



12 September 2018

Hon Dr Nick Smith  
Room 2.014  
PARLIAMENT HOUSE

Dear Dr Smith

Your letter of 16 August raises as a matter of privilege an alleged failure to disclose a financial interest under Standing Order 165. You allege that all members of the New Zealand First party should have declared a financial interest in the Electoral (Integrity) Amendment Bill because the passage of the bill will relieve them a potential liability.

Your complaint revolves around members of New Zealand First having entered into a resignation obligation contract with a personal liability of \$300,000 if they resign or are expelled from the party but fail to resign their seat in the House. There two main matters to consider:

1. whether discharging a contingent liability is, in fact, a direct financial benefit; and
2. whether a member or members are in a position to financially benefit from the passage of the Electoral (Integrity) Amendment Bill.

I have now received a response to the matter from Rt Hon Winston Peters. That response states that no New Zealand First MP has signed a resignation obligation contract. If they have not signed a contract that may impose a personal liability on them, then neither of the questions set out above apply.

Having considered the matter you have raised and the response to it, I find that no question of privilege is involved since there is no possibility of a direct financial benefit arising in these circumstances.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Trevor Mallard'.

Rt Hon Trevor Mallard  
**SPEAKER**

cc. Rt Hon Winston Peters