

24 June 2021

Hon David Parker, Attorney-General

**Consistency with New Zealand Bill of Rights Act 1990: Subordinate Legislation Confirmation Bill (No 6)**

1. We have considered whether the Subordinate Legislation Confirmation Bill (No 6) (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 23570/3.3). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. The purpose of the Bill is to prevent the revocation of certain pieces of subordinate legislation that, by virtue of the primary legislation under which they are made, are revoked at a stated time unless earlier confirmed by an Act of Parliament. The Bill makes no changes to any of these orders or regulations; it simply ensures their continuation by way of Parliamentary confirmation.
4. The Bill repeals and replaces the Subordinate Legislation Act 2020 (2020 No 66) and relates to items in subordinate legislation made in the year ending 30 June 2021.
5. The Bill provides for the continuation of certain orders and regulations made under the following pieces of primary legislation:
  - a. Biosecurity Act 1993;
  - b. Commodity Levies Act 1990;
  - c. Customs and Excise Act 2018;
  - d. Fisheries Act 1996;
  - e. New Zealand Superannuation and Retirement Income Act 2001 and Social Security Act 2018;
  - f. Social Security Act 2018;
  - g. Waste Minimisation Act 2008; and
  - h. Tariff Act 1988.
6. For the purposes of this advice, we have not considered the validity of the subordinate 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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