

Appropriation (Continuation of Interim Meaning of Funding for Parliamentary Purposes) Bill

Government Bill

Explanatory note

General policy statement

This Bill provides until 30 June 2009 an interim meaning of **funding entitlements for parliamentary purposes** in the Parliamentary Service Act 2000 that is substantively the same as the interim meaning that was provided in section 7 of the Appropriation (Parliamentary Expenditure Validation) Act 2006. That section restored the meaning of this term to what members of Parliament and parliamentary parties generally understood it to be prior to the Controller and Auditor-General's 2006 report on his inquiry into advertising expenditure incurred by the Parliamentary Service in the 3 months before the 2005 general election and the opinion of the former Solicitor-General on which that report was based.

The interim meaning of the term **funding entitlements for parliamentary purposes** includes funding for—

- the performance by a member of Parliament of his or her role and functions as a member of Parliament;
- the performance by a parliamentary party of its role and functions as a parliamentary party;
- the provision of travel, accommodation, and attendance services available to members of Parliament and their families in accordance with a determination under the Civil List Act 1979 or a direction under the Parliamentary Service Act 2000;
- the provision of communications services (other than services including electioneering) available to members of Parliament and their families in accordance with a determination under

the Civil List Act 1979 or a direction under the Parliamentary Service Act 2000. **Electioneering** is defined to mean any communication that explicitly seeks votes for particular persons or political parties, encourages people to join particular political parties, or solicits subscriptions or other financial support:

- the provision of existing benefits or privileges to former members of Parliament and members of their families.

Clause by clause analysis

Clause 1 states the Title the Bill will have when enacted.

Clause 2 provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

Clause 3 enacts a new extended meaning of the term **funding entitlements for parliamentary purposes** in the Parliamentary Service Act 2000. It is to the same effect as the extended meaning given by section 7 of the Appropriation (Parliamentary Expenditure Validation) Act 2006 (which will expire on 31 December 2007).

The new extended meaning applies to—

- determinations under section 20A of the Civil List Act 1979; and
- directions given by the Speaker of the House of Representatives under the Parliamentary Service Act 2000; and
- appropriations for Vote Parliamentary Service in the Estimates and any Supplementary Estimates for the year ending 30 June 2008; and
- appropriations for Vote Parliamentary Service in the Estimates and any Supplementary Estimates for the year ending 30 June 2009.

Clause 4 provides that the Bill expires with the close of 30 June 2009. The new extended meaning therefore expires then too.

Hon Dr Michael Cullen

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Appropriation (Continuation of Interim Meaning of Funding for Parliamentary Purposes) Act **2007**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Interim meaning of “funding entitlements for parliamentary purposes”

(1) In the Parliamentary Service Act 2000, **funding entitlements for parliamentary purposes** includes funding for any or all of the following purposes:

- (a) the performance by a member of Parliament of his or her role and functions as a member of Parliament;
- (b) the performance by a recognised party (within the meaning of that Act) of its role and functions as a recognised party:

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- (c) the provision of travel, accommodation, and attendance services in accordance with any determination made by the Speaker of the House of Representatives under section 20A of the Civil List Act 1979, or any direction given by the Speaker of the House of Representatives under the Parliamentary Service Act 2000:
 - (d) the provision of communications services (other than services including electioneering) in accordance with any determination made by the Speaker of the House of Representatives under section 20A of the Civil List Act 1979, or any direction given by the Speaker of the House of Representatives under the Parliamentary Service Act 2000:
 - (e) the provision of benefits or privileges of a specified kind for former members of Parliament and members of their families in accordance with an appropriation by Parliament of money for that purpose.
- (2) In **subsection (1)(d), electioneering** means any communication that explicitly—
- (a) seeks support for the election of a particular person or people; or
 - (b) seeks support for the casting of a party vote for a particular political party or political parties; or
 - (c) encourages any person to become a member of a particular political party or political parties; or
 - (d) solicits subscriptions or other financial support.
- (3) The following must, as far as is possible, be interpreted consistently with **subsections (1) and (2)**:
- (a) all determinations made under section 20A of the Civil List Act 1979:
 - (b) all directions given by the Speaker of the House of Representatives under the Parliamentary Service Act 2000:
 - (c) the scope set out under the column headed “Scope of 2007/08 Appropriations” in Part B1 - Details of Appropriations set out in Part B - Statement of Appropriations for Vote Parliamentary Service in The Estimates of Appropriations for the Government of New Zealand for the year ending 30 June 2008 (B.5) alongside each of

the following categories of other expenses to be incurred by the Crown:

- (i) Members' Communications:
- (ii) Member Support - Independent:
- (iii) Party and Member Support - ACT:
- (iv) Party and Member Support - Green:
- (v) Party and Member Support - Labour:
- (vi) Party and Member Support - Māori:
- (vii) Party and Member Support - National:
- (viii) Party and Member Support - New Zealand First:
- (ix) Party and Member Support - Progressive Coalition:
- (x) Party and Member Support - United:
- (xi) Travel of Members and Others:

(d) the scope of each category of other expenses to be incurred by the Crown in Vote Parliamentary Service in any Supplementary Estimates of Appropriations for the Government of New Zealand for the year ending 30 June 2008, or in The Estimates of Appropriations or any Supplementary Estimates of Appropriations for the Government of New Zealand for the year ending 30 June 2009, that—

- (i) is the same as a category stated in **paragraph (c)**; or
- (ii) differs from the categories stated in **subparagraphs (iii) to (x)** of that paragraph to the extent only that it relates to a party not stated in any of those subparagraphs, or refers to a party stated in one of those subparagraphs by a different name.

4 Expiry

This Act expires with the close of 30 June 2009.