

House of Representatives

Supplementary Order Paper

Tuesday, 6 August 2013

Government Communications Security Bureau and Related Legislation Amendment Bill

Proposed amendments

David Shearer, in Committee, to move the following amendments:

New clause 3A

After *clause 3* (after line 7 on page 5), insert:

3A Expiry

- (1) This **Part** expires, and is repealed, 12 months after the day on which it receives the Royal assent.
- (2) When this **Part** expires, the Government Communications Security Bureau Act 2003 has effect as if this **Part** had not been enacted.

New clause 25A

After *clause 25* (after line 13 on page 23), insert:

25A Independent inquiry into purposes and functions of New Zealand intelligence agencies

- (1) Within 1 month of the commencement of this **Part**, the Minister must determine, with the agreement of the leaders of each political party for the time being recognised for parliamentary purposes under the Standing Orders of the House of Representatives,—
 - (a) the terms of reference for an independent inquiry into the purposes and functions of New Zealand's intelligence agencies; and
 - (b) the membership of a committee to oversee the independent inquiry into the purposes and functions of New Zealand's intelligence agencies, the **inquiry committee**.

- (2) The inquiry committee must consist of no less than 3 and no more than 5 persons.
- (3) The inquiry committee is responsible for the conduct of the independent inquiry into the purposes and functions of New Zealand's intelligence agencies, and must, within 6 months of the commencement of this **Part** provide a report to the Minister containing—
 - (a) recommendations on the proper purposes and functions of New Zealand's intelligence agencies; and
 - (b) any legislative proposals required to implement those recommendations.
- (4) The Minister must present the report of the inquiry committee to the House of Representatives on the second sitting day following receipt of the report.
- (5) The Minister must take into account the recommendations of the inquiry committee when formulating any legislative proposal to amend or replace the Government Communications Security Bureau Act 2003, the Inspector-General of Intelligence and Security Act 1996, or the Intelligence and Security Committee Act 1996.

New clause 27A

After *clause 27* (after line 22 on page 23), insert:

27A Expiry

- (1) This **Part** expires, and is repealed, 12 months after the day on which it receives the Royal assent.
- (2) When this **Part** expires, the Inspector-General of Intelligence and Security Act 1996 has effect as if this **Part** had not been enacted.

New clause 37A

After *clause 37* (after line 22 on page 31), insert:

37A Expiry

- (1) This **Part** expires, and is repealed, 12 months after the day on which it receives the Royal assent.
- (2) When this **Part** expires, the Intelligence and Security Committee Act 1996 has effect as if this **Part** had not been enacted.

Explanatory note

This Supplementary Order Paper amends the Government Communications Security Bureau and Related Legislation Amendment Bill to provide that the Bill will expire 12 months after receiving the Royal assent. This Supplementary Order Paper also requires the Minister responsible for the Government Commu-

nications Security Bureau to discuss and agree with the leaders of each parliamentary political party terms of reference for an independent inquiry into the purposes and functions of New Zealand's intelligence agencies, and to establish a committee to oversee the inquiry. The committee membership would consist of no less than 3 and no more than 5 people, to be agreed to by the Prime Minister and the leaders of each parliamentary political party. The committee would be required to be formed within 1 month of the Bill receiving the Royal assent and to report to the responsible Minister within 6 months of the Bill receiving the Royal assent. The Minister responsible would be required to present the report to the House of Representatives on the second sitting day after receiving the report. The Minister responsible would be required to have due regard to the inquiry committee's recommendations when formulating legislative proposals to amend or replace the Government Communications Security Bureau Act 2003, the Inspector-General of Intelligence and Security Act 1996, or the Intelligence and Security Committee Act 1996.
