

# Resource Management (Energy And Climate Change) Amendment Bill

22 July 2003

Attorney-General

Legal Advice

Consistency With The New Zealand Bill Of Rights Act 1990:  
Resource Management (Energy And Climate Change)  
Amendment Bill

1. We have considered whether the Resource Management (Energy and Climate Change) Amendment Bill 2003 (PCO 5096/6) is consistent with the New Zealand Bill of Rights Act 1990. We understand that this Bill is to be considered by the Cabinet Legislation Committee on Thursday, 24 July 2003. The Cabinet Legislation Committee version of the Bill was only provided to the Ministry of Justice on Monday 21 July 2003.
2. On 27 March 2003, we provided you with advice on an earlier version of the Bill (PCO 5096/2). However, prior to its consideration by the Cabinet Legislation Committee, it became apparent that the Bill did not enable full implementation of the government's climate change policy and, as a result, some technical amendments were made to the Bill.
3. We have concluded that this revised version of the Bill does not appear to be inconsistent with the Bill of Rights Act.
4. This Bill amends the Resource Management Act 1991, which is aimed at promoting the sustainable management of natural and physical resources. The Bill seeks to give effect to the Government's climate change policy package and to require explicit consideration of the effects of climate change and renewable energy in the exercise of functions and powers set out in the Resource Management Act.
5. In accordance with your instructions we attach a copy of this opinion for referral to the Minister of Justice. A copy is also attached for referral to the Minister for the Environment, if you agree.

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CC

Minister of Justice  
Minister for the Environment

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