

LEGISLATURE AMENDMENT BILL

EXPLANATORY NOTE

This Bill amends the Legislature Act 1908.

Clause 2 provides authority for the existing practice under which, by the authority of a resolution of the House of Representatives, Bills, petitions, and other business of the House are carried forward from one session of Parliament to the next succeeding session and are, in some cases, following a dissolution, dealt with during the recess by committees comprised of members of the House of Representatives.

These committees are given the status of Select Committees and provision is made for members who have not been sworn in to take part in the affairs of these committees.

Clause 3 preserves the validity of Acts resulting from Bills carried forward before or after the commencement of this Act.

Right Hon. Mr Muldoon

LEGISLATURE AMENDMENT

ANALYSIS

Title	2. Carrying over of Parliamentary
1. Short Title	business
	3. Validation

A BILL INTITULED

An Act to amend the Legislature Act 1908

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**—This Act may be cited as the Legislature Amendment Act 1977, and shall be read together with and deemed part of the Legislature Act 1908* (hereinafter referred to as the principal Act).
- 10 2. **Carrying over of Parliamentary business**—(1) Where the House of Representatives resolves that any Bill, petition, or other business before it or any of its committees be carried over to the next succeeding session of Parliament (whether the same Parliament or not), that Bill, petition, or other
15 business shall not lapse upon the prorogation or dissolution or expiration by effluxion of time of the Parliament in being when that resolution is passed but shall be carried over accordingly.

*1957 Reprint, Vol. 7, p. 831
Amendment: 1975, No. 84

(2) Where any resolution under subsection (1) of this section enables the business to which it relates to survive a dissolution of Parliament, the House of Representatives may provide, by that resolution or by any subsequent resolution passed in the same session, for that business to be continued while Parliament is not in session following that dissolution by a committee comprising members of the House of Representatives, and may—

(a) Constitute, or provide for the constitution of, the committee and, for that purpose, confer on any member of the House of Representatives, by name or office, or on the Clerk of the House of Representatives, the power to appoint members of the House of Representatives to the committee:

(b) Delegate to any member of the House of Representatives, by name or office, or to the Clerk of the House of Representatives, the power to make or approve changes in the membership of the committee.

(3) Every such committee shall have, subject to the terms of any resolution under subsection (2) of this section, the privileges, immunities, and powers of a Select Committee of the House of Representatives, and shall be deemed to be a committee of the House of Representatives—

(a) For the purposes of the Standing Orders of the House of Representatives; and

(b) For the purposes of sections 17 to 20, and clause 1 of Part I of the Schedule to, the Defamation Act 1954.

(4) A member of the House of Representatives who has not taken and subscribed the oath required by section 46 of the New Zealand Constitution Act 1852 may sit or vote as a member of a committee constituted by or pursuant to a resolution under subsection (2) of this section.

3. Validation—An Act resulting from the passing, whether before or after the commencement of this Act, of a Bill carried forward, whether before or after the commencement of this Act, from one session of Parliament to another or from successive sessions of Parliament, and anything done under any such Act, whether before or after the commencement of this Act, shall be as valid and effective as if the introduction and passing of the Bill, and all other proceedings of the House of Representatives and of any committee in relation to it, had taken place within one session.