

Human Rights (One Law for All) Amendment Bill

Member's Bill

Explanatory note

The Human Rights Act 1993 exists to prevent discrimination in New Zealand on a range of matters including ethnicity. Despite this Act, the Government excludes itself from many of the provisions, allowing race-based programmes which necessarily discriminate on racial or ethnic grounds.

Recent history has seen examples of ordinary New Zealanders being taken to task for perceived discriminatory acts, such as golf clubs being censured for having married golf competitions, or hairdressers offering cheaper hair cuts for male pensioners.

At the same time as such minor transgressions by private citizens are tracked down and held to account, the Government through its own special legal exemption is able to involve itself in wholesale discrimination based on race across a range of government programmes, throughout the social sector, health, education, and housing assistance.

This Bill proposes to end the anomaly whereby the Government can claim exemption from the anti-discriminatory provisions it legislates for New Zealanders.

It proposes that Government programmes and provision of goods and services become subject to the specific prohibition on discrimination on grounds of colour, race, and ethnicity.

Clause 5 provides that sections 42 to 60 also apply to the Government in relation to race and ethnicity. These sections deal with access by the public to vehicles, places, and facilities, provision

of goods and services, provision of land, housing and other accommodation, and access to educational establishments.

Rodney Hide

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Human Rights (One Law for All) Amendment Act **2006**.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent. 5
- 3 Principal Act amended**
This Act amends the Human Rights Act 1993.
- 4 Purpose**
The purpose of this Act is to amend the principal Act to remove the Government's exemption in respect to discrimination on grounds of race or ethnicity in the provision of goods and services. 10

**5 Application of this Part limited if section 3 of
New Zealand Bill of Rights Act 1990 applies**

Section 21A(1) is amended by adding the following
paragraph:

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“(c) sections 42 to 60, but only to the extent that those
sections relate to conduct that is unlawful under any of
the provisions referred to in section 21(1)(e) to (g).”

