

27 April 2016

Hon Christopher Finlayson QC, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Education (Charter Schools Abolition) Amendment Bill

1. We have considered whether the Education (Charter Schools Abolition) Amendment Bill ('the Bill'), a members' Bill in the name of Chris Hipkins MP, is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').
2. The Bill repeals the amendments made to the Education Act 1989 and a number of other Acts by the Education Amendment Act 2013 relating to establishing partnership schools kura hourua. The Bill also inserts a new section 300A to the Education Act specifying transitional arrangements upon the abolishment of partnership schools kura hourua.¹
3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.

Jeff Orr
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¹ We note that the transitional arrangements specified by new section 300A are intended to take effect by 31 December 2015, which has already passed. We have interpreted this as a drafting error for the purposes of this advice.