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CONVENTION ON THE ELIMINATION OF ALL FORMS
OF DISCRIMINATION AGAINST WOMEN

N2 FIRST REPORT 1986

NEW ZEALAND FIRST REPORT TO THE
UNITED NATIONS SECRETARY GENERAL UNDER ARTICLE 18
OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS
OF DISCRIMINATION AGAINST WOMEN

INTRODUCTION

It is established New Zealand practice to ratify international conventions only when the provisions of those conventions are already implemented by New Zealand law and practice. Where implementation is substantially complete but there remain one or two provisions where it has not been possible, or where there are doubts, New Zealand would enter a reservation to the provision concerned.

Accordingly, as at 20 December 1984 when New Zealand ratified the Convention on the Elimination of All Forms of Discrimination against Women, New Zealand law and practice were in conformity with the Convention except for the areas where reservations were entered.

PART I (a) Describe the actual, general, social, economic, political and legal framework within which New Zealand approaches the elimination of discrimination against women in all its forms, as defined in the Convention

New Zealand is a western style democracy with a market-based economy substantially dependent on the export of primary products. Of a population of 3.3 million people, 85% are of European origin, 9% of Maori origin, 3% are non-New Zealand Polynesians and 3% have other racial origins (such as Indian, Chinese, Vietnamese).* The majority of New Zealand's population live in urban areas and rural settlements, only some 4% of the total now living and working on farms. The great majority of New Zealanders who practice a religion are Christians, for the most part Protestant denominations and Roman Catholics. The Christian ethic is the prevailing influence in the community.

Footnote*: Source: deduced from 1981 national census figures published in New Zealand Official Yearbook 1985, (Department of Statistics) P.85.

According to Department of Statistics figures, in the year ending March 1985 New Zealand had a per capita income of NZ \$11,231 (US\$6177). There is no relevant distinction between urban and rural, including farming, incomes. New Zealand society has developed along lines similar to other western communities with all that implies by way of social and economic change including the breaking down of class structures and social barriers and the development of women's role in society. There are in addition some elements which are distinctive to New Zealand society. There are two main cultural streams: that of the Maori people whose roots and traditions go back a thousand years or more in New Zealand, and that of the European, predominantly British, settlers who have come to New Zealand over the last 140 years. Both cultures are vigorous and, within the context of their own racial and traditional values, may have differing approaches to women's issues. At the same time women have long played a prominent role in most sectors of New Zealand society. In particular they have effectively influenced social policy - for example in the shape of health, education and social welfare systems. In politics they have been numerically less prominent, although in 1893 New Zealand women were accorded equal voting rights with men - it was the first country to do so - and in 1919 they were granted the right to stand for Parliament.

Four main factors have had particular relevance for women in the last quarter of this century*: changing demands of the economic system; modern advances in household technology; the availability and acceptance of reliable forms of fertility control; and the influence of and support given to the evolving feminist movement.

PART I (b) Any legal and other measures adopted to implement the Convention or their absence as well as any effects which ratification of the Convention has had on New Zealand's actual, general, social, economic, political and legal framework since entry into force of the Convention for New Zealand

As already explained, New Zealand law at the time of ratification met the requirements of the Convention, except for those areas where reservations were entered. The reservations related to:

Footnote * Refer also Annex B : "New Zealand Women: Their Changing Situation 1970-84"

- i maternity leave with pay: the right is reserved not to apply the provisions of Article 11, 2(b)
- ii the Armed Forces and law enforcement forces: the right is reserved not to apply the provisions of the Convention in so far as they are inconsistent with policies relating to recruitment into or service in:
 - a the Armed Forces which reflect either directly or indirectly the fact that members of such forces are required to serve on armed forces aircraft or vessels and in situations involving armed combat or;
 - b the law enforcement forces which reflect either directly or indirectly the fact that members of such forces are required to serve in situations involving violence or threat of violence.
- iii employment of women on underground work or mines: New Zealand is still bound by ILO Convention 45 concerning the Employment of Women on Underground Work in Mines of All Kinds.

Legislation specially enacted to give women equal rights with men goes back a very long way and has been a gradual process of development rather than a sudden occurrence. The common law treated women and men equally in many respects; and in other areas such as health and education, which are services provided by the State, equal treatment for women and men was never questioned. The Education Act of 1877, for example, established a national system of free, secular and compulsory education for all children regardless of sex. Nevertheless there was a deliberate stepping up throughout the 1970s, particularly in the area of equal opportunity for employment and recognising women as independent persons. The thrust of recent legislation has been to remove all forms of discrimination between women and men. In consequence, for example, men may now be given the care of children, if this is in the children's best interest, and a woman may be held responsible for her husband's maintenance, if this is appropriate. Examples of noteworthy legislation before 1970 benefiting women are:

Women's Suffrage (which gave women the vote)	1893
Women's Parliamentary Rights Act (which allowed women to stand for Parliament)	1919
Government Service Equal Pay Act	1960

The following legislation has been passed since 1970:

- Domestic Proceedings Amendment Act 1971 - Extended provisions for maintenance orders.
- Equal Pay Act 1972 - Established the principle of equal pay for equal work without discrimination on the basis of sex.
- Social Security Amendment Act 1973 - Established the domestic purposes benefit for solo parents.
- Accident Compensation Amendment Act 1973 - Extended compensation provisions to non-earners.
- Matrimonial Property Act 1976 - Provided for a more equitable division of property on the dissolution of a marriage.
- Domicile Act 1976 - Provided that a woman's domicile does not have to follow that of her husband.
- Social Security Amendment Act 1977 - Introduced national superannuation without discrimination.
- Human Rights Commission Act 1977 - Prohibited discrimination in such areas as employment, and access to goods and services on the grounds of sex or marital status.
- Citizenship Act 1977 - Accorded all New Zealand citizens the same rights with respect to the citizenship of spouses and children.
- Social Security Amendment Act 1979 - Provided for the payment of sickness and unemployment benefits to women and men on an equal basis.
- Evidence Amendment Act 1980 - Provided some restrictions on the cross-examination or presentation of evidence pertaining to a victim's sexual history.
- Family Courts Act 1980 - Removed family law to special court with special support services.
- Family Proceedings Act 1980 - Introduced no fault dissolution of marriage, and revised the law relating to matrimonial and domestic proceedings.
- Guardianship Amendment Act 1980 - Introduced custodial provisions which ensure that the welfare of the child is paramount and no one person can be preferred as custodial parent on the basis of sex.

- Maternity Leave and Employment Protection Act 1980 - Guaranteed up to 26 weeks' unpaid leave to most women workers expecting a baby or planning to adopt a young child.
- Factories and Commerical Premises Amendment Act 1981 - Lifted restrictions on women working during night hours.
- Domestic Protection Act 1982 - Extended protection to the victims of domestic violence in whatever situation this occurs.
- Estate and Gift Duties Amendment Act 1983 - Provided for a gift duty exemption where a matrimonial property agreement results in the non-owner spouse receiving half the matrimonial property.

In the period since New Zealand's ratification of the Convention, the New Zealand Government has passed three acts on the issue of rape - aiming to reduce the trauma for those involved in court hearings, and removing spousal immunity from rape charges. These acts were the Crimes Amendment Bill No 3, Evidence Amendment Bill No 2, Summary Proceedings Bill No 4, all of December 1985. The Ministry of Women's Affairs was established by law in March 1985.

In further implementation of the policy on women outlined by the present Government when it came to office (Annex C), the requirement for further legislation - eg providing for permanent part-time work - will be considered as appropriate.

PART I (c) Describe whether there are any institutes or authorities which have as their task to ensure that the principle of equality between men and women is complied with in practice, and what remedies are available to women who have suffered discrimination

The Human Rights Commission Act 1977 expressly provides a procedure for ensuring that there is no discrimination against women, on grounds of race, sex or religion in the areas of employment, accommodation, landholding, access to goods and services and access to public places and public facilities. This procedure is set out in Annex D. Section S.38(b) of the Act described the remedies available under the Act where a defendant is judged to have breached the provisions of the Act.

PART I (d) Describe the means used to promote and ensure the full development and advancement of women for the purpose of quaranteeing them the exercise and enjoyment of human rights and fundamental freedoms in all fields on a basis of equality with men

In addition to enforcement of relevant legislation and the procedures provided in the Human Rights Commission Act, the Government has created the political means for ensuring the full development and advancement of women by the establishment of a Minister for Women's Affairs with full Cabinet ranking and a department of state, the Ministry of Women's Affairs. A Maori Women's Unit has been specially established within the Ministry. Both the Minister and the Ministry are active in promoting and monitoring the progress being made by women to take advantage of their rights and freedoms. Priorities for the Ministry were discussed in a series of regional forums held in late 1984 (see Annex E). Government departments in particular have been a target for positive action programmes. (See Part II of New Zealand's response to the UN Questionnaire to Governments June 1984 and Annex F "The mid-term progress report on the implementation of Labour's programme of equality for women.")

There have also been established by Government a number of Committees concerned with the promotion of women. Those at present in being are:

- The National Advisory Committee on the Employment of Women
- The Women's Advisory Committee of the Vocational Training Council
- The Equal Employment Opportunities Unit in the State Service Commission

Details of the above are given in Annex A. Of the other committees described in Annex A, the National Advisory Committee on Women and Education (NACWE) is now being re-formed as the Women's Advisory Committee on Education. The Advisory Committee on Women's Affairs (ACWA), established in 1981 to evaluate, recommend and coordinate policy on issues affecting women, has been disbanded with the establishment of the Ministry of Women's Affairs, to which its functions have passed. The Women's Appointment File (WAF) now receives its administrative assistance from the Ministry.

- The Women's Health Committee, a standing committee of the Board of Health, advises the Minister of Health on all policy matters relating to current and future needs in the field of women's health.

PART I (e) Describe whether the provisions of the Convention can be invoked before, and directly enforced by, the court, other tribunals or administrative authorities or whether the provisions of the convention

have to be implemented by way of internal laws or administrative regulations in order to be enforced by the authorities concerned

The provisions of international treaties ratified by New Zealand do not automatically become law in New Zealand.

The provisions of the Women's Convention are implemented and protected in New Zealand by legislation. This legislation can be invoked in the Courts. In the case of the Human Rights Commission Act, the Act itself establishes a procedure for complaints and their remedies.

PART I : COMMENT

Overall there is no differentiation by sex in New Zealand law: the legal position of men and women is identical. Both in employment and in society generally women are increasingly taking advantage of the opportunities opened to them. The situation is not static.

While social attitudes have moved favourably towards recognition of women's worth, however, it cannot be said that women and men themselves practise full equality in all respects in society and the workplace. For example:

- despite the achievement of higher levels of education for women*, fewer women than men take science or economic courses at university.
- there is still only a small proportion of women in top administrative and executive positions.
- women still tend to choose certain types of employment. Thus women remain the majority in clerical/secretarial work and other traditional occupations such as nursing and garment manufacturing.
- women in national and local politics remain in a minority.

The reasons for this situation are various, but would include the following:

- women may prefer to remain in the home working for their families rather than enter the paid work force.
- while economic circumstances may make a double income for families desirable, day care for children may not be readily available.

Footnote * : See Annex B pp 985 and 986

- there has not yet been sufficient lead time for women to qualify for top positions.
- for Maori women there is the added difficulty of belonging to a minority group.

Nevertheless the problems are recognised and solutions are being looked for. Emphasis is being placed, for example, on promoting a range and diversity of early childhood care and education facilities. It is recognised that the development of women's attitudes is as important as that of men's in achieving change.

PART II

SPECIFIC INFORMATION IN RELATION TO EACH PROVISION
OF THE CONVENTION ON THE ELIMINATION OF ALL
FORMS OF DISCRIMINATION AGAINST WOMEN

(This part should be read in conjunction with New Zealand's response to the UN Questionnaire to Governments for the World Conference to Review and Appraise the Achievements of the Decade for Women: Equality, Development and Peace - June 1984.)

Article 2

a-f See the notes in Part I c on the Human Rights Commission Act 1977. New Zealand does not have a written Constitution.

g There are no penal provisions in New Zealand specifically relating to women.

Article 3

See Part I on legislation (Human Rights Commission Act, Equal Pay Act) national machineries and programmes (paragraphs 8-19) and paragraph 24 below.

Article 4

Under Section 28 of the Human Rights Commission Act 1977, the Human Rights Commission may approve "any special plan or programme submitted to it by any person if it considers that -

- (i) the plan or programme will assist or advance particular persons or groups of persons, being in each case persons of a particular sex or marital status; and
- (ii) those persons or groups need or may reasonably be supposed to need assistance or advancement in order to achieve an equal place with other members of the community."

The national machineries and institutions which have been set up to assist women achieve equality with men have been listed in Part I of this report. As described in Annex F, many government departments (and agencies and private sector agencies such as banks and the New Zealand Employers' Federation) have "positive" or "affirmative action" policies and many have set up special equal opportunities units.

Article 5

- a Measures to modify social and cultural patterns of the conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women include "positive action programmes" such as the Vocational Training Council/Women's Advisory Committee's "Women Across the Workforce" and the Department of Labour's "Girls Can Do Anything" media campaigns; the State Services Commission/Public Service Association guidelines for departments on sexual harassment (1983 and 1986); the State Services Commission's efforts to eliminate sexist vocabulary from their publications; and efforts to remove sex stereotyping in the education syllabus (see also the notes for Article 10c below. There is, however, no established move to abolish single-sex schools although there has been a trend towards the provision of more co-educational than single-sex schools. As at 1 July 1984, of the 315 state secondary schools, 214 were co-educational. Most of the 88 private schools were single-sex).
- b While there is no special educational programme which focuses on the importance of maternity as a social function and the common responsibility of men and women in the upbringing and development of their children, the relevant legislation expressly states that the interests of the child must take priority. In cases of broken homes responsibility for a child could devolve on either parent.

Article 6

Slave dealing, which includes debt bondage and serfdom, is a crime under The Crimes Act 1961 and is punishable by imprisonment for a term not exceeding 14 years. Prostitution is not per se illegal, but it is an offence punishable by five years imprisonment to live off the earnings of the same or run/manage a brothel or procure sexual intercourse for reward.

Article 7

- a Women have had the same voting rights as men since 1893 and have had the right to stand for Parliament since 1919. At present there are two women Cabinet Ministers (out of 20), 12 women members of Parliament (out of 95 - ie 13 percent) and a growing (though still unequal) number of women in top administrative positions. Women are represented on local bodies (14 percent) and there are both women Mayors (7 percent) and women councillors. The Local Government Amendment Act 1985 introduced a new system

for the determination of remuneration of local government office holders which will make it easier for homemakers and working people to stand for election to local authorities.

- b There are no legal barriers to the appointment of women to Cabinet or to positions in the Public Service or to the performance of any public function at any level of Government.
- c There are no legal restrictions against female participation in non-governmental organisations and associations concerned with the public and political life of the country but there are still some attitudinal barriers to womens' participation in some areas.

Article 8

Women are appointed as Ambassadors, to other diplomatic positions and as members of official New Zealand delegations to inter-governmental meetings where they represent New Zealand. As such they participate in the work of international organisations.

Article 9

- 1 The provisions of the Citizenship Act 1977 provide that women have the same rights as men in regard to nationality. These rights are not affected by marriage.
- 2 The Citizenship Act 1977 ensures this. For details of the Citizenship Act 1977 refer to Annex D, pages 23-24.

Article 10

Education in New Zealand at all levels and of all types is legally open equally to women and men. Some positive action programmes have been established to increase female entry into "non-traditional" areas of vocational training and such programmes should help overcome remaining attitudinal barriers on the part of either sex.

- a The Department of Labour established in 1984 the FAIR (Female Apprenticeship Incentive for Recruitment) with the objective of encouraging employers to enter into contracts of apprenticeship with young women. The increase in women entering non-traditional apprenticeships has risen from 125 in 1979 to 196 in 1984. The "Girls Can Do Anything" or "Women Across the Workforce" campaigns (see Annex G Part II A,

Section 3.2.1 of New Zealand's Response to the UN Questionnaire to Governments June 1984) are examples of other programmes encouraging the training/education of women in non-traditional areas.

- b New Zealand females have access to the same curricula, same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality.
- c Part II, Section C ("Education") of the New Zealand Response to the UN Questionnaire to Governments June 1984 (Annex H) outlines some of the activities that the Former National Advisory Committee on Women in Education initiated to remove sex stereotyping. These included new school syllabuses in home economics and workshop craft for boys and girls (2.2.1); the replacement (in 1980) of two former handbooks on physical education, one for boys and one for girls, with one called "Fitness for Living"; and the encouragement of coeducational teaching of physical education (2.2.2). As noted in paragraph 2.2.4 of Part II C of the New Zealand Response "all syllabuses and materials produced are for all students irrespective of sex. Every effort is made to remove elements of sex stereotyping and to treat all students as equal. The main obstacle is a conservative community and, to a lesser extent, teaching force. In an attempt to overcome this, the Department of Education has published pamphlets on equal opportunities in schools."
- d & Women share the same opportunities as men to benefit
e from scholarships and other study grants and for access to programmes for continuing education.
- f There is a tendency rather for New Zealand women to attain higher levels of secondary education than men and they tend to outnumber men both in secondary school attendance and completion (p985 of Annex B).
- g The Government conducted in 1985, a Sports Development Enquiry and Recreation Review. Policy recommendations to ensure equity for women's sport were made in the chapter on women and sport prepared by the Enquiry Committee (attached in Annex I).
- h The school syllabus from junior primary to senior secondary classes for both sexes includes health education which places emphasis on caring for others and being sensitive to their needs, and on the importance of honest, responsible, healthy relationships. Access to advice on family planning is freely available to all those over 16 years of age, regardless of sex, and those under 16 under certain guidelines (see New Zealand Response to UN

Questionnaire to Governments June 1984, Part II B, Section 2.3). A new health education syllabus containing information on human development and relationships and including an optional section on contraceptive and family planning advice (the school management body, after consultation with the pupils' parents, may decide whether or not to give sex education) was introduced into 4 secondary schools in 1985 and will be taught in 90 in 1986 and in all secondary schools by 1989.

Article 11

1a- Women and men have the same legal right to work. The
c Human Rights Commission Act 1977, section 15 provides:

"(1) It shall be unlawful for any person who is an employer, or any person acting or purporting to act on behalf of any person who is an employer;

(a) To refuse or omit to employ any person on work of any description which is available and for which that person is qualified;

(b) To refuse or omit to offer or afford any person the same terms of employment, conditions of work, fringe benefits and opportunities for training, promotion and transfer as are made available for persons of the same or substantially similar qualifications employed in the same or substantially similar circumstances on worth of that description; or

(c) To dismiss any person, or subject any person to any detriment, in circumstances in which other persons employed by that employer on work of that description are not or would not be dismissed or are not or would not be subjected to such detriment - by reason of the sex, marital status or religious or ethical belief of that person. (But see also the full provisions of Section 15 for exceptions.)

d Equal pay was legislated for by the Government Service Equal Pay Act 1960 and the Equal Pay Act 1972 (for the private sector). Factors referred to in Part I explain in large measure the continuation of the lower average in women's earnings.

e There is no discrimination between women and men in the exercise of the right to social security. Part II A, paragraph 3.2.5 of the New Zealand Response to the UN Questionnaire to Governments June 1984 (copy attached in Annex J) outlines social security benefits in New Zealand relating to retirement, unemployment, sickness and invalidity.

- f Women have the same right as men to protection of health and safety in working conditions. There are no laws specifically to protect the human reproductive organs from chemical (or other) risk, but the Health Department has produced guidelines on working with lead which suggest protective measures for women.
- 2a The Maternity Leave and Employment Protection Act 1980 (see Annex K taken from New Zealand's Response to the UN Questionnaire to Governments June 1984) provides protection against sanctions, or dismissal on the grounds of pregnancy or maternity leave. The Human Rights Commission Act 1977 provides against discrimination in employment on the grounds of marital status.
- b New Zealand has not yet legislated for maternity leave with pay. An interdepartmental Officials' Committee was established in 1985 to review the Maternity Leave and Employment Protection Act 1980. It is envisaged that the revised legislation will include provision for paternity leave, thus providing increased choice to parents. The Officials' Committee has also explored the possibilities of providing paid parental leave to either parent at the time of childbirth or adoption and has reported its findings to Cabinet.
- c Part II A, Section 3.2.6 of the New Zealand Response to the UN Questionnaire to Governments June 1984 (attached in Annex L) provides an outline of child care facilities in New Zealand, noting the shortage of places for children under two and the variance in quality of care. The Government has given priority to providing community-based quality care. The Department of Social Welfare has, in the past year, consulted with groups interested in child care services, and released a discussion paper on the "View of Child Care Funding". A 70 per cent increase in overall funding of child care services was announced in the June 1985 Budget and became effective from 1 October 1985. Additional funding of NZ\$2,722 million (US\$1,497 million) a year was to provide for increased child care subsidy for parents, staff training programmes and staff, establishment and equipment grants. A Ministerial Working Party was set up in 1985 to make recommendations on the transfer of statutory responsibility for child care services from the Department of Social Welfare to the Department of Education. This move will bring all early childhood services (care and education) together in the same department, in a Division of Early Childhood Services. In addition, the State Services Commission convened a working party to draw up a policy for the provision of child care for public servants. This policy was approved in principle by Cabinet in October 1985.

d See lf above.

- 3 It is normal practice for out of date legislation to be reviewed and amended. The work of review, recommendation for reform and development of the law of New Zealand is now to be carried out by the new Law Commission which came into being on 1 February 1986.

Article 12

- 1 There is no discrimination in law against women in the field of health care. However, the Women's Regional Forums of 1984 (see Annex E page 8 and pages 44 and 45) identified a need for improved practice in health care for women. As noted in Part I(d), page 6 of this report, a new Women's Health Committee was established in July 1984 as a body to advise the Minister of Health on women's health matters.
- 2 Every woman has access to free pre- and post-natal care and to free medical and hospital services during confinement.

Article 13

- a The relevant section of the New Zealand Response to the UN Questionnaire to Governments June 1984 on family benefits is attached in Annex M. The family benefit is payable to every mother of a child. However, if the mother does not have full time care of the child, provision exists for payment of the benefit to be made to the father or any other person having the care and control of the child, at the discretion of the Social Security Commission.
- b The Human Rights Commission Act 1977 provides that no one is to be discriminated against on the grounds of sex in the provision of credit. The Human Rights Commission has undertaken the dissemination of educational information to advise women on the legal obligation of those providing credits and loans and to offer guidelines to women.
- c Women have full legal rights to participate in recreational activities, sports and all aspects of cultural life (see also noted for Article 10, g), but attitudinal barriers still exist and may discourage womens' participation in some areas .

Article 14

Rural women, ie those living in rural settlements as well as those on farms (14.7% of the total female population), have the same legal rights as other women and their isolation, and that of their families, has been greatly

reduced by telephone services, radio and television, and modernised transport. In general their standard of living is as high as the national average. Their disadvantages arise from isolation.

Part II K of the New Zealand Response to the UN Questionnaire to Governments June 1984 (Annex N) covers rural development/women in agriculture including some difficulties faced by rural women. The Ministry of Women's Affairs has now taken over the role of the former Advisory Committee on Women's Affairs in supporting the rural women's network, "Women in Agriculture" (Wag). This includes provision of administrative and organisational services and assistance with the compilation and distribution of the regular newsletter Wag Mag.

- a Rural women have the right to participate in the elaboration and implementation of development planning at all levels. Constraints on the fulfilment of this right include lack of pre-school facilities, school transport problems, the need for improved training facilities in rural areas, the heavy double burden of family care and work on the farm, and some continuing attitudinal discrimination.
- b Rural women have access to adequate health care facilities, including information, counselling and services in family planning (but see notes for Article 12(1) above).
- c Women have equal access to all social security programmes.
- d Rural women have the same theoretical access as urban women to education but transport and distance impose some constraints. The Education Department makes special provision for educating children, both girls and boys, through, for example, correspondence classes and boarding school allowances. Rural Education Activities Programmes were established in rural communities in 1979 with the aim of improving the sharing and coordination of resources. Provision is usually made for itinerant pre-school teachers, guidance/visiting teachers, liaison between schools, and continuing education advisors (for rural women and their children). Each district Education Board has advisors (for rural women and their children). Each district Education Board has advisors to rural schools responsible for assisting with the schools' educational administration and curriculum development. This rural advisory service has been in practice since 1918. Country children receive the same bursaries as the children living outside

university centres to attend university. Both rural and urban dwellers can take advantage of correspondence university courses available at Massey University.

- e The Department of Internal Affairs Small Cooperative Enterprises Scheme (SCOPE) and the Work Development Scheme have assisted a number of small enterprises based on alternative approaches to work and organised by women (eg, the Outsized Women's Garment Factory at Patea, various small cottage industry type craft enterprises, and cooperative ventures providing services such as child care, food preparation and expressive arts performance). Some additional funding for these activities comes from the NZ Lottery Board Distribution Committees. Although Lottery Board Distribution Committees do not contribute only to women's projects, a number of projects of specific relevance to women have been assisted which have indirectly assisted women towards economic independence, eg grants to women's refuges and other related organisations. The Ministry of Women's Affairs now operates a Project Fund of NZ\$50,000 (US\$27,500) per annum which is of particular benefit to especially disadvantaged women - eg self-esteem courses for young unemployed Maori women. The Ministry's information leaflet, which explains the criteria for allocation of grants from the Fund, is attached in Annex O.
- f Rural women have the right to participate in all community activities.
- g Women as individuals in their own right have a legal right to apply for agriculture loans.
- h Rural women in New Zealand have access to adequate housing, sanitation, electricity and water supply, transport and communications.

Article 15

New Zealand law and procedure fully meet the obligations under this article.

Article 16

- 1a Men and women have the same right to enter into marriage and the same rights within marriage.
- b The Family Proceedings Act 1980 provides that a marriage concluded without the free consent of each spouse is void. Absence of consent to marriage has always been a ground for voiding a marriage at common law in New Zealand, and was incorporated into statute law in 1953.

c,d are covered by the relevant legislation listed and
f,g described in Annex A.
& h

- e Men and women have equal access to family planning information and education. Legally any woman or man may give consent to be sterilised.
- 2 The Marriage Act 1955 stipulates that a marriage licence shall not be issued or a marriage solemnised if either of the partners intending marriage is under the age of 16 years; a marriage is not, however, void by reason only of an infringement of these provisions. (ie if a minor fraudulently obtains a marriage licence he or she is liable to prosecution but the marriage is not invalid. Section 17 of the Marriage Act places the burden of responsibility on the Registrar to satisfy himself that the age requirements have been met.)

The Marriage Act also requires that the marriage of a minor be consented to and that all marriages be registered in accordance with the Act.

LIST OF ANNEXES

- A Part 3 D - "Women", of Section 3, Population of the New Zealand Official Yearbook 1985, pp 111-115. Published by New Zealand Department of Statistics.
- B Section 38 "New Zealand Women : Their Changing Situation", 1970-1984, pp 975-1002 of the New Zealand Official Yearbook 1985.
- C "Women's Policy", extract from New Zealand Labour Party 1984 Policy Document.
- D Part I C (Legislation) of World Conference to Review and Appraise the Achievements of the United Nations Decade for Women Equality Development and Peace 1976-1985. NZ Response to UN Questionnaire to Governments June 1984.
- E The 1984 Women's Forums Policy Priorities, Office of the Minister of Women's Affairs, March 1985.
- F The Mid-Term Progress Report on the Implementation of Labour's Programme of Equality for Women. From the Minister of Women's Affairs, January 1986.
- G Section 3.2.1 on Access to Employment and Conditions of Work, of Part II A (Employment) of World Conference/UN Decade for Women. NZ Response to UN Questionnaire to Governments June 1984.
- H Part II C (Education) of World Conference/UN Decade for Women. NZ Response to UN Questionnaire to Governments June 1984.
- I Section XII "Women and Sport" of Sport on the Move : Report of the Sports Development Inquiry, Ministry of Recreation and Sport, 1985.
- J Section 3.2.5 on Social Security of Part II A (Employment) of World Conference/UN Decade for Women. NZ Response to UN Questionnaire to Governments June 1984.
- K Section 3.2.4 on maternity leave of Part II A (Employment) of World Conference/UN Decade for Women. NZ Response to UN Questionnaire to Governments June 1984.
- L Section 3.2.6 on Child Care Facilities of Part II A (Employment) of World Conference/UN Decade for Women. NZ Response to UN Questionnaire to Governments June 1984.

- M Extract on Family Benefits from Section 3.2.5 of Part II A (Employment) of World Conference/UN Decade for Women. NZ Response to UN Questionnaire to Governments June 1984.
- N Part II K (Rural Development) of World Conference/UN Decade for Women : NZ Response to UN Questionnaire to Governments June 1984.
- O Project Fund - Ministry of Women's Affairs.

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