

New Zealand Bill of Rights (Private Property Rights) Amendment Bill

19 April 2005

Attorney-General

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:

NEW ZEALAND BILL OF RIGHTS (PRIVATE PROPERTY RIGHTS) AMENDMENT BILL

1. We have considered the New Zealand Bill of Rights (Private Property Rights) Amendment Bill (the "Bill"), a Member's Bill in the name of Gordon Copeland MP, for consistency with the New Zealand Bill of Rights Act 1990 (the "Bill of Rights Act"). It is our understanding that the next Member's day is scheduled for Wednesday, 4 May 2005.
2. The Bill proposes to amend the New Zealand Bill of Rights Act 1990 to provide protection for private property rights. The amendment has two limbs. First, it provides for the right to own property. Secondly, a person must not be deprived of the use or enjoyment of his or her property without just compensation.
3. We consider that this Bill appears to be consistent with the Bill of Rights Act.
4. In accordance with previous practice, we attach a copy of this opinion for referral to the Minister of Justice. We also attach a copy for referral to Gordon Copeland MP, if you agree.

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CC Minister of Justice
Gordon Copeland MP

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