

# House of Representatives

# Supplementary Order Paper

Thursday, 24 July 2014

## Parliamentary Privilege Bill

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### *Proposed amendments*

Hon Gerry Brownlee, in Committee, to move the following amendments:

#### *Clause 4(1)*

In *clause 4(1)*, after the definition of **court** (after page 7, line 26), insert:

**District Court** includes—

- (a) a Family Court and a Youth Court; and
- (b) a District Court sitting in its admiralty jurisdiction

In *clause 4(1)*, definition of **tribunal**, after “affirmation” (page 9, line 24), insert “, or with power to require (by, or without, a summons) the giving or supply (on, or without, oath or affirmation) of any kind or form of evidence or information”.

#### *New clause 4(3)*

After *clause 4(2)* (after page 9, line 31), insert:

- (3) A reference in this Act or in an enactment it amends to article 9 of the Bill of Rights 1688 is a reference to the ninth article of section 1 of the Bill of Rights 1688 so far as that article is part of the laws of New Zealand under section 3(1) and Schedule 1 of the Imperial Laws Application Act 1988.

#### *New clause 33B*

After *clause 33A* (after page 38, line 25), insert:

#### **33B Imperial Laws Application Act 1988 amended**

- (1) This section amends the Imperial Laws Application Act 1988.
  - (2) In Schedule 1, in the item relating to the Bill of Rights 1688, after “section 1 [”], insert “the ninth article of which must be taken to have, in addition to any other operation, the effect specified in **section 8A** of the Parliamentary Privilege Act **2013**, and”.
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### **Explanatory note**

This Supplementary Order Paper sets out minor and technical amendments to the Parliamentary Privilege Bill. The amendments—

- ensure the definition of **court** covers expressly a Family Court, a Youth Court, and a District Court sitting in its admiralty jurisdiction (in line with the Supreme Court Act 2003 section 4 definitions of **New Zealand court** and **District Court**—and with the Judicature Modernisation Bill to make later consequential amendments, for example, to recognise the establishment of a unified District Court):
- ensure the definition of **tribunal** also covers any person or body (other than the House, a committee, or a court) with power to require (by, or without, a summons) the giving or supply (on, or without, oath or affirmation) of any kind or form of evidence or information (for example, the Director of the Serious Fraud Office exercising information-gathering powers under section 5 or 9 of the Serious Fraud Office Act 1990):
- clarify references to article 9 of the Bill of Rights 1688, and how the Bill relates to the Imperial Laws Application Act 1988.

### **Departmental disclosure statement**

The Ministry of Justice considers that a departmental disclosure statement is not required to be prepared for this Supplementary Order Paper because there are no material policy changes.

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