State Sector Management Bill

21 July 2010

ATTORNEY-GENERAL

LEGAL ADVICE
CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:
STATE SECTOR MANAGEMENT BILL

1. We have considered whether the State Sector Management Bill (PCO 14525/4.3) ("the Bill") is consistent with the New Zealand Bill of Rights Act 1990 ("Bill of Rights Act"). We understand that the Bill is likely to be considered by the Cabinet Legislation Committee on 29 July 2010.

2. The purpose of the Bill is to amalgamate a number of existing agencies to improve effectiveness, gain financial efficiencies and guarantee the future viability of the agencies concerned. The Ministry of Research Science and Technology and the Foundation for Research Science and Technology will amalgamate into a new Ministry of Science and Innovation. The National Library and Archives New Zealand will amalgamate into the Department of Internal Affairs.

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.

Jeff Orr
Chief Legal Counsel
Office of Legal Counsel

In addition to the general disclaimer for all documents on this website, please note the following: This advice was prepared to assist the Attorney-General to determine whether a report should be made to Parliament under s 7 of the New Zealand Bill of Rights Act 1990 in relation to the State Sector Management Bill. It should not be used or acted upon for any other purpose. The advice does no more than assess whether the Bill complies with the minimum guarantees contained in the New Zealand Bill of Rights Act. The release of this advice should not be taken to indicate that the Attorney-General agrees with all aspects of it, nor does its release constitute a general waiver of legal professional privilege in respect of this or any other matter. Whilst care has been taken to ensure that this document is an accurate reproduction of the advice provided to the Attorney-General, neither the Ministry of Justice nor the Crown Law Office accepts any liability for any errors or omissions.