

22 March 2023

Hon David Parker, Attorney-General

**Consistency with the New Zealand Bill of Rights Act 1990: Social Workers
Registration Legislation Amendment Bill**

1. We have considered whether the Social Workers Registration Legislation Amendment Bill (the Bill) is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 (the Bill of Rights Act).
2. We have not yet received a final version of the Bill. This advice has been prepared in relation to the latest version of the Bill (PCO 25365/3.0). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. Since 28 February 2021, all people practising as social workers or representing themselves as social workers have been required to register with the Social Workers Registration Board (the Board). To be eligible for registration, people must hold an approved social work qualification.
4. For people without an approved qualification, section 13 of the Social Workers Registration Act 2003 (the 2003 Act) provides an alternative pathway for registration. Instead of demonstrating their competence through a prescribed qualification, these applicants must satisfy the Board of their competence based on their past work experience.
5. Section 13 of the 2003 Act is due to be repealed on 28 February 2024. This Bill seeks to delay that repeal to extend the alternative pathway for a further 4 years to 28 February 2028. This extension will allow for:
 - a. more time to realise the full impacts of the extension of the social services pay equity settlement, and
 - b. consideration of entry pathways into the social work sector over the long term, and
 - c. the easing of pressure on a sector experiencing workforce shortages and increased demand.
6. 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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