

# Short-Form Supplementary Departmental Disclosure Statement

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Redress System for Abuse in Care Bill
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A short form supplementary disclosure statement for proposed government amendments to a Bill seeks to bring together in one place some selected information to support and enhance the Parliamentary and public scrutiny of those proposed amendments.

It highlights certain significant powers or features in the proposed amendments that might be of particular Parliamentary or public interest and warrant an explanation.

It provides a limited supplement to the original disclosure statement for the Redress System for Abuse in Care Bill, dated 1 October 2025, which can be found at this link <https://disclosure.legislation.govt.nz/bill/government/2025/209>

This supplementary disclosure statement was prepared by the Crown Response Office.

The Crown Response Office certifies that, to the best of its knowledge and understanding, the information provided is complete and accurate at the date of finalisation below.

17 April 2026

## Significant Legislative Features

### Offences, penalties and court jurisdictions

<b>1. Do the proposed amendments create, amend, or remove:</b>	
(a) offences or penalties (including infringement offences or penalties and civil pecuniary penalties)?	NO
(b) the jurisdiction of a court or tribunal (including rights to judicial review or rights of appeal)?	NO

### Privacy issues

<b>2. Do the proposed amendments create, amend, or remove any provisions relating to the collection storage, access to, correction of, use or disclosure of personal information?</b>	NO

### Compulsory acquisition of private property

<b>3. Do the proposed amendments contain any provisions that could result in the compulsory acquisition of private property?</b>	NO

### Charges in the nature of a tax

<b>4. Do the proposed amendments create or amend a power to impose a fee, levy or charge in the nature of a tax?</b>	NO

### Retrospective effect

<b>5. Do the proposed amendments affect rights, freedoms, or impose obligations, retrospectively?</b>	YES
Extending the core State redress system to include claims relating to mental health facilities from 1 July 1993 to 30 June 2022 means these claims will be covered by clauses 9 to 22 of the Bill. These clauses apply retrospectively to any claim for State redress made on or after 9 May 2025. This is the date the presumption against redress for survivors with serious sexual and violent convictions was announced publicly as part of the Government's announcements about improvements to redress. <a href="https://www.beehive.govt.nz/release/budget-2025-invests-care-system-and-improving-redress-survivors-abuse-state-care">https://www.beehive.govt.nz/release/budget-2025-invests-care-system-and-improving-redress-survivors-abuse-state-care</a>	

### Strict liability or reversal of the burden of proof for offences

<b>6. Do the proposed amendments:</b>	
(a) create or amend a strict or absolute liability offence?	NO
(b) reverse or modify the usual burden of proof for any offence or civil pecuniary penalty proceeding?	NO

### Civil or criminal immunity

<b>7. Do the proposed amendments create or amend a civil or criminal immunity for any person?</b>	<b>NO</b>

### Significant decision-making powers

<b>8. Do the proposed amendments create or amend a decision-making power to make a determination about a person's rights, obligations, or interests protected or recognised by law, and that could have a significant impact on those rights, obligations, or interests?</b>	<b>NO</b>

### Powers to make delegated legislation

<b>9. Do the proposed amendments create or amend a power to make delegated legislation that could amend an Act, define the meaning of a term in an Act, or grant an exemption from an Act or delegated legislation?</b>	<b>YES</b>
<p>The amendments introduce a provision that the Governor-General, by Order in Council on the recommendation of the Minister, may declare a Crown agent as a redress agency and include abuse in State mental health facilities on or after 1 July 2022 as a class of abuse within the definition of redress scheme.</p> <p>This provision gives effect to Cabinet's decision to future-proof the Bill for a potential future redress scheme for State mental health facilities from 1 July 2022 onward.</p>	

<b>10. Do the proposed amendments create or amend any other powers to make delegated legislation?</b>	<b>NO</b>

### Any other unusual provisions or features

<b>11. Do the proposed amendments contain any provisions (other than those noted above) that are unusual or call for special comment?</b>	<b>NO</b>