

8 November 2022

Hon David Parker, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Residential Tenancies (Healthy Homes Standards) Amendment Bill

Purpose

1. We have considered whether the Residential Tenancies (Healthy Homes Standards) 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 25067/3.0). 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 Residential Tenancies Act 1986 to provide for a one-year extension to the timeframe by which landlords must comply with healthy homes standards for general tenancies, with the new compliance date being no later than 1 July 2025. The Bill also extends the deadline by which Kāinga Ora and community housing tenancies must meet healthy homes standards from 1 July 2023 to 1 July 2024.
4. In addition, the Bill extends the present 90-day exemption period for compliance with healthy homes standards to 120 days, provides for associated transitional provisions, and updates the definitions in Schedule 1 by replacing 'Housing New Zealand' with 'Kāinga Ora'.
5. 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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