

# **Parliamentary Agencies Delegations Legislation Bill**

Government Bill

## **Explanatory note**

### **General policy statement**

The Parliamentary Agencies Delegations Legislation Bill is an omnibus Bill introduced under Standing Order 263(a). That Standing Order provides that an omnibus Bill to amend more than 1 Act may be introduced if the amendments deal with an interrelated topic that can be regarded as implementing a single broad policy.

The parliamentary agencies wish to implement closer working arrangements to ensure that the functions and services performed by each agency are aligned as closely as possible, and that duplication is minimised. To achieve this result efficiently, the parliamentary agencies wish to share a number of services. To enable this to occur, the Parliamentary Service Act 2000 and the Clerk of the House of Representatives Act 1988 need to be amended to empower delegation between the agencies' staff. These amendments are intended to reflect the changes made to the State Sector Act 1988 in 2013 to continue the existing alignment between the Parliamentary Service Act 2000, the Clerk of the House of Representatives Act 1988, and the State Sector Act 1988 in respect of employment matters.

### **Departmental disclosure statement**

The Office of the Clerk of the House of Representatives and the Parliamentary Service are required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2019&no=163>

### **Regulatory impact assessment**

A regulatory impact assessment is not required for this Bill.

### **Clause by clause analysis**

*Clause 1* is the Title clause.

*Clause 2* is the commencement clause and provides that the Bill comes into force on the day after the date of Royal assent.

### **Part 1**

#### **Amendment to Clerk of the House of Representatives Act 1988**

*Clause 3* states that *Part 1* of the Bill amends the Clerk of the House of Representatives Act 1988.

*Clause 4* amends section 12 of that Act to provide that the Clerk of the House of Representatives may delegate the Clerk's functions or powers to a person or class of persons mentioned in that section, and that a delegation must be made in writing.

### **Part 2**

#### **Amendment to Parliamentary Service Act 2000**

*Clause 5* states that *Part 2* of the Bill amends the Parliamentary Service Act 2000.

*Clause 6* amends clause 8 of Schedule 1 of that Act to provide that the General Manager of the Parliamentary Service may delegate the General Manager's functions, duties, or powers to a person or class of persons mentioned in clause 8.

*Hon Chris Hipkins*

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### **Contents**

		Page
1	Title	1
2	Commencement	1
<b>Part 1</b>		
<b>Amendment to Clerk of the House of Representatives Act 1988</b>		
3	Amendment to Clerk of the House of Representatives Act 1988	1
4	Section 12 amended (Delegation of functions or powers)	2
<b>Part 2</b>		
<b>Amendment to Parliamentary Service Act 2000</b>		
5	Amendment to Parliamentary Service Act 2000	2
6	Schedule 1 amended	2

**The Parliament of New Zealand enacts as follows:**

- 1 Title**  
This Act is the Parliamentary Agencies Delegations Legislation Act **2019**.
- 2 Commencement**  
This Act comes into force on the day after the date of Royal assent. 5

### **Part 1**

#### **Amendment to Clerk of the House of Representatives Act 1988**

- 3 Amendment to Clerk of the House of Representatives Act 1988**  
This Part amends the Clerk of the House of Representatives Act 1988.

**4 Section 12 amended (Delegation of functions or powers)**

Replace section 12(1) with:

- (1) The Clerk of the House of Representatives may delegate any of the Clerk's functions or powers to a person described in **subsection (1A)**, including a function or power delegated to the Clerk under— 5
- (a) this Act; or
  - (b) any other Act; or
  - (c) the Standing Orders of the House of Representatives.
- (1A) The following persons may be a delegate: 10
- (a) the Deputy Clerk, or other officer, of the House of Representatives:
  - (b) the General Manager of the Parliamentary Service:
  - (c) an employee of the Parliamentary Service:
  - (d) a person working for the Clerk of the House of Representatives or the Parliamentary Service as a contractor or secondee.
- (1B) A delegation must be made in writing. 15

**Part 2****Amendment to Parliamentary Service Act 2000****5 Amendment to Parliamentary Service Act 2000**

This Part amends the Parliamentary Service Act 2000.

**6 Schedule 1 amended** 20

In Schedule 1, replace clause 8(1) with:

- (1) The General Manager may delegate any function, duty, or power the General Manager may exercise under an enactment or under a delegation made under an enactment, other than this power of delegation, to—
- (a) a specified employee, or a specified class of employees, of the Parliamentary Service; or 25
  - (b) the Clerk, Deputy Clerk, another specified officer, or a specified class of officers, of the House of Representatives; or
  - (c) a person working for the Parliamentary Service or the Clerk of the House of Representatives as a contractor or secondee. 30