Welcome

Suze Jones – Deputy Clerk of the House

David Bagnall – Principal Clerk (Procedure)

Gabor Hellyer – Principal Clerk of Committee

… and your host, Troy Murphy – Education Adviser

New Zealand Parliament
Pāremata Aotearoa

Today's Menu

New Zealand Parliament
Pāremata Aotearoa

How a bill becomes law

For further information:
www.parliament.nz or
parliinfo@parliament.govt.nz

THE PUBLIC
MPs may be lobbied to create or change laws.

HOUSE OF REPRESENTATIVES
Introduction
The bill is introduced, and MPs have time to read and consider it.

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What is Parliament?

Sovereign + House of Representatives = Parliament

Separation of powers

Sovereign

Legislature

Executive

Judiciary

Separation of powers

Each of the branches makes law
But Parliament is the supreme law-maker

Making law is a big deal

- Complex society depends on laws and norms
- Legitimacy from democratic mandate
- 1947: full power to make constitutional laws for NZ—a major step to independence

Making law is a big deal

- An essential function of … the “legislature”
- About half the House’s time spent making law
- Last 4 years: average of 86 Acts of Parliament

Why Parliament makes law

- Policy initiatives
- Responding to events
- Improving and updating the law

Parliament is effective when all of these happen

The House’s rules both facilitate and constrain law-making

Law-making does not start here

Introduction

- Government bills
- Members’ bills
- Local bills
- Private bills

New Zealand Parliament
Pāremata Aotearoa

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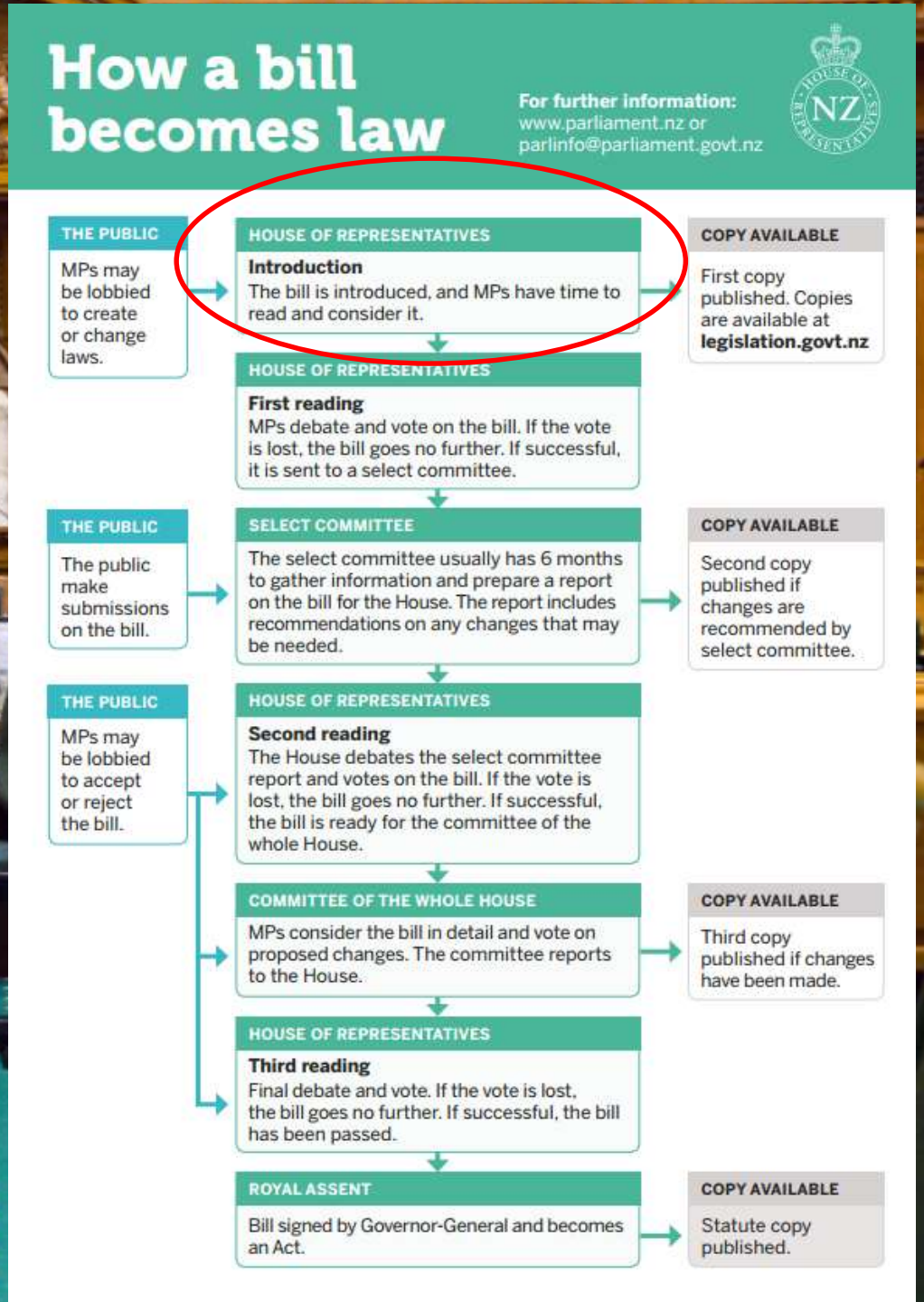

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First Reading

- The Order Paper
- Member in charge leads off debate
- Nominates relevant select committee
- First Reading – debate by MPs
- Vote taken

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Select Committee

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How Select Committees Work video:

https://www.youtube.com/watch?v=aHdOg61LwcI

Select Committee stage

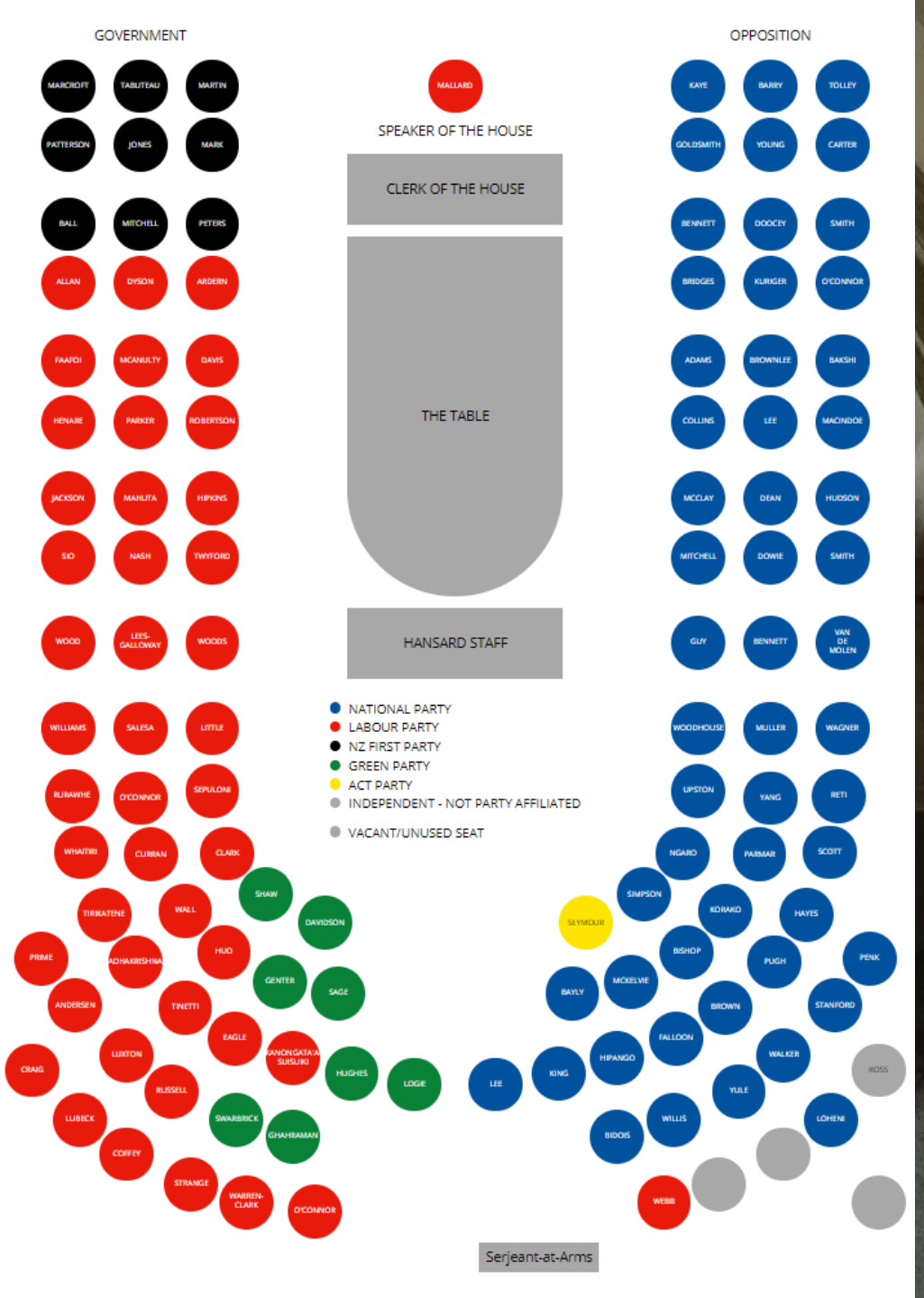
- Crucial step in the New Zealand system
- Allows for detailed examination of proposed changes
- Opportunity for public to have a say
- Committees report recommendations back to the House
- Scrutiny and differing views make for better laws

Subject Select Committees

- Economic development, Science and Innovation
- Education and Workforce
- Finance and Expenditure
- Foreign Affairs, Defence, and Trade
- Governance and Administration
- Health
- Justice
- Environment
- Māori Affairs
- Primary Production
- Social Services and Community
- Transport and Infrastructure

Composition

- Committees reflect the proportionality of the House
- Groups of 6 to 12 MPs, allocated in line with expertise, personal interests, and party recommendations
- MPs can sub in and out
- Tied votes are lost
- The Chair of the committee has a similar role to the Speaker of the House



Overview of committee process

1. Process decisions
2. Initial briefing from advisers
3. Hear from submitters
4. Report from advisers on submissions
5. Discussion time!
6. Amendments
7. Report to the House

Hearing of evidence

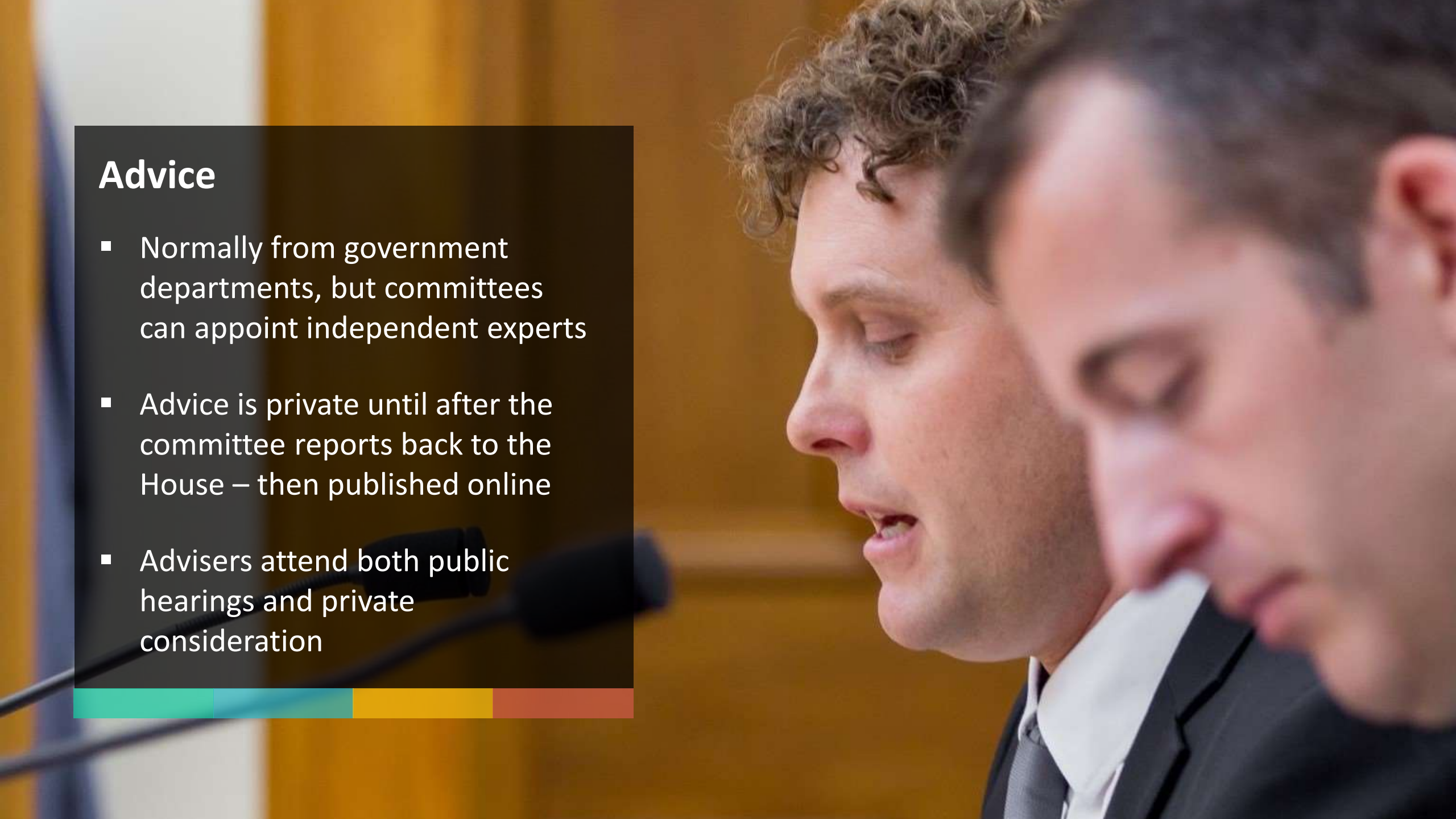
- Submissions from individuals, organisations, businesses, experts, and more
- Submitters can ask to speak to the committee, including via video-conference
- Hearings are generally held in public (including live-streaming, and media in the room)
- Don’t forget to leave time for questions, + other tips

Consideration

- Consideration = parliamentary jargon for discussing things in private
- Different MPs have different opinions – and the debates can get quite robust
- Other than public hearings of evidence, everything is consideration

Advice

- Normally from government departments, but committees can appoint independent experts
- Advice is private until after the committee reports back to the House – then published online
- Advisers attend both public hearings and private consideration



How do committees actually change laws?

- Receive report from advisers on submissions + key issues
- Discussion of issues + asking for amendments to be drafted
- Consideration of drafted amendments
- Example: Criminal Cases Review Commission Bill

Reporting to the House

- Reports include a committee's recommended amendments, plus commentary on why the committee is recommending them
- Differing views among members can be included
- If a committee can't agree any amendments, they can still send a report back to the House
- Reports don't generally mention specific submitters

Second Reading

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Second Reading

- Main debate on bill
- 12 x 10-min speeches
- Select committee amendments adopted
- Separate vote on majority amendments

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Committee of the whole House

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Committee of the whole House

- Rules differ from House
- Text of bill considered by whole membership
- Any member can move amendments
- Supplementary Order Papers
- Multiple 5-minute speeches
- Closure motions
- Report back to the House

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Third Reading

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Third Reading

- Final approval and passing of the bill
- 12 x 10 minute speeches
- Summing up debate on the principles of the bill and its progress through the House

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Variations

- The House can change its rules…
  …and can vary its procedures for bills

How long does law-making take?

- It depends…

Royal Assent

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Preparing a bill for Royal assent

- Proof assent
- Clerk's discretion to make corrections
- Authentication
- Chasing signatures

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Royal assent

- Presented for assent in order passed by House
- Governor-General signs on advice from Prime Minister
- Chief Justice as Administrator

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Pāremata Aotearoa

Royal assent

- Usually 2 copies signed
- One kept at Parliament
- Other copy to High Court
- Assent notified

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Kia ora!

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