

1 November 2021

Hon David Parker, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Education and Training (Freedom of Expression) Amendment Bill

1. We have considered whether the Education and Training (Freedom of Expression) Amendment Bill (the Bill), a member's Bill in the name of James McDowall 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 imposes obligations on tertiary education institutions to protect the right to freedom of expression, within the law, for staff and students of the institution, and for visiting speakers. This includes a requirement to issue codes of practice that set out the procedures students and staff should follow to uphold freedom of expression, and regulation-making powers to further prescribe these codes of practice.
3. The Bill also provides that tertiary education institutions that do not adhere to these new requirements will be ineligible for funding from the Tertiary Education Commission.
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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