LEGAL ADVICE
CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:
LAND TRANSPORT MANAGEMENT AMENDMENT BILL

1. We have considered whether the Land Transport Management Amendment Bill (the “Bill”) (PCO 8165/11), is consistent with the New Zealand Bill of Rights Act 1990. We understand that this bill will be considered with the Cabinet Business Committee on Monday the 24th of September 2007.

2. The purpose of this Bill is to enhance New Zealand’s transport planning and funding system established under the Land Transport Management Act 2003. The Bill introduces a number of changes to the present Act such as:

- reserving the Fuel Excise Duty for land transport purposes;
- augmenting central government transport funding by regional fuel taxes;
- providing for a Government Policy Statement to set out the government’s planned investment and funding priorities;
- changing the planning cycle;
- introducing regional land transport programmes;
- increasing the term of regional land transport strategies and national land transport strategy; and,
- merging Land Transport New Zealand, the office of the Director of Land Transport and Transit New Zealand into a single statutory Crown Entity.

3. We have concluded that the Bill does not appear to be inconsistent with the rights and freedoms affirmed by the New Zealand Bill of Rights Act 1990.

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Zealand Bill of Rights Act 1990 in relation to the Land Transport Management Amendment Bill. It should not be used or acted upon for any other purpose. The advice does no more than assess whether the Bill complies with the minimum guarantees contained in the New Zealand Bill of Rights Act. The release of this advice should not be taken to indicate that the Attorney-General agrees with all aspects of it, nor does its release constitute a general waiver of legal professional privilege in respect of this or any other matter. Whilst care has been taken to ensure that this document is an accurate reproduction of the advice provided to the Attorney-General, neither the Ministry of Justice nor the Crown Law Office accepts any liability for any errors or omissions.