

19 July 2017

Hon Christopher Finlayson QC, Attorney-General

**Consistency with New Zealand Bill of Rights Act 1990: Military Justice Legislation Amendment Bill**

Please find attached our advice about the consistency of this Bill with the New Zealand Bill of Rights Act 1990. We have concluded that the Bill appears to be **consistent** with that Act.

**Details of the Bill**

<b>Minister:</b>	Hon Gerry Brownlee	<b>Bill Type:</b>	Government Bill
<b>Committee:</b>	Cabinet Legislation Committee	<b>Meeting Date:</b>	26/07/2017

**Recommendations**

<b>Note</b> the attached advice about the consistency of the Bill with the New Zealand Bill of Rights Act 1990.	<b>YES / DISCUSS</b>
<b>Direct</b> the Ministry of Justice to publish the advice on its website.	<b>YES / NO</b>
<b>Refer</b> a copy of the advice to the Minister of Defence.	<b>YES / NO</b>

**Contacts for telephone discussion (if required)**

Name	Position	Telephone		1st contact
		(work)	(a/h)	
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Hon Christopher Finlayson QC  
**Attorney-General**  
/ / 2017

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**Consistency with the New Zealand Bill of Rights Act 1990: Military Justice  
Legislation Amendment Bill**

1. We have considered whether the Military Justice 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. The Bill is an omnibus bill with the principal purpose of updating the military justice system to align it with the criminal justice system in certain respects, including by enhancing victims' rights. The Bill amends the Armed Forces Discipline Act 1971, the Court Martial Act 2007, and the Court Martial Appeals Act 1953.
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**