

Education (Trustee Ineligibility) Amendment Bill

20 September 2004

Attorney-General

Legal Advice

Consistency With The New Zealand Bill of Rights Act 1990:
Education (Trustee Ineligibility) Amendment Bill

1. We have considered whether the Education (Trustee Ineligibility) Amendment Bill ("the Bill"), a Member's Bill in the name of Gerry Brownlee MP, is consistent with the New Zealand Bill of Rights Act 1990 ("the Bill of Rights Act"). The Bill is likely to receive its First Reading on 6 October 2004.
2. We have concluded that the Bill appears to be consistent with the Bill of Rights Act.
3. The purpose of the Bill is to amend the Education Act 1989 to provide that persons convicted of specific sex offences against children or young persons are not eligible to be trustees on school boards of trustees.
4. In accordance with your instructions, we attach a copy of this opinion for referral to the Minister of Justice. A copy is also attached for referral to Gerry Brownlee MP, if you agree.

Allison Bennett Bridget Dingle
Principal Legal Adviser Legal Adviser
Office of Legal Counsel Bill of Rights Team

cc Minister of Justice
Gerry Brownlee MP

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 Education (Trustee Ineligibility) 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.