

Anzac Day Amendment Bill

Government Bill

As reported from the Foreign Affairs, Defence and Trade Committee

Commentary

Recommendation

The Foreign Affairs, Defence and Trade Committee has examined the Anzac Day Amendment Bill and recommends that it be passed. We recommend all amendments unanimously.

Introduction

The Anzac Day Act 1966 specifies a list of conflicts commemorated on Anzac Day, 25 April. The list begins with the First and Second World Wars. Its most recent addition is the war in South Vietnam. The Act also states that Anzac Day commemorates the memory of “those who at any time have given their lives for New Zealand and the British Empire or Commonwealth of Nations”.

This bill would amend the Anzac Day Act to provide that Anzac Day commemorates all those who have served New Zealand in wars and warlike conflicts. This would include commemoration of non-military service in certain circumstances.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation’s design to bring to the attention of the House.

Proposed amendments

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss minor or technical amendments.

Amendments to clause 4

Clause 4 proposes to replace section 2 of the Act. New section 2 would remove the list of specific conflicts from the Act. It would provide that Anzac Day recognises and commemorates the contribution of all those who have served New Zealand (including those who have died) in time of war and in warlike conflicts.

Focusing on commemoration

We recommend removing the word “recognition” from new section 2(1). Our view is that it is unnecessary.

We understand the policy intention behind the amendment is to be more inclusive, in part because some may interpret “commemoration” as only applying to those who have died.

Our view is that New Zealanders already have a broad interpretation of the meaning of Anzac Day, which is reflected in current practice. We consider that, in practice, “commemoration” includes both living and dead service members.

We also consider it important to uphold the significance of “commemoration”.

Including deaths outside of war or warlike conflicts

In addition to commemorating people who have served and died in war and warlike conflicts, we believe it is important that the bill include those who have died in, or connected with, New Zealand military service; for example, during military training. We recommend amending clause 4 by inserting a reference in new section 2(1) to deaths in or connected with New Zealand military service. We also recommend inserting the words “at any other time”, to make clear that a death might have occurred outside a war or warlike conflict.

Specific reference to Australian troops at Gallipoli

Given the history and special relationship of the ANZAC forces, and between Australia and New Zealand, we consider that the bill should mention the Australian troops at Gallipoli. We recommend amending new section 2(1) to this effect.

Communities will continue to commemorate Anzac Day in their own ways

We heard from submitters about the ways they commemorate Anzac Day and what Anzac Day means to them. We think the Anzac Day Act should be inclusive in commemorating those who have served New Zealand. However, the Act is not prescriptive. Communities and individuals will, and should, continue to commemorate and reflect on Anzac Day as they see fit.

Appendix

Committee process

The Anzac Day Amendment Bill was referred to this committee on 3 April 2025.

We called for submissions on the bill with a closing date of 22 May 2025. We received and considered submissions from 64 interested groups and individuals. We heard oral evidence from six submitters. We wish to acknowledge the efforts of all submitters and thank them for their engagement. We also acknowledge all those who serve and have served New Zealand.

Advice on the bill was provided by Veterans' Affairs New Zealand | Te Tira Ahu Ika A Whiro and the Ministry for Culture and Heritage | Manatū Taonga. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting.

Committee membership

Tim van de Molen (Chairperson)

Tim Costley

Hon Peeni Henare (from 14 May 2025)

Dana Kirkpatrick

Laura McClure

Hon Damien O'Connor

Hon David Parker (until 12 May 2025)

Teanau Tuiono

Related resources

The documents we received as advice and evidence are available on the Parliament website.

Key to symbols used in reprinted bill

As reported from a select committee

text inserted unanimously

~~text deleted unanimously~~

Hon Paul Goldsmith

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Anzac Day Amendment Act **2025**.

2 Commencement

This Act comes into force on the day after Royal assent.

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3 Principal Act

This Act amends the Anzac Day Act 1966.

4 Section 2 replaced (Anzac Day to be a day of commemoration)

Replace section 2 with:

2 Anzac Day to be day of commemoration

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- (1) In ~~recognition and~~ commemoration of the contribution of all those who have served New Zealand ~~(including those who died)~~ in time of war and in warlike conflicts (including those who died), and of all those who have died in New Zealand military service, or whose death was connected with New Zealand military service, at any other time, 25 April in each year (being the anniversary

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of the first landing of troops from New Zealand, Australia, and other allied forces on Gallipoli) is to be known as Anzac Day, and is to be a day of commemoration.

- (2) In this section, a person serves in a **warlike conflict** if they serve in response to an armed conflict that has occurred, is occurring, or may occur or recur.

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Legislative history

27 March 2025

3 April 2025

Introduction (Bill 133–1)

First reading and referral to Foreign Affairs, Defence and Trade Committee