

Reserves and Other Lands Disposal Bill

23 April 2008

Attorney-General

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:
Reserves and Other Lands Disposal Bill

1. We have considered whether the Reserves and Other Lands Disposal Bill (PCO 8312/7.0) ("the Bill"), is consistent with the New Zealand Bill of Rights Act 1990 ("Bill of Rights Act"). We understand the Bill is likely to be considered by the Cabinet Business Committee at its meeting on Monday, 28 April 2008.
2. The Bill is a "ROLD Bill," which is an omnibus Bill enacted from time to time as matters arise, in order to effect non-controversial changes to land status where:
 - o a land issue requires special legislation because it cannot easily be dealt with in other legislation, such as a local Bill;
 - o existing legislation requires a matter to be carried out by an Act of Parliament (e.g. exclusion of land from National Parks); or
 - o earlier ROLD legislation requires amendment.
3. Pursuant to Standing Order 263(d), ROLD legislation may deal only with authorisations, transfers and validation of matters relating to Crown land, reserves and other land held for public or private purposes, or the amendment of old ROLD Acts. Provisions are, by convention, only included in a ROLD Bill if they are identified as non-controversial and have the consent of all parties involved.
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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