

# House of Representatives

# Supplementary Order Paper

Thursday, 14 March 2013

## Marriage (Definition of Marriage) Amendment Bill

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### *Proposed amendments*

Rt Hon Winston Peters, in Committee, to move the following amendments:

#### *Clause 2*

Replace *clause 2* (lines 1 to 7 on page 2) with:

#### **2 Commencement**

- (1) **Sections 5C and 5D** commence on the day after the date of Royal assent.
- (2) If the Electoral Commission makes a declaration that a majority of the valid votes cast in the commencement referendum favour the commencement of this Act, the rest of this Act commences on—
  - (a) the date that is 12 months after the date of the declaration; or
  - (b) an earlier date that is after the date of the declaration, appointed by the Governor-General by Order in Council.
- (3) If the Electoral Commission makes a declaration that a majority of the valid votes cast in the commencement referendum do not favour the commencement of this Act, this Act is repealed on the date that is 12 months after the date of the declaration.
- (4) In this section and in **section 5D**, commencement referendum means the referendum of electors required by **section 5C**.

#### *New clauses 5C and 5D*

After *clause 5B* (lines 29 to 31 on page 2), insert:

#### **5C Commencement referendum**

- (1) On the day appointed for the polling to take place for the general election that is the next general election to be held under

the Electoral Act 1993 after 1 July 2013, a referendum of electors must be held on the question in **subsection (2)**.

- (2) The wording of the question is “Should the **Marriage (Definition of Marriage) Act 2013** be brought into force?”
- (3) The permitted responses to the proposal in **subsection (2)** are “yes” or “no”.

#### **5D Conduct of commencement referendum**

The commencement referendum must be conducted in accordance with Part 2 of the Electoral Referendum Act 2010,—

- (a) as if that Act had not expired; and
  - (b) as if the question to be answered and the permitted answers were those prescribed by **section 5C**; and
  - (c) as if the referendum were a binding referendum; and
  - (d) with any further necessary modifications.
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### **Explanatory note**

This Supplementary Order Paper replaces Supplementary Order Paper No 183. This Supplementary Order Paper would require a referendum to be held concurrently with the next election before this Bill could come into force. This proposal also considers the significant cost savings for a referendum accompanying a general election.

New Zealand First believes every New Zealander has the right to decide on this important social issue, and this conscience issue requires greater public mandate beyond parliamentary representatives. A referendum is the most legitimate way to indicate a clear choice made by New Zealanders. The referendum question will be clear on whether the Marriage (Definition of Marriage) Act 2013 should come into force. By aligning the referendum with the next general election a reasonable period will be allowed for public debate on the issue. This Supplementary Order Paper will mean that if the “yes” vote wins the referendum the Bill will come into force 12 months after the referendum or at an earlier time specified by Order in Council.

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