

Education (Disestablishment Of Early Childhood Development Board) Amendment Bill

5 August 2003

Attorney-General

LEGAL ADVICE

COMPLIANCE WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:
EDUCATION (DISESTABLISHMENT OF EARLY CHILDHOOD DEVELOPMENT
BOARD) AMENDMENT BILL

1. We have considered the Education (Disestablishment of Early Childhood Development Board) Amendment Bill 2003, a Government Bill (PCO 5359/4), for consistency with the New Zealand Bill of Rights Act 1990 (the "Bill of Rights Act"). We understand that Education (Disestablishment of Early Childhood Development Board) Amendment Bill 2003 (the "Bill") is due to be considered by the Cabinet Legislation Committee at its meeting on 7 August 2003.
2. We consider that the Bill does not appear to be inconsistent with the Bill of Rights Act.
3. The primary purpose of the Bill is to provide for the disestablishment of the Early Childhood Development Board (a Crown entity continued under Part V of the Education Act 1989) and for its functions, assets, liabilities and rights to be transferred to the Ministry of Education (the "Ministry").
4. The Bill also provides for other matters related to the reorganisation, such as a new funding mechanism for certain early childhood centres to enable grants to be paid by the Ministry rather than through the Early Childhood Development Board.
5. In accordance with your instructions, we attach a copy of this opinion for referral to the Minister of Justice. We also attach a copy for referral to the Minister of Education, if you agree.

Bridget Dingle
Legal Adviser
Bill of Rights/Human Rights Team

Val Sim
Chief Legal Counsel

cc Minister of Justice
Minister of Education

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Rights Act 1990 in relation to the Education (Disestablishment Of Early Childhood Development Board) Amendment 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.