

Transport Legislation Bill

3 August 2004

Attorney-General

Legal Advice

Consistency With The New Zealand Bill Of Rights Act 1990:

Transport Legislation Bill

1. We have considered whether the Transport Legislation Bill (the "Bill") (PCO 5957/11) is consistent with the New Zealand Bill of Rights Act 1990 (the "Bill of Rights Act"). We understand that this Bill is to be considered by the Cabinet Legislation Committee at its meeting on 5 August 2004.
2. The Bill proposes to implement changes in the Government transport sector so that it is best arranged to implement the New Zealand Transport Strategy and reflects the outcome of the Government Transport Sector Review. The Bill seeks to:
 - Merge the national land transport programme and the Safety Administration Programme;
 - Assign the policy functions currently undertaken by the Land Transport Safety Authority and Transfund to the Ministry of Transport;
 - Create a new land Crown entity with an operational mandate; and
 - Implement enhanced co-ordination arrangements for the operation of search and rescue co-ordination.
3. We have concluded that the Bill appears to be consistent with the Bill of Rights Act.
4. In accordance with your instructions, we attach a copy of this opinion for referral to the Minister of Justice. We also attach a copy for referral to the Minister of Transport, if you approve.

Allison Bennett Bridget Dingle
Principal Legal Adviser Legal Adviser
Office of Legal Counsel Bill of Rights/Human Rights Team

cc Minister of Justice
Minister of Transport

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