



Parliamentary Agencies Delegations Legislation Bill

163—1

Report of the Governance and Administration
Committee

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Dr Jian Yang
Chairperson

Parliamentary Agencies Delegations Legislation Bill

Recommendation

The Governance and Administration Committee has examined the Parliamentary Agencies Delegations Legislation Bill and recommends that this bill proceed without amendment.

Overview of the bill as introduced

The Parliamentary Agencies Delegations Legislation Bill is an omnibus bill that seeks to amend the Parliamentary Service Act 2000 and the Clerk of the House of Representatives Act 1988.

The purpose of the bill is to enable the Parliamentary Service and the Office of the Clerk to implement closer working arrangements. It would allow the General Manager of the Parliamentary Service and the Clerk of the House to delegate the exercise of their statutory functions or powers to employees and contractors of either agency. This would allow the two parliamentary agencies to share certain corporate services such as human resources, engagement, and records management, enabling reduced costs and better services for Members of Parliament.

Background

The Parliamentary Service and the Office of the Clerk of the House of Representatives are non-public-service departments. The Parliamentary Service operates under and administers the Parliamentary Service Act 2000. The Office of the Clerk operates under and administers the Clerk of the House of Representatives Act 1988.

Both Acts contain outdated delegation provisions that are based on section 41 of the State Sector Act 1988 before it was amended in 2013. The amended section 41 now enables departmental chief executives to delegate the exercise of any of their statutory functions or powers within the legal Crown. This change was part of a wider suite of changes intended to improve the Act's operation in a whole-of-government approach.

The General Manager and the Clerk hope to implement closer working arrangements between the parliamentary agencies so that, where appropriate, their functions and services take a "whole-of-Parliament" approach.

Conclusion

We support the sharing of certain corporate services between the parliamentary agencies to enable cost efficiencies. The Clerk of the House told us he did not see this bill as a first step in merging the two agencies; we support this view and believe they need to remain two distinct entities. The intent is simply to minimise duplication, but not join them together. The

Office of the Clerk and the Parliamentary Service would retain legal separation and identities, but have more flexibility around the delegation of functions.

Appendix

Committee procedure

The Parliamentary Agencies Delegations Legislation Bill was referred to the committee on 7 August 2019. The closing date for submissions was 19 September 2019. We received and considered three submissions from interested groups and individuals. We heard oral evidence from one submitter.

We received advice from the Office of the Clerk of the House of Representatives and the Parliamentary Service.

Committee members

Dr Jian Yang (Chairperson)
Ginny Andersen
Kanwaljit Singh Bakshi
Hon Jacqui Dean
Paul Eagle
Hon Peeni Henare
Jamie Strange
Lawrence Yule

Advice and evidence received

The documents that we received as advice and evidence are available on the Parliament website, www.parliament.nz.