

House of Representatives

Supplementary Order Paper

Tuesday, 22 November 2022

Water Services Entities Bill

Proposed amendment

Hon Eugenie Sage, in Committee, to move the following amendment:

New subpart 4A of Part 6

After *clause 206* (page 114, after line 14), insert:

Subpart 4A—Reserved provision

206AA Restriction on amendment or repeal of certain provision

- (1) This section applies to **section 116** (the **reserved provision**), which relates to the obligation to maintain ownership and control of water services and significant assets.
- (2) The reserved provision cannot be repealed or amended unless the proposal for the amendment or repeal—
 - (a) is passed by a majority of 60% of all the members of the House of Representatives; or
 - (b) has been carried by a majority of the valid votes cast at a poll of the electors of the General and Māori electoral districts.
- (3) This section does not apply to the repeal of the reserved provision by a consolidating Act if—
 - (a) the reserved provision is re-enacted without amendment; and
 - (b) this section is re-enacted without amendment to apply to the provision as re-enacted.

Explanatory note

This Supplementary Order Paper amends the Water Services Entities Bill. It would restrict the amendment or repeal of *clause 116*, which places an obligation on a water services entity that provides water services to maintain its capacity to perform or exercise its duties, functions, or powers under the legislation. This includes maintaining ownership and control of significant water services infrastructure. The amendment in this Supplementary Order Paper would mean that amending or repealing that provision would require a 60% majority of all the members of the House of Representatives, or a majority of the valid votes cast at a poll of the electors of the General and Māori electoral districts. This would provide additional protection against the privatisation of water services and significant infrastructure assets.