9 August 2012

ATTORNEY-GENERAL

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:
PUBLIC FINANCE (FISCAL RESPONSIBILITY) AMENDMENT BILL

1. We have considered whether the Public Finance (Fiscal Responsibility) Amendment Bill (PCO 16393/3.10) (‘the Bill’) is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 (‘the Bill of Rights Act’). We understand that the Bill is likely to be considered by the Cabinet Legislation Committee at its meeting on 16 August 2012.

2. This Bill adds a number of new principles of responsible fiscal management and associated reporting requirements to the fiscal responsibility provisions in Part 2 of the Public Finance Act 1989. Its objective is to ensure that the fiscal responsibility provisions continue to be a sound guide for fiscal policy.

3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act. This advice has been prepared by the Public Law Group and the Office of Legal Counsel.

Melanie Webb
Acting Chief Legal Counsel
Office of Legal Counsel

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