

House of Representatives  
Supplementary Order Paper

Tuesday, 26 August 2008

Policing Bill

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*Proposed amendment*

Hon Annette King, in Committee, to move the following amendment:

*Clause 106G*

To insert the following clause after clause 106F (after line 24 on page 63):

**106G Sitting members of local authorities**

- (1) A sitting member does not have to be treated as having vacated his or her position as a Police employee on the commencement of **section 97**.
- (2) An elected sitting member does not have to be placed on leave of absence for the purposes of his or her candidature for election as a member of the local authority concerned at a future election if he or she has not, at some earlier future election, failed to be elected as a member of the local authority concerned.
- (3) An elected sitting member does not have to be treated as having vacated his or her position as a Police employee on being declared to be elected a member of the local authority concerned at a future election if he or she has not, at some earlier future election, failed to be elected as a member of the local authority concerned.
- (4) **Subsections (1) to (3) override section 97(2) and (3).**
- (5) In this section,—

**elected sitting member** means a constable, authorised officer, or supervisor who, immediately before the commencement of **section 97**, was an elected member of a local authority

**future election** means a triennial general election held under the Local Electoral Act 2001 after the commencement of **section 97**

**local authority** and **member of a local authority** have the meanings given by section 5(1) of the Local Electoral Act 2001

**local authority concerned**, in relation to a sitting member,—

- (a) means the local authority of which he or she was a member immediately before the commencement of **section 97**; and
- (b) includes a successor to the local authority concerned

**sitting member** means a constable, authorised officer, or supervisor who, immediately before the commencement of **section 97**, was a member of a local authority.

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### Explanatory note

This Supplementary Order Paper inserts into the Bill a new *clause 106G* preserving the position of Police employees who are sitting members of local authorities.

Neither elected nor appointed sitting members will have to leave the Police when the Bill comes into force.

For so long as they are not defeated at some future election, elected sitting members—

- will continue to be able to campaign for re-election without having to go on leave of absence; and
  - will not have to leave the Police if re-elected.
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