

14 December 2023

Hon Judith Collins, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Local Government (Facilitation of Remote Participation) Amendment Bill

1. We have considered whether the Local Government (Facilitation of Remote Participation) Amendment Bill (the Bill), a Member's Bill in the name of Cushla Tangaere-Manuel MP, is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 (the Bill of Rights Act).
2. The Bill amends the Local Government Act 2002 (the principal Act).
3. The Bill provides for a member of a local authority, or of a committee of a local authority, the right to attend any meeting of the local authority or committee by audio link or audiovisual link, unless lawfully excluded. It also provides for that member to be counted as present for the purposes of determining whether a quorum of members is present, unless the local authority's standing orders provide otherwise.
4. The Bill additionally provides that a local authority's standing orders must include specification of whether a person participating by audio link or audiovisual link is to be counted as present for the purposes of determining a quorum is present; any requirements for attending by audio link or audiovisual link; the method or technology of audio links and audiovisual links; and (if needed) any other requirements the local authority considers appropriate to maintain public confidence in these processes.
5. We do not consider that the Bill engages any of the rights and freedoms in the Bill of Rights Act. We have therefore concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.



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