

29 August 2018

Hon David Parker, Attorney-General

**Consistency with the New Zealand Bill of Rights Act 1990: Holidays (Bereavement Leave for Miscarriage) Amendment Bill**

**Purpose**

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1. We have considered whether the Holidays (Bereavement Leave for Miscarriage) Amendment Bill ('the Bill'), a member's Bill in the name of Virginia Anderson MP, is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').
2. The purpose of the Bill is to clarify that a miscarriage is a ground for bereavement leave, as the current provisions in the Holidays Act 2003 ('the Holidays Act') are ambiguous. The Bill amends the Holidays Act to provide that the unplanned death of a foetus constitutes grounds for bereavement leave for the mother and her partner or spouse. It specifies that the duration of the leave should be up to 3 days, in line with bereavement leave provisions for other deaths in the immediate family.
3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.

Jeff Orr  
**Chief Legal Counsel**  
**Office of Legal Counsel**