



7 July 2022

Luke

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Dear Luke

Official Information Act request: New Zealand Bill of Rights Act 1990 section 7 reports

Thank you for your email of 9 June 2022 requesting information under the Official Information Act 1982 (OIA), in which you ask:

1. *How long after a government bill is introduced into the House of Representatives, does the Attorney-General typically release his section 7 report?*

Please note I am not asking for the legal requirement under s 7(a) of the New Zealand Bill of Rights Act, but rather, the actual average time it has taken for David Parker to release a section 7 report on a government bill.

As Attorney-General, I am not subject to the OIA when performing my law officer functions, which includes my responsibilities under section 7 of the New Zealand Bill of Rights Act 1990 (NZBORA). However, I have chosen to provide the following information in the hope that it might be useful.

If the Attorney-General considers that a government bill is inconsistent with one or more of the rights or freedoms affirmed by NZBORA, they table a report in Parliament when the bill is introduced.

The Attorney-General is not responsible for further publication of reports under section 7 of NZBORA but they are made publicly available on Parliament's website. Please find below information on the section 7 reports I have tabled in Parliament since I became Attorney-General:

Government bill	Introduction to Parliament
Smokefree Environments and Regulated Products (Vaping) Amendment Bill 2020	24 February 2020
Land Transport (Drug Driving) Amendment Bill 2020	30 July 2020
Taxation (Income Tax Rate and Other Amendments) Bill 2020	1 December 2020

Government bill	Introduction to Parliament
Child Protection (Child Sex Offender Government Agency Registration) Amendment Bill 2021	17 March 2021

If the bill is consistent with the rights and freedoms affirmed in NZBORA, the Ministry of Justice or Crown Law advice on the bill is generally published on the Ministry of Justice website shortly after a government bill is introduced. As this publication is not a formal requirement, there is no set timeframe for publication. It will generally occur within a few days of introduction of a government bill. Advice on non-government bills is published after publication is authorised by the Attorney-General.

- 2. As the Water Services Entities Bill is a government bill that was introduced into the House on 2 June, why was a section 7 report not released on that same day as required by s 7(a) NZBORA?*

I did not present a report under section 7 of NZBORA for the Water Services Entities Bill (the Bill) because I am only required to present a section 7 report when I conclude that a bill appears to be inconsistent with the rights and freedoms affirmed in NZBORA.

The Ministry of Justice advice about the Bill was published on the Ministry's website on 7 June 2022. That advice found that the Bill appears to be consistent with the rights and freedoms affirmed in NZBORA. The advice is available at: justice.govt.nz/assets/Documents/Publications/20220525-NZ-BORA-Advice-Water-Services-Entities-Bill-2.pdf.

- 3. When does the Attorney-General expect to release his section 7 report on the Water Services Entities Bill?*

As the Bill appears to be consistent with NZBORA, I do not expect to release a section 7 report on it.

I trust you find this information useful.

Yours sincerely



Hon David Parker
Attorney-General