**Version**
**as at 13 November 2025**

# Parliamentary Service Amendment Act 2010

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| Public Act | 2010 No 138 |
| Date of assent | 20 December 2010 |
| Commencement | see section 2 |

Parliamentary Service Amendment Act 2010: repealed, on 13 November 2025, pursuant to section 52(c) of the Parliament (Repeals and Amendments) Act 2025 (2025 No 63).

## Contents


| | | | Page |
|---|---|---|---|
| 1 | Title | | 2 |
| 2 | Commencement | | 2 |
| 3 | Principal Act amended | | 2 |
| 4 | New heading inserted | | 2 |
| 5 | Interpretation | | 2 |
| 6 | New sections 3A to 3E inserted | | 3 |
| | 3A | Meaning of publish in sections 3B and 3C | 3 |
| | 3B | Meaning of funding entitlements for parliamentary purposes | 3 |
| | 3C | Apportionment of funding for election advertisement or referendum advertisement published both before and during regulated period | 5 |
| | 3D | Opinion given by Electoral Commission may be taken into account in determining whether advertisement is election advertisement | 6 |


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**Note**

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This Act is administered by the Parliamentary Service.**

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|---|---|---|---|
| | 3E | Interpretation of determinations under section 20A of Civil List Act 1979 | 6 |
| 7 | New heading inserted | | 6 |
| 8 | New heading and section 35A inserted | | 6 |
| | | *Recovery of amounts paid made outside entitlements* | |
| | 35A | Recovery of amounts paid outside entitlements to funding for parliamentary purposes | 6 |


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

## 1 Title

This Act is the Parliamentary Service Amendment Act 2010.

## 2 Commencement

This Act comes into force on 1 January 2011.

## 3 Principal Act amended

This Act amends the Parliamentary Service Act 2000.

## 4 New heading inserted

The following heading is inserted above section 3:

*Interpretation*

## 5 Interpretation

Section 3 is amended by inserting the following definitions in their appropriate alphabetical order:

**election advertisement** has the meaning given to it by section 3A of the Electoral Act 1993 (as inserted by section 5 of the Electoral (Finance Reform and Advance Voting) Amendment Act 2010)

**electioneering** means—

(a) a communication of the kind described in section 3B(2)(a); and

(b) an advertisement of the kind described in section 3B(2)(b); and

(c) an advertisement of the kind described in section 3B(2)(c)

**funding entitlements for parliamentary purposes** has the meaning given to it by section 3B

**government initiated referendum** means a binding or indicative referendum initiated by the Government

**referendum advertisement** means an advertisement in any medium that may reasonably be regarded as encouraging or persuading voters to vote, or not to vote, in a particular way in a government initiated referendum

**regulated period**, in relation to a general election, has the meaning given to it by section 3B(2) and (3) of the Electoral Act 1993 (as inserted by section 5 of the Electoral (Finance Reform and Advance Voting) Amendment Act 2010)

**regulated period**, in relation to a government initiated referendum, means the period (if any) specified in an enactment as being the regulated period for the referendum

### 6 New sections 3A to 3E inserted

The following sections are inserted after section 3:

### 3A Meaning of publish in sections 3B and 3C

In sections 3B and 3C, **publish**, in relation to an election advertisement or a referendum advertisement, means to bring to the notice of a person in any manner, regardless of whether the place of publication is New Zealand or overseas,—

(a) including—

(i) displaying on any medium:

(ii) distributing by any means:

(iii) delivering to an address:

(iv) leaving at a place:

(v) sending by post or otherwise:

(vi) printing in a newspaper or other periodical:

(vii) broadcasting by any means:

(viii) disseminating by means of the Internet or any other electronic medium:

(ix) storing electronically in a way that is accessible to the public:

(x) incorporating in a device for use with a computer:

(xi) inserting in a film or video; but

(b) excluding addressing 1 or more persons face to face.

### 3B Meaning of funding entitlements for parliamentary purposes

(1) In this Act, unless the context otherwise requires, **funding entitlements for parliamentary purposes** includes funding for all or any of the following purposes:

(a) the performance by a member of Parliament of his or her role and functions as a member of Parliament:

(b) the performance by a recognised party of its role and functions as a recognised party:

(c) the provision of travel, accommodation, and attendance services in accordance with any determination made by the Speaker of the House of Representatives under section 20A of the Civil List Act 1979, or any direction given by the Speaker of the House of Representatives under this Act:

(d) the provision of communications services (other than services including electioneering) in accordance with any determination made by the Speaker of the House of Representatives under section 20A of the Civil List Act 1979, or any direction given by the Speaker of the House of Representatives under this Act:

(e) the provision of services and resources to support electoral candidates to whom section 9C applies in accordance with directions given by the Speaker under section 9B:

(f) the provision of benefits or privileges of a specified kind for former members of Parliament and members of their families in accordance with an appropriation by Parliament of money for that purpose.

(2) However, **funding entitlements for parliamentary purposes** does not include funding for—

(a) any communication that explicitly—

(i) seeks or discourages support for the election of a particular person or people; or

(ii) seeks or discourages support for the casting of a party vote for a particular political party or political parties; or

(iii) encourages a person to become or discourages a person from becoming a member of a particular political party or political parties; or

(iv) solicits subscriptions or other financial support; or

(v) seeks support for casting a vote for one of the answers to the precise question to be put to voters in an indicative referendum initiated under the Citizens Initiated Referenda Act 1993; or

(vi) seeks support for casting a vote for one of the responses to a proposal to be put to electors in a government initiated referendum; or

(b) an election advertisement published during the regulated period in relation to a general election, regardless of whether all or any part of an expense in relation to the advertisement is incurred or paid before, during, or after that regulated period; or

(c) a referendum advertisement published during the regulated period in relation to a government initiated referendum, regardless of whether all or any part of an expense in relation to the advertisement is incurred or paid before, during, or after that regulated period; or

(d) the provision of travel, accommodation, and communications services in accordance with any determination made by the Speaker of the House of Representatives under section 20A of the Civil List Act 1979 in respect of members of Parliament participating in the official inter-parliamentary travel programme.

(3) Subsection (2)(b) and (c) are subject to section 3C.

### 3C Apportionment of funding for election advertisement or referendum advertisement published both before and during regulated period

(1) This section applies if—

(a) an election advertisement is published—

(i) before the regulated period in relation to a general election and continues to be published during the regulated period; or

(ii) both before and during the regulated period in relation to a general election; or

(b) a referendum advertisement is published—

(i) before the regulated period in relation to a government initiated referendum and continues to be published during the regulated period; or

(ii) both before and during the regulated period in relation to a government initiated referendum.

(2) If this section applies,—

(a) the expenses for the publication of the advertisement must be apportioned so that only a fair proportion of the expenses is attributed to the publication of the advertisement during the regulated period; and

(b) only expenses attributed to the publication of the advertisement during the regulated period in accordance with paragraph (a) are excluded from funding entitlements for parliamentary purposes under section 3B(2)(b) and (c); and

(c) expenditure under Vote Parliamentary Service in respect of the publication of the advertisement is invalid only to the extent, and from the date, that expenses are attributed to the publication of the advertisement during the regulated period in accordance with paragraph (a).

### 3D Opinion given by Electoral Commission may be taken into account in determining whether advertisement is election advertisement

An opinion given to any person by the Electoral Commission under section 204I(3) of the Electoral Act 1993 (as inserted by section 7 of the Electoral (Finance Reform and Advance Voting) Amendment Act 2010) may be taken into account in determining whether an advertisement is an election advertisement for the purposes of section 3B(2)(b) of this Act.

### 3E Interpretation of determinations under section 20A of Civil List Act 1979

All determinations made by the Speaker under section 20A of the Civil List Act 1979 must be interpreted consistently with sections 3B and 3C.

## 7 New heading inserted

The following heading is inserted above section 4:

*Purposes*

## 8 New heading and section 35A inserted

The following heading and section are inserted after section 35:

*Recovery of amounts paid made outside entitlements*

### 35A Recovery of amounts paid outside entitlements to funding for parliamentary purposes

(1) This section applies if the Parliamentary Service makes a payment against a claim to an entitlement to funding for parliamentary purposes and it is subsequently determined that the person or recognised party in respect of whom the payment was made did not have an entitlement to that funding under section 3B.

(2) If this section applies, the Parliamentary Service may recover from the person or recognised party, as a debt due to the Parliamentary Service, the amount paid.

## Notes

### *1 General*

This is a consolidation of the Parliamentary Service Amendment Act 2010 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### *2 Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### *3 Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### *4 Amendments incorporated in this consolidation*

Parliament (Repeals and Amendments) Act 2025 (2025 No 63): section 52(c)

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