

# Hon Chris Hipkins

MP for Remutaka

Minister for COVID-19 Response

Minister of Education

Minister for the Public Service

Leader of the House



Caleb Milsom  
fyi-request-17821-d2f7e4a5@requests.fyi.org.nz

Ref. CHOIA212

Dear Caleb,

## Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 3 December 2021 for:

*“Any information/advice received on the consistency of the COVID-19 Public Health Response Act 2020 and/or COVID-19 Response (Vaccinations) Legislation Bill with Section 15 of the Bill of Rights Act 1990.”*

Please accept my apologies for the delay in communicating a decision on your request.

The COVID-19 Public Health Response Act 2020 and the COVID-19 Response (Vaccinations) Legislation Act 2021 are enabling legislation providing the power for specific orders to be made.

Consideration of section 15 of the New Zealand Bill of Rights Act 1990 (NZBORA) was not relevant to these Acts. Issues relating to section 15 are considered in relation to specific orders made under those Acts that restrict gatherings (for example, in relation to the Covid Protection Framework).

As is standard practice, both pieces of legislation were reviewed by the Ministry of Justice prior to their approval by Parliament for NZBORA compliance. In both cases, its Chief Legal Counsel advised the Attorney-General that the bills appeared consistent with the rights and freedoms affirmed in NZBORA. The advice is publicly available at:

- [www.justice.govt.nz/assets/Documents/Publications/COVID-19-Public-Health-Response-Bill.pdf](http://www.justice.govt.nz/assets/Documents/Publications/COVID-19-Public-Health-Response-Bill.pdf).
- [www.justice.govt.nz/assets/Documents/Publications/20211123-NZ-BORA-Advice-COVID-19-Vaccinations-Legislation-Bill.pdf](http://www.justice.govt.nz/assets/Documents/Publications/20211123-NZ-BORA-Advice-COVID-19-Vaccinations-Legislation-Bill.pdf).

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by calling 0800 802 602.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'CH', written over a light blue circular watermark.

**Chris Hipkins**  
Minister for COVID-19 Response