
From: David Wilson
Sent: Thursday, 6 September 2018 12:58 PM
To: Hon. Dr. Nick Smith
Subject: RE: Scope Advice

Dear Dr Smith

The scope of a bill is defined by the content, principles and objects of the bill, at introduction. Bills that seek to achieve a single policy purpose are usually narrower in scope than other bills. The sole purpose of the Electoral (Entrenchment of Māori Seats) Amendment Bill is to entrench the provisions of the Electoral Act 1993 that relate to the Māori electorates. Any amendment to the bill must be relevant to the subject matter and consistent with the principles and objects of the bill and able to be fairly associated with its purpose (SR 116/5).

You have asked for advice on two possible amendments to the bill. Based on your description of the amendments, I have set out a provisional view below. My view is provisional because I can only comment definitely on a drafted amendment.

- (1) An amendment to enable entrenchment only after a binding referendum is likely to be in order, because it deals directly with the proposal to entrench the Maori seats and places a condition on that entrenchment.
- (2) An amendment to hold a referendum on whether the Maori seats should be abolished is not likely to be in the scope of the bill because it is not associated with entrenchment of the seats. The bill does not address any other issue connected with Maori seats or the electoral system.

I hope this is of assistance. Please feel free to contact me if you need any further advice.

David

David Wilson
Clerk of the House of Representatives

Parliament Buildings | Wellington 6160 | NEW ZEALAND
Tel: +64 4 817 9446 | www.parliament.nz

Sent: Thursday, 6 September 2018 11:19 a.m.
To: David Wilson <David.Wilson@parliament.govt.nz>
Subject: Scope Advice

David Wilson
Clerk of the House.

Dear David,

I seek advice in respect of scope on an amendment to the Electoral (Entrenchment of Maori Seats) Amendment Bill.

I note under Standing Order 292 (1) and 302(2) any amendment must be relevant to the subject matter and consistent with the principles and objects.

- (1) Would an amendment requiring a public binding referendum on the entrenchment provision be in order?
- (2) Would an amendment requiring a public binding referendum on removal of the Maori electorate seats be in order?

The specific advice I seek is whether these two alternative amendments would comply with our Standing Orders.

I appreciate your earliest advice possible.

Yours sincerely,
Nick Smith
MP Nelson