

INTRODUCTION COPY

Mr Cox

POLITICAL ADVERTISING

ANALYSIS

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A BILL INTITULED

An Act to prohibit the expenditure of public funds on political advertising

5 WHEREAS it is desirable to prevent the misuse of public funds on forms of advertising that seek to promote any Minister of the Crown, member of Parliament or political party rather than legitimate Government department policy:

10 BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. **Short Title**—This Act may be cited as the Political Advertising Act 1986.

2. **Interpretation**—In this Act, unless the context otherwise requires,—

15 “Political Advertising” means advertising which has as its predominant aim the personal promotion of any Minister of the Crown or member of Parliament, or the promotion of any political party.

3. **Act to bind the Crown**—This Act shall bind the Crown.

20 4. **Prohibition of political advertising**—
(1) Notwithstanding any provision in any enactment no Minister of the Crown or Government departmental official

shall authorise the expenditure of public funds on political advertising.

(2) Any Minister or official acting in breach of subsection (1) of this section shall be personally liable for the full cost of the political advertising, upon the Court declaring such advertising is political advertising in accordance with section 5 of this Act. 5

5. Remedies—(1) It shall be lawful for any person resident in New Zealand or for any body of persons, whether corporate or unincorporate registered or established in New Zealand, to bring an action in the High Court pursuant to the provisions of the Judicature Amendment Act 1972 or the Declaratory Judgments Act 1908 against any person in respect of an alleged or anticipated breach of the provisions of this Act. 10

(2) Where an action is brought pursuant to this section under the Judicature Amendment Act 1972 or the Declaratory Judgments Act 1908, the Court shall have power to grant any remedy or remedies available under those Acts against— 15

- (a) Any Minister of the Crown;
- (b) Any Government departmental official authorised to expend public funds; 20
- (c) Any corporate or unincorporate body.