

2 November 2016

Hon Christopher Finlayson QC, Attorney-General

Environment Canterbury (Democracy Restoration) Amendment Bill

1. We have considered whether the Environment Canterbury (Democracy Restoration) Amendment Bill ('the Bill'), a member's Bill in the name of Dr Megan Woods MP, is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').
2. The purpose of the Bill is to restore elections for Environment Canterbury following the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010 ('the Act'), which replaced the elected Environment Canterbury representatives with appointed commissioners. The Act was repealed on the close of 13 October 2016 and replaced with the Environment Canterbury (Transitional Governance Arrangements) Act 2016.
3. Specifically, cl 5 of the Bill seeks to insert new s 23A into the Act to require the Environment Canterbury commissioners to immediately instruct the electoral officer under s 8 of the Local Electoral Act 2001 to hold a special general election for Environment Canterbury within three months of the Bill becoming law.
4. 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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