

12 October 2016

Hon Christopher Finlayson QC, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Energy Innovation (Electric Vehicles and Other Matters) Amendment Bill 2016

1. We have considered whether the Energy Innovation (Electric Vehicles and Other Matters) Amendment Bill 2016 ('the Bill') is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').
2. We have not yet received a final version of the Bill. This advice has been prepared with the latest version of the Bill (PCO 19877/4.0). We will provide you with further advice if the final version of the Bill includes amendments that affect the conclusions in this advice.
3. This is an omnibus Bill that seeks to amend the following Acts:
 - a. Electricity Industry Act 2010
 - b. Energy (Fuels, Levies, and References) Act 1989
 - c. Land Transport Act 1998, and
 - d. Road User Charges Act 2012.
4. The purposes of the Bill are to reduce New Zealand's emissions and improve energy productivity, while ensuring that the relevant legislation is fit for purpose. The amendments aim to achieve these objectives by:
 - a. allowing certain electricity and energy levy funding to be focused on the areas of greatest impact, as well as improving the operation and administration of those levies
 - b. implementing measures to encourage the uptake of electric vehicles, and
 - c. clarifying how electricity industry legislation applies to secondary networks (electricity networks that are indirectly connected to the national grid via a local distribution network).
5. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.

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