

2 June 2022

Hon David Parker, Attorney-General

**Consistency with the New Zealand Bill of Rights Act 1990: Increased Penalties for Breach of Biosecurity Bill**

1. We have considered whether the Increased Penalties for Breach of Biosecurity Bill (the Bill), a member's Bill in the name of Hon Jacqui Dean, is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 (the Bill of Rights Act).
2. The purpose of this Bill is to better protect the New Zealand border by:
  - a. amending the Biosecurity Act 1993 and the Biosecurity (Infringement Offences) Regulations 2010 (SR 2010/67) to increase the penalties for a person who erroneously declares that they are not in possession of biosecurity risk items to an infringement fee of \$1,000 or, on prosecution through the court system, a fine of \$2,000; and
  - b. amending the Immigration Act 2009 to provide that a holder of a temporary entry class visa may be refused entry permission or deported for failing to comply with the requirements of the Biosecurity Act or any direction or request made by a biosecurity officer.
3. 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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