

Injury Prevention, Rehabilitation, and Compensation Amendment Bill

Injury Prevention, Rehabilitation, and Compensation Amendment Bill

22 September 2006

Attorney-General

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:

INJURY PREVENTION, REHABILITATION, AND COMPENSATION AMENDMENT BILL

1. We have considered whether the Injury Prevention, Rehabilitation and Compensation Amendment Bill ('the Bill'), (PCO 7415/8) is consistent with the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act'). We understand that this Bill will be considered by the Cabinet Business Committee at its meeting on 25 September 2006.
2. The Bill amends the Injury Prevention, Rehabilitation, and Compensation Act 2001 ('the Act') by merging the Employers' Account and the Self-Employed Work Account into a single Work Account. The Work Account will finance entitlements provided under the Act to employees, private domestic workers, and self-employed persons. The account merger will ensure that ACC levies paid by businesses are fairer, as they will be based on injury risk associated with activity undertaken, rather than business structure.
3. The Bill also renames the Medical Misadventure Account the Treatment Injury Account.
4. We have concluded that the Bill appears to be consistent with the rights and freedoms contained in the Bill of Rights Act.

Jeff Orr
Chief Legal Counsel
Office of Legal Counsel

Stuart Beresford
Principal Advisor
Bill of Rights/Human Rights Team

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 Injury Prevention, Rehabilitation, and Compensation 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.