



## **Adult Rights and Responsibilities (Age of Majority) Bill**

Youth Parliament 2010 Bill

### **Explanatory note**

#### **General policy statement**

This Bill is an omnibus Bill. It amends 2 Acts. The purpose of the amendments is to clarify existing legislation and to establish legislative markers for the future when reviewing age-based legislation and policy.

The 2 Acts are—

- the Age of Majority Act 1970. The amendment to this Act decreases the age at which a person attains full age from 20 to 18 years; and
- the Human Rights Act 1993. The amendment to this Act removes the age specificity of 16 years of age or older attached to the prohibition against age-based discrimination.

This Bill also establishes a process for biennial age-related legislative, regulatory, and policy reviews by the Minister of Justice and the Minister of Youth Affairs.

#### **Clause by clause analysis**

*Clause 1* is the Title clause.

*Clause 2* provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

*Clause 3* provides for *Part 1* to amend the Age of Majority Act 1970.

*Clause 4* substitutes *new section 4*, which lowers the age at which a person in New Zealand is regarded as being an adult from 20 to 18 years of age. This does not affect any legislation where there is specific provision made for an age limit to apply.

*Clause 5* inserts *new section 4A*, which provides for a ministerial review every 2 years of age-related legislation and policy review. The review will provide—

- advice on progress towards a gradual alignment of ages of adult rights and responsibilities; and
- advice on the costs and benefits of recent age threshold alignments within legislation; and
- a report on the rationales and evidence being produced within government to justify age threshold in legislation.

*Clause 6* provides for *Part 2* to amend the Human Rights Act 1993.

*Clause 7* substitutes *new section 21(1)(i)* to remove the age-based prohibition of 16 years or older.

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### The Youth Parliament of New Zealand enacts as follows:

**1 Title**

This Act is the Adult Rights and Responsibilities (Age of Majority) Act **2010**.

**2 Commencement**

This Act comes into force on the day after the date on which it receives the Royal assent.

## Part 1

### Age of Majority Act 1970

**3 Principal Act amended**

This **Part** amends the Age of Majority Act 1970.

**4 New section 4 substituted**

Section 4 is repealed and the following section substituted:

**“4 Age of majority**

“(1) For the purpose of any enactment, a person in New Zealand attains full age on reaching the age of 18 years.

“(2) Unless there is an express indication to the contrary, the terms **adult, full age, full capacity, infancy, infant, majority, minor, minority**, and similar expressions in any enactment must be construed in accordance with **subsection (1)**.

“(3) This section does not affect any reference in any enactment to an age expressed in years.”

**5 New section 4A inserted**

The following section is inserted after section 4:

**“4A Biennial ministerial review**

“(1) The Minister of Justice and Minister of Youth Affairs are responsible for ensuring that relevant departments, in consultation with affected departments and agencies, carry out a legislative, regulatory, and policy review on progress towards a gradual alignment of adult rights and responsibilities.

“(2) The review will take place no more than 2 years from the commencement of **section 4** (as amended by the Adult Rights and Responsibilities (Age of Majority) Act **2010**) and then at intervals of not more than 2 years from the previous review.

- “(3) The review will advise the Ministers on the costs and benefits of recent threshold alignments within legislation.
- “(4) The review will report on rationales and evidence being produced within government to justify age thresholds within legislation.”

## **Part 2**

### **Human Rights Act 1993**

**6 Principal Act amended**

This **Part** amends the Human Rights Act 1993.

**7 Prohibited grounds of discrimination**

Section 21(1) is amended by repealing paragraph (i) and substituting the following paragraph:

“(i) age, means any age for the purposes of Part 2 of this Act:”.