



Appropriation (Parliamentary Expenditure Validation) Act 2006

Public Act 2006 No 50
Date of assent 24 October 2006
Commencement see section 2

Contents

| | | Page |
|---|--------------|------|
| 1 | Title | 1 |
| 2 | Commencement | 1 |

Part 1

Preliminary provisions

| | | |
|---|----------------|---|
| 3 | Purposes | 2 |
| 4 | Interpretation | 2 |

Part 2

Validation of expenditure and interim meaning of “funding entitlements for parliamentary purposes”

| | | |
|---|--|---|
| 5 | Validation of expenditure under Vote Parliamentary Service | 2 |
| 6 | Act does not affect criminal liability | 3 |
| 7 | Interim meaning of “funding entitlements for parliamentary purposes” | 3 |

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Appropriation (Parliamentary Expenditure Validation) Act 2006.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

Part 1

Preliminary provisions

3 Purposes

The purposes of this Act are to—

- (a) validate expenditure under Vote Parliamentary Service that may have been outside the scope or purpose of an appropriation or other enactment; and
- (b) provide an interim meaning of the term “funding entitlements for parliamentary purposes” as used in the Parliamentary Service Act 2000.

4 Interpretation

In sections 3 to 5, unless the context otherwise requires,—

appropriation means any of the appropriations under Vote Parliamentary Service that were authorised by or under an appropriation Act for any of the financial years 1989/90 to 2006/07

expenditure—

- (a) includes the spending of public money and the incurring of any expense or cost; but
- (b) excludes any expenses incurred on or after the day on which this Act comes into force.

Part 2

Validation of expenditure and interim meaning of “funding entitlements for parliamentary purposes”

5 Validation of expenditure under Vote Parliamentary Service

To the extent that any expenditure under Vote Parliamentary Service was outside the scope of an appropriation or was not made in relation to an appropriation,—

- (a) the expenditure is validated; and
- (b) the expenditure is deemed not to constitute or to have constituted a breach of any of the following Acts or any instruments made under those Acts:
 - (i) the Civil List Act 1979;
 - (ii) the Parliamentary Service Act 1985;
 - (iii) the Parliamentary Service Act 2000.

6 Act does not affect criminal liability

Nothing in this Act affects the criminal liability of any person.

7 Interim meaning of “funding entitlements for parliamentary purposes”

- (1) The term “funding entitlements for parliamentary purposes” in the Parliamentary Service Act 2000 includes funding for any or all of the following purposes:
- (a) a member of Parliament performing his or her role and functions as a member of Parliament;
 - (b) a recognised party performing its role and functions as a recognised party;
 - (c) providing travel, accommodation, and attendance services in accordance with any determination made by the Speaker of the House of Representatives under section 20A of the Civil List Act 1979 or any direction given by the Speaker of the House of Representatives under the Parliamentary Service Act 2000;
 - (d) providing communications services in accordance with any determination made by the Speaker of the House of Representatives under section 20A of the Civil List Act 1979 or any direction given by the Speaker of the House of Representatives under the Parliamentary Service Act 2000, provided that those services do not include electioneering;
 - (e) providing benefits or privileges of a specified kind for former members of Parliament and members of their families in accordance with an appropriation by Parliament of money for that purpose.
- (2) In subsection (1), **electioneering** means any communication that explicitly—
- (a) seeks support for the election of a particular person or persons;
 - (b) seeks support for the casting of a party vote for a particular political party or political parties;
 - (c) encourages any person to become a member of a particular political party or political parties;
 - (d) solicits subscriptions or other financial support.
- (3) The following must, as far as possible, be interpreted consistently with subsections (1) and (2):

- (a) all determinations made under section 20A of the Civil List Act 1979; and
 - (b) all directions given by the Speaker of the House of Representatives under the Parliamentary Service Act 2000; and
 - (c) the scope of each of the following categories of other expenses to be incurred by the Crown set out under the column headed “Scope of 2006/07 Appropriations” in Part B1 - Details of Appropriations set out in Part B - Statement of Appropriations for Vote Parliamentary Service in The Estimates of Appropriations for the Government of New Zealand for the year ending 30 June 2007 (B.5):
 - (i) Members’ Communications:
 - (ii) Party and Member Support - ACT:
 - (iii) Party and Member Support - Green:
 - (iv) Party and Member Support - Labour:
 - (v) Party and Member Support - Māori:
 - (vi) Party and Member Support - National:
 - (vii) Party and Member Support - New Zealand First:
 - (viii) Party and Member Support - Progressive Coalition:
 - (ix) Party and Member Support - United:
 - (x) Travel of Members and Others.
- (4) This section expires on the close of 31 December 2007.

Legislative history

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| 17 October 2006 | Introduction, first reading, second reading, committee of the whole House, third reading (Bill 88–1) |
| 24 October 2006 | Royal assent |

This Act is administered by the Treasury.
