

27 November 2020

Hon David Parker, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: COVID-19 Public Health Response Amendment Bill (No. 2)

1. We have considered whether the COVID-19 Public Health Response 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 23332/2.0). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. The Bill amends the COVID-19 Public Health Response Act 2020 ('the principal Act') to:
 - a. amend the definition of "Minister" in the principal Act from the Minister of Health to the Minister responsible for the administration of the Act under the authority of any warrant or with the authority of the Prime Minister; and
 - b. remove the need to give 48 hours' notice of an order made under s 11 of the Act when its effect is only to remove or reduce requirements imposed by a previous order.
4. 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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