



Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019

Public Act 2019 No 83
Date of assent 19 December 2019
Commencement see section 2

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The Parliament of New Zealand enacts as follows:**1 Title**

This Act is the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019.

2 Commencement

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

Part 1**Amendments to Remuneration Authority Act 1977****3 Amendments to Remuneration Authority Act 1977**

This Part amends the Remuneration Authority Act 1977.

4 Section 12 amended (Functions of Authority)

Repeal section 12(2C).

5 Section 18 amended (Criteria of Authority)

Repeal section 18(3).

6 Section 18A amended (Countervailing economic conditions)

Repeal section 18A(5).

7 Section 18B repealed (Fixing salaries of members of Parliament)

Repeal section 18B.

8 Section 19 amended (Frequency of adjustments)

Replace section 19(5) and (6) with:

- (5) Notwithstanding any term included in any determination, the Authority must review, and issue a determination for, each position that is subject to its jurisdiction,—
- (a) in the case of the salaries and allowances of members of Parliament, as set out in subsections (6) to (8); and
 - (b) in any other case, at intervals of not more than 3 years.
- (6) The Authority must begin a review of the salaries and allowances of members of Parliament within 3 months from the return of the writ after a general election, based on the information that is available to the Authority at the time of its review.
- (7) After the review, the Authority must issue a determination that—

- (a) is deemed to have come into force on the date of the day after polling day for that general election; and
 - (b) expires on polling day for the next general election; and
 - (c) specifies separately the salaries and allowances payable for each of the periods set out in subsection (8).
- (8) The determination under subsection (7) must set out the salaries and allowances of members of Parliament for the following periods:
- (a) the period beginning on the day after polling day and ending on the next 30 June; and
 - (b) the period beginning on 1 July after the 30 June referred to in paragraph (a) and ending on the next 30 June; and
 - (c) the period beginning on 1 July after the 30 June referred to in paragraph (b) and ending on the next 30 June; and
 - (d) the period beginning on 1 July after the 30 June referred to in paragraph (c) and ending on polling day for the next general election.

9 Schedule 1AA amended

In Schedule 1AA, after Part 2, insert the Part 3 set out in the Schedule of this Act.

Part 2

Amendments to Members of Parliament (Remuneration and Services) Act 2013

10 Amendments to Members of Parliament (Remuneration and Services) Act 2013

This Part amends the Members of Parliament (Remuneration and Services) Act 2013.

11 Section 8 amended (Remuneration Authority to determine salaries and allowances)

Repeal section 8(5).

12 Section 16 amended (Principles)

Replace section 16(2)(b) with:

- (b) the value must be taken into account by the Remuneration Authority in determining the salaries and allowances of the relevant members of Parliament or Ministers under section 8; and

Schedule
**New Part 3 inserted into Schedule 1AA of Remuneration Authority
Act 1977**

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Part 3
**Provisions relating to Remuneration Authority (Members of
Parliament Remuneration) Amendment Act 2019**

6 Remuneration Authority to issue determination of salaries and allowances for period 1 July 2019 to polling date for next general election

- (1) As soon as practicable after the commencement of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019, the Authority must issue a determination of the salaries and allowances of members of Parliament for the whole of the period beginning on 1 July 2019 and ending on polling day for the next general election.
- (2) Section 19(7) and (8) does not apply to the determination to be issued under subclause (1).

7 Determination revoked

Any determination of the salaries and allowances of members of Parliament that is in force on the commencement of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 is revoked, but must continue in force until it is superseded by the determination issued under clause 6(1).

8 Amounts paid to be reconciled

- (1) Subclause (2) applies if the determination issued under clause 6(1) sets salaries or allowances, or both, for members of Parliament from 1 July 2019 that are different to the salaries and allowances paid to members of Parliament from that date under another determination.
- (2) If this subclause applies, the Parliamentary Service must reconcile the salaries and allowances paid to members of Parliament from 1 July 2019 against the salaries and allowances that would have been paid had the determination issued under clause 6(1) been made on 1 July 2019, and any necessary adjustments must be made to pay the amount of any underpayment to affected members of Parliament and to recover the amount of any overpayment from affected members of Parliament.

9 Clause 6(1) prevails

- (1) Clause 6(1) overrides section 19(2).

- (2) Sections 18A(3) and 24(1) do not apply to a change in remuneration arising from a determination issued under clause 6(1).

Legislative history

28 August 2019	Introduction (Bill 169–1)
10 September 2019	First reading and referral to Education and Workforce Committee
4 December 2019	Reported from Education and Workforce Committee
11 December 2019	Second reading
12 December 2019	Committee of the whole House
17 December 2019	Third reading
19 December 2019	Royal assent

This Act is administered by the Ministry of Business, Innovation, and Employment.