

## ***Building (Late Consent Is a Free Consent) Amendment Bill***

4 August 2006

Attorney-General

### LEGAL ADVICE

#### CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990: BUILDING (LATE CONSENT IS A FREE CONSENT) AMENDMENT BILL

1. We have considered the Building (Late Consent is a Free Consent) Amendment Bill ('the Bill'), a Member's Bill in the name of Hon Dr Nick Smith MP, for consistency with the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act'). The Bill was introduced to the House of Representatives on 27 July 2006 and is currently awaiting its first reading. We understand that the next Members' day is scheduled for 23 August 2006.
2. The stated purpose of the Bill is to amend the Building Act 2004 to prevent a territorial authority from charging fees to building consent applicants where the territorial authority has processed the consent in breach of a statutory timeframe.
3. We have concluded that the Bill appears to be consistent with the rights and freedoms contained in the Bill of Rights Act.

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