

Resource Management (Waitaki Catchment) Amendment Bill

13 November 2003

Attorney-General

LEGAL ADVICE:

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990: RESOURCE MANAGEMENT (WAITAKI CATCHMENT) AMENDMENT BILL

1. We have considered whether the Resource Management (Waitaki Catchment) Amendment Bill (PCO 5541/4) ("the Bill") is consistent with the New Zealand Bill of Rights Act 1990. We understand that the Bill is to be considered by the Cabinet Legislation Committee on Thursday, 20 November 2003.
2. We have concluded that the Bill appears to achieve overall consistency with the Bill of Rights Act.
3. The Bill would amend the Resource Management Act 1991 in order to provide for an improved process to determine the use of water in the Waitaki catchment. The aim of the legislation is to enable the merits of all competing water uses for the Waitaki to be considered and to establish a framework for the allocation of the water that will allow for sustainable development.
4. 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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Bill of Rights/Human Rights Team

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Office of Legal Counsel

CC Minister of Justice
Minister for the Environment
Copy for your information

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