

House of Representatives
Supplementary Order Paper

Tuesday, 19 February 2013

International Finance Agreements Amendment
Bill

Proposed amendment

Brendan Horan, in Committee, to move the following amendments:

Clause 2

Replace *clause 2* (lines 1 to 6 on page 2) with:

2 Commencement

- (1) This Act comes into force on the day after the date on which it receives the Royal assent, except as provided in **subsections (2) and (3)**.
- (2) **Section 6** comes into force on a date appointed by the Governor-General by Order in Council.
- (3) If **section 6** has not earlier been brought into force, it comes into force on 31 March 2015.

Explanatory note

This Supplementary Order Paper amends the International Finance Agreements Amendment Bill by providing that clause 6 enters into force on 31 March 2015 if not brought into force earlier.

It is desirable that when Parliament passes legislation, it is brought into force within a definite and reasonable time. In practice, flexibility is allowed to bring Acts into force in whole or part on a date determined by the Government by use of one or more Orders in Council. However, recent drafting practice has been to provide a default specified commencement date to bring an Act into effect if one or more Orders in Council have not been made to completely bring the Act into force.

There remain a large number of Acts not yet in force that do not have a default date. Successive Parliaments over the years have effectively written Governments blank cheques by making no requirement to bring these Acts into force. For example, the whole of the Nuclear-Test Ban Act 1999 is not in force, 14 years after the Royal assent was given.

The Parliamentary Counsel Office reports annually on the large number of such Acts and the latest list consists of 38 Acts, including:

- Summary Proceedings Amendment Act 1976
- Finance Act (No 2) 1988
- Government Superannuation Fund Amendment Act (No 2) 1990
- Finance Act 1991
- Civil Aviation Amendment Act 1992
- Domestic Violence Act 1995
- Conservation Amendment Act 1996
- Fisheries Act 1996
- Food Amendment Act 1996
- Forests Amendment Act 1996
- Wildlife Amendment Act 1996
- Nuclear-Test-Ban Act 1999
- State-Owned Enterprises (Meteorological Service of New Zealand Limited and Vehicle Testing New Zealand Limited) Amendment Act 1999.