

Principles of the Treaty of Waitangi Deletion Bill

21 July 2006

Attorney-General

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990: PRINCIPLES OF THE TREATY OF WAITANGI DELETION BILL

1. We have considered the Principles of the Treaty of Waitangi Deletion Bill ('the Bill'), a Member's Bill in the name of Doug Woolerton MP, for consistency with the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act'). The Bill was introduced to the House of Representatives on 29 June 2006 and is currently awaiting its first reading. We understand that the next Members' day is scheduled for 26 July 2006.
2. The stated purpose of the Bill is to remove references to the principles of the Treaty of Waitangi from all New Zealand statutes.
3. The Bill proposes to repeal specific sections or parts of sections, in 27 statutes, which contain references to "the principles of the Treaty", "the principles of the Treaty of Waitangi" or the "Treaty of Waitangi and its principles" ('Treaty references'). It also proposes to remove Treaty references in the preamble or schedules to those Acts, and revoke every regulation promulgated under the affected Acts where that regulation contains Treaty references.
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

Margaret Dugdale
Policy Manager, Bill of Rights/Human Rights
Public Law Group

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