation Act 2022 (2022 No. 82).
6. For the purposes of this advice, we have not considered the validity of the secondary legislation itself or its consistency with the Bill of Rights Act.
7. 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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