

New Zealand Public Health and Disability Amendment Bill

10 March 2010

ATTORNEY-GENERAL

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:
NEW ZEALAND PUBLIC HEALTH AND DISABILITY AMENDMENT BILL

1. We have considered whether the New Zealand Public Health and Disability Amendment Bill (PCO 14205/2.0) (the "Bill") is consistent with the New Zealand Bill of Rights Act 1990 (the "Bill of Rights Act"). We understand that the Bill is likely to be considered by the Cabinet Social Policy Committee at its meeting on Wednesday, 17 March 2010.
2. The purpose of the Bill is to:
 - amend the New Zealand Public Health and Disability Act 2000 to make it an objective of District Health Boards ("DHBs") to seek the optimum arrangement for the most effective delivery of properly co-ordinated health services
 - amend the planning framework and requirements of DHBs, so that the optimum arrangement for the most effective delivery of properly co-ordinated health services meet local, regional and national needs
 - make it a function of DHBs to work collaboratively with other relevant organisations in meeting this objective and carrying out planning requirements
 - establish a Health and Safety Commission with the function of reporting on the quality and safety indicators of the health and disability system, and to lead and co-ordinate work and perform other functions aimed at monitoring and improving quality and safety within the health and disability system.
3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act. This advice has been prepared by the Public Law Group and the Office of Legal Counsel.

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Chief Legal Counsel
Office of Legal Counsel

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