

# NZCCSS Guide to Government

## How a Bill becomes Law



Before legislation can become an Act of Parliament it is proposed in the form of a Bill. There are 4 types of Bill: a Government Bill, Member's Bill, Private Bill or Local Bill.

### Government Bill

Government bills are prepared by Ministers (MPs in Government). The order they are considered is decided by the Government.

They can be introduced to the House on any working day, or before 1pm if it's a sitting day.

### Member's Bill

- Can be proposed by any MP who is not a minister.
- Used to correct existing legislation or propose a new idea.

Once a bill is drafted it can be submitted to the table office through a 'notice of proposal'. After which it's introduced to the house by Ballot or seeking leave of the House.

Ballots:

- 8x Member's Bills can be on the Order Paper at any time
- After a Member's Bill has its First Reading, another Member's Bill can be drawn to take its place on the Order Paper
- Take place on a Thursday
- Each bill is numbered and given a token which is drawn from the biscuit tin.

Seeking leave of the House is not usually successful but there are no objections to a bill it can go straight onto the Order Paper.

### Private Bill

- Rarest type of Bill
- Promoted by an individual or group of individuals
- Involve private matters like trusts
- Must be introduced but promoter retains ownership and can withdraw the Bill at any time

### Local Bill

- Promoted by a local authority
- Involve matters defined to a particular locality
- The local MP is likely to be the member in charge
- Can be introduced by an MP or minister

Member's, Private & Local Bills are debated every second sitting Wednesday.

Once passed a bill becomes an Act.



Although there are 4 types of bill, there are actually 5 types of Act: Public Acts, Local Acts, Private Acts, Imperial Acts and Provincial Acts.

Local and Private Acts apply similarly to their namesake Bills, with Local Acts applying to specific regions/areas within Aotearoa and Private Acts being specifically about a particular group or person. Imperial Acts are those implemented by the British Parliament that are law in Aotearoa under the Imperial Laws Application Act 1988. Provincial Acts date back to when Aotearoa was split into provinces and legislation could be isolated to a specific province.

Public Acts cover all remaining Acts, which is most Acts.

# Stages of a Bill



## Introduction

- The bill is introduced
- When all bills (except Member's bills) become publicly available.
- Not a debate stage.

After introduction a bill is circulated to MPs by the Bills Office and is included "under the line" on the order paper to show they are waiting

Minimum of 3 sitting days

## First Reading

- 10 minute speech by the minister responsible for the bill explaining the purpose of the bill and nominating the select committee who will consider it
- Any special conditions like a shorter reporting period must be set out at this time (if the reporting time is less than 4 months members can debate this)
- Speeches from other members
  - For government bills these consist of up to 11x 10 minute speeches
  - For Member's, local and private bills these consist of 1x 10 minute speech and up to 8x 5 minute speeches
- MPs vote on the bill.
  - If the vote is lost (very unusual after the first reading) the bill goes no further.
  - If the vote is won it goes to select committee

## Select Committee

- The appointed Select Committee examines the bill
- Usually involves an invitation for public submissions (not a requirement) either written or oral
- Report formed with recommended amendments
- The House can specify a timeframe/date they need the report done by or extend the timeframe if more time is required

Usually up to 6 months

## Royal Assent

- The bill becomes an Act once it has been signed by the Governor-General

## Third Reading

- Limited to 12x 10 minute speeches
- Narrow scope than second reading
- MPs vote on the bill
  - If the vote is lost, the bill goes no further
  - If the vote is won, the bill has been passed

## Committee of the Whole House

- MPs consider the bill in detail
- Unlike the Select Committee, MPs in this committee are not required to give an opinion
- MPs can propose amendments
- If a bill has been passed under urgency and the Select Committee stage has been skipped, this is the only point of scrutiny - often meaning this process takes longer
- Can choose to divide a bill into separate bills
- Once the bill has been considered the bill is reported to the House

## Second Reading

- Main debate on principles of the bill
- Limited to 12x 10 minute speeches
- Up to 2 hours
- Select committee recommendations that have not been unanimously agreed by the select committee are voted on
- All unanimous committee amendments are accepted if the second reading is agreed
- MPs vote on the bill
  - If the vote is lost, the bill goes no further
  - If the vote is won it goes to Committee of the Whole House
- MPs can also choose to defer their decision on the bill "defer the second reading"

Minimum of 3 sitting days from the release of the select committee report