

2 July 2026

Committee Secretariat
Social Services and Community Committee
Parliament Buildings
Wellington

Dear Committee Members,

Legislation (Definitions of Woman and Man) Amendment Bill (Bill No. 296-1)

1. Thank you for this opportunity to make a submission on the Legislation (Definitions of Woman and Man) Amendment Bill (the *Bill*).
2. Orion New Zealand Limited and Connetics Limited comprise the Orion Group. We do not support this Bill because we do not consider that it aligns with, or gives practical effect to, our core values. We are concerned that, rather than supporting inclusion, diversity, and the value of different perspectives, skills, and experience, the Bill would detract from efforts to maintain safe, inclusive, and respectful workplaces where people are treated with dignity.
3. If this Bill is passed, we consider there is a foreseeable risk of harm to transgender, non-binary, intersex, takatāpui and other rainbow communities in Aotearoa New Zealand.
4. The Bill risks increasing stigma, discrimination, exclusion and uncertainty for communities that already experience barriers to full participation in public life and work.
5. We set out further reasons why we do not support this Bill from paragraph 11 onwards. But first we provide some more information about the Orion Group.

Background

6. Orion New Zealand Limited is responsible for the electricity distribution network across Central Canterbury, covering both rural and urban areas, including Christchurch. The network spans over 8,000 square kilometres, serving more than 233,000 homes and businesses, making Orion the third largest Electricity Distribution Business in New Zealand. Central Canterbury is experiencing rapid growth and change, with Christchurch at its centre. Electricity distribution is fundamental to the

wellbeing and economic prosperity of the region. Orion's services are crucial for both residents and businesses, and Orion is playing a key role in New Zealand's transition to a low carbon economy.

7. Orion is committed to creating the preferred workplace. It is all about putting Orion's people at the heart of everything Orion does through attracting, developing, and retaining a skilled and motivated team that feels included and reflects the diverse communities that Orion serves. As set out in our People Policy, Orion is committed to

- Ensuring our workplace environment is positive, psychologically healthy, and enables employees to thrive.
- Being an equal opportunity employer through all our practices and ensuring that our processes and practices are free from bias.
- Valuing diversity of perspective; leveraging the diverse thinking, skills, experience and working styles of our people and stakeholders.

8. Orion is a Council-owned company, with its shareholders being the Christchurch City Council (via Christchurch City Holdings Ltd) – 89.3% and the Selwyn District Council – 10.7%.

9. Orion also owns Connetics, an industry service provider. Connetics designs, builds, and maintains electrical infrastructure across the full asset range – overhead lines, underground cable networks, substations, street lighting, and renewable grid connections – from first feasibility study through to ongoing maintenance. Connetics's ways of working include

- Bring your best and support others.
- Welcome difference and bring diverse thinking to the table.
- Recognise everyone's value and lift each other up.

10. With that background in mind, we now set out our comments on the Bill.

Specific comments on the Bill

11. The Bill amends the Legislation Act 2019 by inserting two new sections – new section 13A – Meaning

of woman or female and new section 13B – meaning of man or male. The general policy statement provides that

This Bill ensures clarity and consistency in New Zealand law by defining “woman” as “an adult human biological female” and “man” as “an adult human biological male”, with corresponding definitions for “male” and “female”. By establishing these definitions in the Legislation Act 2019, the Bill provides a clear and biologically grounded meaning of “woman” and “man” across legislation.

The purpose of this amendment is to uphold legal certainty, protect the integrity of sex-based rights, and ensure that language in law reflects biological reality. This definition will apply in all contexts where the terms “woman” and “man” are used, unless explicitly stated otherwise in specific legislation.

12. The Orion Group has a strong interest in robust law-making and in regulation that remains current and achieves its intended objectives. However, we have not been able to identify a problem that needs to be solved via these amendments in this Bill. According to the Regulatory Standards Act 2025, one of the principles of responsible regulation is the importance of carefully evaluating—
 - (i) the issue concerned; and
 - (ii) the effectiveness of any relevant existing legislation and common law; and
 - (iii) whether the public interest requires that the issue be addressed; and
 - (iv) any options (including non-legislative options) that are reasonably available for addressing the issue; and
 - (v) who is likely to benefit, and who is likely to suffer a detriment, from the legislation:

13. The Bill does not identify specifically the issue it is intended to address, or explain why such broad amendments are necessary. If there is a concern about how “man” or “woman” is defined in a particular context, we would expect that concern to be addressed through a thorough analysis of the existing provisions before determining whether targeted legislative provisions are required. However, we would not expect such an issue to be addressed through sweeping amendments to the Legislation Act 2019.

14. Furthermore, given that the proposed new definitions will apply to every enactment (primary and secondary legislation), it is difficult to know what the effect of this change will be. Existing law already recognises gender diversity. This Bill if passed will contradict all of these frameworks and likely create legal and administrative chaos. Some examples include:
- Births, Deaths, Marriages and Relationships Registration Act 2021: gender self-identification for birth certificates
 - Passports: self-selected M/F/X
 - Driver licences: self-selected gender
 - Stats NZ standards: gender, sex, and variations of sex characteristics recognised separately.
15. There is also no clear position on how these new definitions will affect the operation of section 16(1) of the Legislation Act 2019 which states that words denoting a gender include every other gender. Is it the intention of the Bill that section 16(1) is impliedly repealed?
16. We also take note of the Attorney-General's Report on the Bill. The Attorney-General is required to consider the Bill in the context of section 7 of the New Zealand Bill of Rights Act 1990. The Attorney-General has concluded that the Bill gives rise to discrimination on the basis of age because the proposed new definitions require men and women to be adults. In New Zealand under section 4 of the Age of Majority Act 1970, in the absence of a statutory definition or indication of a contrary intention, the expression "adult" applies to persons who have attained the age of 20 years. There are a number of serious consequences, particularly for women if this age limit applies because of these proposed new provisions. These consequences are set out in paragraph 20 of the Attorney-General's report. The Attorney-General does not consider that this limit is justified in terms of section 5 of the New Zealand Bill of Rights Act 1990.
17. In our view, the Attorney-General's report is significant. It speaks to a wider issue that the Bill is poorly thought through - the Bill will create legal uncertainty— the very opposite of the clarity it is intended to provide.
18. Finally, we note the Health and Safety at Work Act 2015 (HSWA) is built on the principle that '*workers and other persons should be given the highest level of protection against harm to their health, safety*

and welfare' and requires businesses to proactively identify and manage risks (including psychosocial risks such as discrimination, exclusion, or harm arising from workplace practices). A rigid legal definition that excludes or overrides lived gender identity will both increase the likelihood of workplace conflict, exclusion, or psychological harm for workers and constrain an employer's ability to meet HSWA's core duty to ensure the health and safety – physical and psychological – of all workers, so far as is reasonably practicable.

Concluding comments

19. Thank you again for the opportunity to provide this submission. As noted at the outset we do not support this Bill for the reasons outlined above. We consider the Bill will affect real people, including our employees, their whānau, our communities and the people we work alongside every day. It risks increasing discrimination and making some people feel less safe, less visible and less protected under the law. The Bill is poorly thought through.
20. We do not wish to be heard in relation to this submission.
21. If you have any questions please contact Vivienne Wilson, Policy Lead, Orion Group, Vivienne.wilson@oriongroup.co.nz, (03) 363 9898.

Yours sincerely

Vivienne Wilson

Policy Lead