

Office of the Prime Minister

Prime Minister

Minister for Arts, Culture & Heritage

Minister for Child Poverty Reduction

Minister for National Security & Intelligence



13 AUG 2018

Joseph fyi-request-8331-ab43e11b@requests.fyi.org.nz

Ref: PMO 216-2018

Dear Joseph

Official Information Act request relating to the Bill of Rights Act

Thank you for your Official Information Act 1982 (the Act) request, received on 16 July 2018. You requested:

"For a project we are making at school regarding the BORA, i kindly ask for any information (if it exists) that has to do with any of the plans in your parliament about making the bill of rights supreme law."

The Government is not currently considering making the Bill of Rights Act supreme law; therefore your request for information is refused under section 18(e) of the Act, as the information you requested does not exist.

However, the Government is adding a mechanism to provide a statutory power, allowing senior courts to make declarations of inconsistency under the Bill of Rights Act. That would trigger reconsideration of the issue by Parliament. The courts would not be able to strike down statutory law and Parliament would retain its sovereignty. After reconsideration Parliament could amend, repeal, or stick with the law as originally passed.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mike Munro'.

Mike Munro
Chief of Staff