

CIVIL LIST AMENDMENT BILL

EXPLANATORY NOTE

This Bill amends the Civil List Act 1950 in order to give effect to the recommendations in the report of the Royal Commission upon Parliamentary Salaries and Allowances 1973 (Parliamentary Paper H. 2 of 1973) that the annuity payable to a former Prime Minister or to the widow of a former Prime Minister be increased, and that the period of pay for defeated members be extended.

Clause 1 relates to the Short Title and commencement. The Act will be deemed to have come into force on 1 April 1973.

Clause 2 re-enacts in an amended form section 7A of the principal Act relating to the payment of an annuity to a former Prime Minister who has either retired or become an ordinary member and to the widow of a former Prime Minister.

The new section provides that the rate of the annuity is to be fixed by Order in Council made on the recommendation of a Royal Commission on Parliamentary Salaries and Allowances, and will enable effect to be given to the recommendation of the 1973 Royal Commission.

Clause 3 extends in accordance with the recommendation of the Commission the period for which a defeated member will continue to be paid. The effect of the amendment is that his salary will continue for 3 months after the date of the election. It is also made clear that in the case of a member holding any Parliamentary office who received a rate of salary higher than that of an ordinary member, his salary is to continue at the rate for an ordinary member.

Right Hon. Mr Kirk

CIVIL LIST AMENDMENT

ANALYSIS

Title	2. Annuity for former Prime Minister and widow of former Prime Minister
1. Short Title and commencement	3. Continuation of salary of former member of Parliament

A BILL INTITULED

An Act to amend the Civil List Act 1950

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,
5 as follows:

1. **Short Title and commencement**—(1) This Act may be cited as the Civil List Amendment Act 1973, and shall be read together with and deemed part of the Civil List Act 1950* (hereinafter referred to as the principal Act).
10 (2) This Act shall be deemed to have come into force on the 1st day of April 1973.

2. **Annuity for former Prime Minister and widow of former Prime Minister**—(1) The principal Act is hereby amended by repealing section 7A (as inserted by section 2 of the Civil List
15 Amendment Act 1964), and substituting the following section:

*1957 Reprint, Vol. 2, p. 119

Amendments: 1961, No. 42; 1964, No. 81; 1970, No. 114; 1972, No. 50

"7A. (1) Where a person has held the office of Prime Minister for a period or periods amounting in all to not less than 2 years, whether before or after the commencement of this section, there shall be paid—

"(a) To that person during his lifetime, while he holds no office for which a salary is payable under this Act (other than that of a member of the House of Representatives to whom section 22 of this Act applies), an annuity at a rate to be fixed from time to time by the Governor-General by Order in Council on the recommendation of a Royal Commission appointed for the purposes of section 27 of this Act: 5 10

"(b) To the widow of that person (including the widow of any such person who has died before the commencement of this section) during her lifetime, while she holds no office for which a salary is payable under this Act (other than that of a member of the House of Representatives to whom section 22 of this Act applies), an annuity at a rate to be fixed from time to time by the Governor-General by Order in Council on the recommendation of a Royal Commission appointed for the purposes of section 27 of this Act. 15 20

"(2) Every such annuity shall be paid by equal monthly instalments on the last day of each month, with a proportionate payment for any fraction of a month. 25

"(3) Every Order in Council under this section shall come into force on a day to be specified in the order, whether on or before or after the date of the order." 30

(2) The Civil List Amendment Act 1964 is hereby consequentially repealed.

3. Continuation of salary of former members of Parliament—(1) Section 22 of the principal Act is hereby amended by repealing the second proviso to subsection (2) (as added by section 3 of the Civil List Amendment Act 1961), and substituting the following proviso: 35

“Provided further that where any person who was a member immediately before the dissolution of any Parliament is an unsuccessful candidate at the next general election of members of Parliament, his salary, at the rate
5 payable as at the date on which the poll was taken at that election (that date being hereinafter referred to as polling day) to members who hold no parliamentary office, shall continue to be payable—

10 “(a) In the case of a member who was a Minister of the Crown or a member of the Executive Council or the Speaker or Chairman of Committees of the House of Representatives, in respect of the period commencing on the day after the day on which he ceases to hold that office and ending with the day
15 3 months after polling day or, if he sooner dies, with the date of his death:

“ (b) In the case of any other member, in respect of the period commencing on the day after polling day and ending with the day 3 months after polling
20 day or, if he sooner dies, with the date of his death.”

(2) The Civil List Amendment Act 1961 is hereby consequentially repealed.