

Human Rights (Women in Armed Forces) Amendment Bill

29 August 2006

Attorney-General

HUMAN RIGHTS (WOMEN IN ARMED FORCES) AMENDMENT BILL CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:

1. We have considered the Human Rights (Women in Armed Forces) Amendment Bill ('the Bill') for consistency with the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').
2. The Bill, a Member's Bill in the name of Lynne Pillay MP, was introduced into the House of Representatives on 24 August 2006 and is currently awaiting its first reading. We understand that the next Members' day is scheduled for Wednesday, 6 September 2006.
3. The purpose of the Bill is to amend the Human Rights Act 1993 by repealing section 33 of that Act. Section 33 permits preferential treatment based on sex being given to anyone serving in the Armed Forces in an active combat role. Such preferential treatment would otherwise be illegal by virtue of section 22 of the Human Rights Act (discrimination in employment matters).
4. We have concluded that the Bill appears to be consistent with rights and freedoms affirmed in the Bill of Rights Act.

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