

PARLIAMENTARY SERVICE BILL

EXPLANATORY NOTE

GENERAL POLICY STATEMENT

The Parliamentary Service Act 1985 established the Parliamentary Service Commission, as a statutory body corporate, to determine and administer the resources available to support members of Parliament and Parliament as an institution. The Parliamentary Service was also constituted as the administrative agency independent from executive government.

Over the years, the Act has been subject to considerable amendment as the scope of the activities overseen by the Parliamentary Service Commission, and performed by the Parliamentary Service, has changed. Notably, in 1988, the Office of the Clerk of the House of Representatives was established as a separate stand alone parliamentary agency; in 1992 responsibility for *Hansard* was transferred from the Parliamentary Service to the Office of the Clerk.

Other significant developments since the 1985 Act have been—

- Comprehensive public sector management reform to clarify and strengthen responsibility and accountability, accompanied by stringent requirements for effective and efficient performance and enhanced accountability for publicly funded activities:
- Legislative change impacting on the functions of the Commission, in particular the Public Finance Act 1989, which designated the Speaker as the Responsible Minister for Vote Parliamentary Service, and deemed the Parliamentary Service to be a “department” for the purposes of that Act. These developments have in many respects cut across the intended functional responsibilities of the Commission:
- The introduction of MMP, bringing a number of changes to the parliamentary system and its administration. In particular, the focus of the Parliamentary Service Commission has had to adjust from the bipartisan First-Past-the-Post system to the multi-party MMP system. The statutory membership of the Commission requires adjustment to a multi-party Parliament.

Recognising these points, the Parliamentary Service Commission in late 1998 initiated an independent 3-person review of the Parliamentary Service Act. The Commission’s objectives in undertaking the review, as stated in the terms of reference for the review, were to—

- (a) Ensure the relevance, suitability, and adaptability of the arrangements governing the Commission's exercise of its responsibilities to the current and future needs of a modern Parliament:
- (b) Identify the scope to enhance effective, efficient budgetary control and administration over the provision of services to Parliament, including appropriate accountability, taking account of the Commission's independence from the executive government and, in particular, the statutory responsibilities of the Speaker of the House and the Parliamentary Service for Vote Parliamentary Service under the Public Finance Act 1989:
- (c) Consider whether and what changes might desirably be made to the Commission's powers, authorities, and responsibilities that would promote these objectives, including, as appropriate, the relationship between the Commission, the Speaker as the Responsible Vote Minister, and other bodies, especially the Higher Salaries Commission.

The scope of the review included—

- (a) Consideration of the structure, functions, and processes of the present system and any areas for possible future change:
- (b) A stock-take of existing arrangements as they relate both to the effective functioning of the Commission and its accountabilities, and to meeting the needs of Parliament and its members:
- (c) Clarification of the key aspects of what would constitute a well-functioning system and the rationale these provide for any options proposed:
- (d) The consistency of its proposals with the aims of cost effectiveness and efficiency.

The reviewers, who comprised Hon Stan Rodger, a former member of Parliament and Minister, Mr Rex McArley, a businessman and former member of the Higher Salaries Commission, and Adrienne von Tunzelmann, a management consultant with particular expertise in public sector issues, submitted their report in February 1999, and this was subsequently publicly released by the Speaker and Chairman of the Parliamentary Service Commission.

This Bill is based on the findings of that review and its main conclusions. It establishes revised governance and accountability arrangements that—

- Recognise the determining role of the Speaker as the Responsible Minister for Vote Parliamentary Service:
- Establish the role of the Parliamentary Service Commission as a policy and advisory body to the Speaker, with membership and voting arrangements reflecting the party composition and voting strengths in the House of Representatives:
- Continue the role of the Parliamentary Service, but with its administrative head being clearly responsible to the Speaker for the efficient, effective, and economical management of the activities of the Service:
- Provide for a triennial review of the funding resources made available for administrative and support services provided to the House of Representatives and to members and for other funding entitlements for parliamentary purposes, by a review committee with membership independent of members of Parliament or employees of the Parliamentary Service.

The opportunity has also been taken to clarify and consolidate the provisions relating to land and other assets held for parliamentary purposes, including a clear statutory provision vesting the control and administration of the parliamentary precincts in the Speaker; provision for a parliamentary process to add land or premises to, or exclude land or premises from, those precincts; and to provide for a statutory entity, the Parliamentary Corporation, comprising the

Speaker and the General Manager of the Parliamentary Service, to exercise the powers of a legal person in respect of interests in land and other contractual matters.

CLAUSE BY CLAUSE ANALYSIS

PART 1

PRELIMINARY PROVISIONS

Clause 1 relates to the Short Title and commencement. The Bill will come into force on 1 December 1999.

Clause 2 sets out the defined terms used in the Bill.

Clause 3 sets out the purposes of the Bill.

Clause 4 provides that the Bill binds the Crown.

PART 2

DELIVERY OF SERVICES AND FUNDING ENTITLEMENTS FOR HOUSE OF REPRESENTATIVES AND ITS MEMBERS

Clause 5 provides for the continuation of the Parliamentary Service, which was established by section 3 of the Parliamentary Service Act 1985. The Parliamentary Service is not an instrument of the executive government.

Clause 6 sets out the principal duties of the Parliamentary Service. The Service must provide administrative and support services to the House of Representatives and to MPs. The term “support services” is defined in *clause 2* to include the provision of accommodation. The Service also has to process payments to meet funding entitlements for parliamentary purposes. In performing this function, the Service must act in accordance with the Speaker’s directions.

Clause 7 provides that, in each financial year, the Speaker must specify in writing the kinds of services that the Service has to provide in the next financial year. The Speaker must also set the objectives that the Service must meet in providing those services.

Clause 8 provides that, if the Speaker approves, the Parliamentary Service may, in addition to providing administrative and support services for the House of Representatives and MPs, provide services of that kind for officers of the House of Representatives, officers of Parliament, offices of Parliament, or government departments or other instruments of the Crown.

Clause 9 provides that the General Manager is the administrative head of the Parliamentary Service.

Clause 10 sets out the duties of the General Manager. The General Manager is responsible to the Speaker for carrying out the duties and functions of the Parliamentary Service; for tendering advice to the Speaker and to the Parliamentary Service Commission; for the general conduct of the Service; and for the efficient, effective, and economical management of the activities of the Service. These responsibilities of the General Manager correspond to the matters for which a chief executive of a government department is responsible to his or her Minister.

Clause 11 applies the provisions set out in *Schedule 1* to the Parliamentary Service. The Schedule deals with matters of administration. These include provisions governing the appointment of the General Manager, the employment of the Service’s staff (by reference to the State Sector Act 1988), and the Parliamentary Library.

PART 3

POLICY RELATING TO PARLIAMENTARY RESOURCES AND SERVICES

Clause 12 establishes the Parliamentary Service Commission. The Commission established by this clause differs from the existing Commission established by the Parliamentary Service Act 1985. Unlike the existing Commission, the new Commission will not be a body corporate, nor will it have executive functions.

Clause 13 confers certain functions on the Parliamentary Service Commission. The Commission advises the Speaker on the kinds of services that are to be provided to the House of Representatives and to MPs. It recommends to the Speaker the adoption of criteria governing funding entitlements for parliamentary purposes. The Commission also recommends to the Speaker suitable persons for appointment to a review committee established under *clause 19*, and comments on draft reports prepared by the committee.

Clause 14 provides for the membership of the Parliamentary Service Commission. The Commission consists of the Speaker, the Leader of the House (or his or her nominated MP); the Leader of the Opposition (or his or her nominated MP); and a number of MPs appointed by the House of Representatives. The number of appointed MPs is determined by the representation of parties in the House of Representatives. One MP is appointed for each party that is represented in the House by more than 5 members. An additional member is appointed for any party represented in the House by 30 or more members, none of whom hold the position of Speaker, Leader of the House, or Leader of the Opposition. A further member is appointed if there are 1 or more parties that are represented in the House by 5 members or fewer.

Clause 15 provides that the Speaker is the chairperson of the Parliamentary Service Commission. The Deputy Speaker is the chairperson of the Commission when the Speaker is absent from duty or when there is a vacancy in the office of Speaker.

Clause 16 provides for the termination of the membership of persons who have been nominated or appointed to be members of the Commission.

Clause 17 deals with the composition of the Parliamentary Service Commission in the period between the dissolution or expiry of a Parliament and the first meeting of the House of Representatives after the general election. In that period, the Commission consists of the Speaker, the Leader of the House (or his or her nominated MP), and the Leader of the Opposition (or his or her nominated MP).

Clause 18 applies the provisions set out in *Schedule 2* to the Parliamentary Service Commission. The Schedule deals with matters of procedure. These include the quorum that is required for meetings of the Commission, and the manner in which votes are taken. The quorum is determined by the representation of parties in the House of Representatives. If the number of represented parties is an even number, the quorum is half that number plus 1. If it is an odd number, the quorum is half that number, rounded up to the nearest whole number. When matters are put to a vote at a meeting of the Commission, the votes are cast on behalf of parties. The number of votes cast by a member who votes on behalf of a party equals the number of MPs who belong to the party.

Clause 19 provides for the establishment of review committees to review the amounts of money appropriated for administrative and support services to the House of Representatives and to MPs, and also the amounts appropriated for funding entitlements for parliamentary purposes. A review committee must be

established at least once in every parliamentary term. MPs or employees of the Parliamentary Service may not be members of a review committee. The Speaker must consult with the Parliamentary Service Commission about proposed appointments to a review committee.

Clause 20 sets out the matters that a review committee has to consider in the course of its review.

Clause 21 relates to the report that a review committee has to prepare and submit to the Speaker. Before submitting its final report, the review committee must consult with the Parliamentary Service Commission on the matters to be included in the report, and obtain the Commission's comments on any preliminary assessments or recommendations that the review committee proposes to include in the report.

PART 4

LAND AND OTHER ASSETS HELD FOR PARLIAMENTARY PURPOSES

Clause 22 declares that the land described in *Schedule 3* is vested in Her Majesty the Queen for parliamentary purposes. That land includes the sites of the parliamentary buildings and the surrounding grounds.

Clause 23 vests the interests under the Bowen House lease in the Parliamentary Corporation. As long as premises under the Bowen House lease continue to be part of the parliamentary precincts, the lease is available for public inspection at the General Manager's office.

Clause 24 empowers the House of Representatives to add any land or premises to the parliamentary precincts, or to exclude any land or premises from the parliamentary precincts. The House of Representatives may add land or premises to the parliamentary precincts only if the Crown or the Parliamentary Corporation holds an interest in the land or premises. A resolution of the House of Representatives that affects the parliamentary precincts must be printed and published in accordance with the Acts and Regulations Publication Act 1989.

Clause 25 provides that the control and administration of the whole of the parliamentary precincts is vested in the Speaker on behalf of the House of Representatives, whether Parliament is in session or not. The Speaker has the powers of an occupier under the Trespass Act 1980 over all parts of the parliamentary precincts.

Clause 26 establishes a corporation called the Parliamentary Corporation.

Clause 27 provides for the functions of the Parliamentary Corporation. These are to facilitate transactions relevant to the duties of the Parliamentary Service, and to acquire, hold, and dispose of interests in land and other assets for parliamentary purposes.

Clause 28 provides that the Parliamentary Corporation consists of the Speaker and the General Manager.

Clause 29 sets out the powers of the Parliamentary Corporation. It has all the powers required for the performance of its functions. It also has a number of specific powers, which principally concern the acquisition and disposal of interests in land.

Clause 30 applies the provisions set out in *Schedule 4* to the Parliamentary Corporation. The Schedule deals with matters of procedure and the ways in which the Corporation may enter into contracts or incur other obligations.

PART 5

MISCELLANEOUS PROVISIONS

Clause 31 provides that the Deputy Speaker acts for the Speaker when the Speaker is absent from duty or when there is a vacancy in the office of Speaker.

Clauses 32 and 33 authorise the Speaker to delegate any of the Speaker's powers under the Bill (other than the power of delegation), and provide for the status and the consequences of delegations given by the Speaker.

Clause 34 substitutes the Parliamentary Service for the Parliamentary Service Commission in Part II of the First Schedule of the Ombudsmen Act 1975. The effect of this change is that the Ombudsmen will cease to have jurisdiction over the Parliamentary Service Commission, and will instead assume jurisdiction over the Parliamentary Service. This is because the Parliamentary Service Commission will cease to have administrative functions.

Clause 35 amends the Higher Salaries Commission Act 1977. The effect of the amendment is to make the Higher Salaries Commission responsible for determining the remuneration of the General Manager of the Parliamentary Service.

Clause 36 amends the Official Information Act 1982 consequentially on *clause 34*.

Clause 37 corrects a reference in the Public Finance Act 1989.

Clause 38 repeals the Parliamentary Service Act 1985 and certain land legislation that has been superseded by the description, in *Schedule 3*, of land declared to be vested in the Crown for parliamentary purposes.

PARLIAMENTARY SERVICE

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A BILL INTITULED

An Act to consolidate and amend the Parliamentary Service Act 1985

BE IT ENACTED by the Parliament of New Zealand as follows:

- 1. Short Title and commencement**—(1) This Act may be cited as the Parliamentary Service Act 1999. 5
(2) This Act comes into force on 1 December 1999.

PART 1

PRELIMINARY PROVISIONS

- 2. Interpretation**—In this Act, unless the context otherwise requires,— 10
- “Bowen House lease” or “the lease” means all agreements, authorities, and instruments under which, immediately before the commencement of this Act, the Parliamentary Service Commission held interests, licenses, or rights in or in respect of— 15
- (a) The building known as Bowen House situated on the corner of Lambton Quay and Bowen Street in Wellington; or
- (b) Any land adjoining that building: 20
- “Department” has the same meaning as in section 2 of the State Sector Act 1988:
- “Deputy Speaker” means—
- (a) The Deputy Speaker of the House of Representatives; or 25
- (b) In relation to the period commencing immediately after the dissolution or expiry of a Parliament and ending with the first meeting of the House of Representatives after the general election, the person who held the office of Deputy Speaker at 30

the time of the dissolution or expiry of the Parliament:

“General Manager” means the General Manager of the Parliamentary Service:

5 “Leader of the House” means the Leader of the House of Representatives:

“Parliamentary Corporation” or “Corporation” means the body corporate established by **section 26**:

“Parliamentary precincts” means all of the following:

10 (a) The land described in **Schedule 3**:

(b) Land and premises that are subject to the Bowen House lease:

15 (c) Any other land or premises added to the parliamentary precincts by a resolution of the House of Representatives under **section 24**:

“Parliamentary Service” or “Service” means the Parliamentary Service continued by **section 5**:

20 “Parliamentary Service Commission” or “Commission” means the Parliamentary Service Commission established by **section 12**:

“Party” means a political party for the time being recognised for parliamentary purposes under the Standing Orders of the House of Representatives:

25 “Public Service” has the same meaning as in section 2 of the State Sector Act 1988:

“Review committee” means a committee that is for the time being established under **section 19**:

“Speaker” means,—

30 (a) The Speaker of the House of Representatives; or

(b) In relation to the period commencing immediately after the close of any polling day at a general election and ending with the first meeting of the House of Representatives after the general election, the person who held the office of Speaker of the House of Representatives on that day:

35 “Support services” includes the provision of accommodation.

3. Purposes of this Act—The purposes of this Act are as follows:

40 (a) To establish mechanisms for providing services and funding entitlements for parliamentary purposes:

(b) To provide for the governance arrangements of the Parliamentary Service, in particular, by making the

General Manager of the Parliamentary Service responsible to the Speaker:

- (c) To reconstitute the Parliamentary Service Commission as a policy body;
- (d) To provide for regular, independent reviews of the amounts of money appropriated for services and funding entitlements for parliamentary purposes: 5
- (e) To provide for the ownership and control of land and other assets held for parliamentary purposes.

4. Act to bind the Crown—This Act binds the Crown. 10

PART 2

DELIVERY OF SERVICES AND FUNDING ENTITLEMENTS FOR HOUSE OF REPRESENTATIVES AND ITS MEMBERS

Parliamentary Service

5. Parliamentary Service—(1) There continues to be a service called the Parliamentary Service. 15

(2) The Parliamentary Service is not an instrument of the executive government.

(3) The Parliamentary Service is the same service as that established by section 3 of the Parliamentary Service Act 1985. 20
Cf. 1985, No. 128, s. 3

6. Principal duties of Parliamentary Service—The principal duties of the Parliamentary Service are—

- (a) To provide administrative and support services to the House of Representatives and to members of Parliament; and 25
- (b) To administer, in accordance with directions given by the Speaker, the payment of funding entitlements for parliamentary purposes.

Cf. 1985, No. 128, s. 4 (1) 30

7. Services provided in accordance with Speaker's directions—(1) The Speaker must, in each financial year, give the Parliamentary Service written directions as to both—

- (a) The nature of the services to be provided, under section 6 (a), in the next financial year; and 35
- (b) The objectives to be achieved by the Service by providing those services.

(2) The Service must act in accordance with those directions.

8. Other functions of Parliamentary Service—(1) The Parliamentary Service may, with the approval of the Speaker, 40

provide administrative and support services for the following persons and agencies:

- (a) Any officer of the House of Representatives:
- (b) Any officer of Parliament:
- 5 (c) Any office of Parliament:
- (d) Any department or other instrument of the Crown.
- (2) The Service has any other function, power, and duty that is conferred or imposed on it by or under an enactment.
- (3) This Act does not limit the provision to the House of
- 10 Representatives or to members of Parliament of administrative and support services by any other department or other instrument of the Crown.

Cf. 1985, No. 128, s. 4

General Manager of Parliamentary Service

- 15 **9. General Manager of Parliamentary Service**—The General Manager is the administrative head of the Parliamentary Service.

Cf. 1985, No. 128, s. 28

- 20 **10. Principal responsibilities of General Manager**—The General Manager is responsible to the Speaker for each of the following matters:

- (a) The carrying out of the duties and functions of the Parliamentary Service:
- (b) The tendering of advice to the Speaker and to the
- 25 Parliamentary Service Commission:
- (c) The general conduct of the Service:
- (d) The efficient, effective, and economical management of the activities of the Service.

Cf. 1988, No. 20, s. 32

- 30 *Further Provisions Relating to Parliamentary Service*

- 11. Further provisions relating to Parliamentary Service**—Schedule 1 applies in relation to the Parliamentary Service.

PART 3

- 35 POLICY RELATING TO PARLIAMENTARY RESOURCES AND SERVICES

Parliamentary Service Commission

- 12. Parliamentary Service Commission**—There is a commission called the Parliamentary Service Commission.

Cf. 1985, No. 128, s. 5

13. Functions of Parliamentary Service Commission—

(1) The Parliamentary Service Commission has the following functions:

- (a) To advise the Speaker on the following matters:
 - (i) The nature of the services to be provided to the House of Representatives and to members of Parliament: 5
 - (ii) The objectives to be achieved by providing those services:
- (b) To recommend to the Speaker the adoption of criteria governing funding entitlements for parliamentary purposes: 10
- (c) To recommend to the Speaker persons who are suitable to be members of a review committee:
- (d) To consider and comment on draft reports prepared by review committees. 15

(2) The Commission may at any time request the Speaker or the General Manager to report on, or inquire into, matters relating to the administration of this Act or the exercise or performance of any function, duty, or power under this Act. 20

(3) The Commission has any other function or power conferred on it by or under any enactment.

(4) The Commission does not have a role in relation to—

- (a) Business transacted at meetings of the House of Representatives or meetings of committees of the House of Representatives; or 25
- (b) Any other proceedings in Parliament.

Cf. 1985, No. 128, s. 6 (2), (4), (5)

14. Membership of Commission during term of Parliament—(1) During the term of each Parliament, the Parliamentary Service Commission consists of the following: 30

- (a) The Speaker:
- (b) The Leader of the House or a member of Parliament nominated from time to time by the Leader of the House: 35
- (c) The Leader of the Opposition or a member of Parliament nominated from time to time by the Leader of the Opposition:
- (d) Such number of members of Parliament as are appointed from time to time by resolution of the House of Representatives, that number to be determined in accordance with **subsection (2)**. 40

(2) The number of members to be appointed under **subsection (1) (d)** is to be determined as follows:

- (a) One member for each party that is represented in the House of Representatives by more than 5 members; and
- 5 (b) An additional member for each party—
- (i) That is represented in the House of Representatives by 30 or more members; and
- (ii) That does not include among its members the Speaker, the Leader of the House, or the Leader of the Opposition; and
- 10 (c) An additional member, if there are 1 or more parties that are represented in the House of Representatives by 5 members or fewer.
- (3) No person who holds office as a Minister of the Crown or as a Parliamentary Under-Secretary may be appointed under
- 15 **subsection (1) (d)** as a member of the Commission.
- (4) No person may be appointed,—
- (a) By virtue of **subsection (2) (a) or (b)**, unless the person is a member of the party in respect of which the appointment is made; or
- 20 (b) By virtue of **subsection (2) (c)**, unless the person is a member of the party or, as the case may be, a member of 1 of the parties in respect of which the appointment is made.
- (5) Past service on the Commission is no bar to nomination or
- 25 appointment as a member of the Commission.
- (6) To avoid any doubt, every member of Parliament who acts as a member of the Commission is, in so acting, acting in his or her official capacity as a member of Parliament.
- Cf. 1985, No. 128, s. 7; 1996, No. 46, s. 7 (4)

30 **15. Chairperson of Commission**—(1) The Speaker is the chairperson of the Parliamentary Service Commission.

(2) When there is a vacancy in the office of Speaker, or when the Speaker is (for whatever reason) absent from duty, the Deputy Speaker is the chairperson of the Commission.

35 **16. Vacation of office by nominated or appointed members**—(1) A member of the Parliamentary Service Commission who holds office because of a nomination under **section 14 (1) (b) or (c)** ceases to be a member of the Commission if 1 of the following events occurs:

- 40 (a) The person by whom that member was nominated revokes the nomination of that member or nominates, instead of that member, another member of Parliament:

(b) Parliament is dissolved or expires:

(c) The member ceases to be a member of Parliament before Parliament is dissolved or expires.

(2) A member of the Commission who holds office under **section 14 (1) (d)** ceases to be a member of the Commission if 1 of the following events occurs: 5

(a) The House of Representatives rescinds the resolution by which the member was appointed or resolves to appoint to the Commission, instead of that member, another member of Parliament: 10

(b) The member is appointed as a Minister of the Crown or as a Parliamentary Under-Secretary:

(c) Parliament is dissolved or expires:

(d) The member ceases to be a member of Parliament before Parliament is dissolved or expires. 15

(3) A member of the Commission who holds office because of a nomination or an appointment may, by written notice to the chairperson of the Commission, resign the office at any time.

Cf. 1985, No. 128, s. 8 20

17. Membership of Parliamentary Service Commission between Parliaments—(1) Throughout each period commencing immediately after the dissolution or expiry of a Parliament and ending with the first meeting of the House of Representatives after the general election of its members, the Parliamentary Service Commission consists of the following: 25

(a) The Speaker:

(b) The Leader of the House or a person nominated from time to time by the Leader of the House:

(c) The Leader of the Opposition or a person nominated from time to time by the Leader of the Opposition. 30

(2) No person may be nominated under **subsection (1) (b) or (c)** unless the person is a member of Parliament or was, at the dissolution or expiry of the Parliament, a member of Parliament. 35

(3) The Speaker continues to be the chairperson of the Commission throughout the period specified in **subsection (1)**.

Cf. 1985, No. 128, s. 10

18. Further provisions relating to Commission—
Schedule 2 applies in relation to the Parliamentary Service Commission. 40

Review Committee

19. Establishment of committee to review appropriations—(1) The Speaker may from time to time, and must at least once during the term of each Parliament, establish a review committee of up to 3 persons to review the amounts of money appropriated by Parliament for the following purposes:

5
10 (a) Administrative and support services provided to the House of Representatives and to members of Parliament:

(b) Funding entitlements for parliamentary purposes.

(2) No person appointed to the review committee may be a member of Parliament or an officer or employee of the Parliamentary Service.

15 (3) Before appointing a person to the review committee, the Speaker must consult with the Parliamentary Service Commission about the proposed appointment.

(4) The Speaker may appoint persons to the review committee on any terms and conditions, including terms and conditions as to remuneration and travelling allowances, that the Speaker considers appropriate.

20. Work of review committee—(1) In carrying out its work, the review committee must consider each of the following matters:

25 (a) The nature, quantity, and quality of administrative services and support services required for the effective operation of the House of Representatives:

(b) The nature, quantity, and quality of administrative services and support services that members of Parliament require for the effective performance of their functions:

30 (c) The funding that parties and members of Parliament require for the effective performance of their respective functions:

35 (d) The scope for efficiency gains in the delivery of administrative services and support services to the House of Representatives and to members of Parliament:

(e) Investments that may be necessary or desirable in order to further the aims of high quality representation by members of Parliament and high quality legislation:

40 (f) The need for fiscal responsibility.

(2) The review committee may, subject to any written direction by the Speaker, regulate its own procedure.

- 21. Report by committee**—(1) The review committee must—
- (a) Set out in a report the details of its review and the conclusions reached and recommendations formulated as a result of the review; and 5
 - (b) Submit the report to the Speaker within 3 months after the date on which the review committee is established, or within any further time the Speaker allows.
- (2) Before submitting its report to the Speaker, the review committee must consult with the Parliamentary Service Commission by seeking— 10
- (a) The views of the Commission on the matters to be included in the review committee’s report; and
 - (b) The comments of the Commission on any preliminary assessments or recommendations that the review committee proposes to include in the report. 15
- (3) The Speaker must present the report to the House of Representatives not later than 6 sitting days after the date on which the review committee submits its report to the Speaker. 20

PART 4

LAND AND OTHER ASSETS HELD FOR PARLIAMENTARY PURPOSES

Parliamentary Precincts

- 22. Parliament grounds**—The land described in **Schedule 3** is declared— 25
- (a) To be vested in fee simple in Her Majesty the Queen for parliamentary purposes; and
 - (b) To be held under the Public Works Act 1981 as if the whole of that land had been set apart for those purposes under that Act. 30
- 23. Leased premises in Bowen House**—(1) On the commencement of this Act, the interests, licenses, and rights of the Parliamentary Service Commission under the Bowen House lease cease to be vested in the Parliamentary Service Commission, and vest instead in the Parliamentary Corporation. 35
- (2) No person is entitled to terminate, alter, or otherwise affect in any way the interests, licenses, and rights vested in the Parliamentary Corporation by **subsection (1)**, simply because of the vesting under that subsection. 40
- (3) The General Manager must keep a copy of the lease at the General Manager’s office.

(4) As long as any land or premises that are subject to the lease continue to be part of the parliamentary precincts, any person may send to the General Manager a written application to inspect the lease; and in that case the General Manager must give the applicant a reasonable opportunity to inspect the lease during ordinary business hours at the General Manager's office.

24. House of Representatives may add land to parliamentary precincts—(1) The House of Representatives may from time to time, by resolution,—

- (a) Add any land or premises to the parliamentary precincts; or
(b) Exclude from the parliamentary precincts any land or premises that are part of the parliamentary precincts by virtue of this Act.

(2) The House of Representatives may at any time revoke, vary, or modify a resolution under **subsection (1)**.

(3) No land or premises may be added under this section to the parliamentary precincts unless the Crown or the Parliamentary Corporation holds, on the date on which the resolution takes effect, an interest in the land or premises.

(4) Any resolution made under **subsection (1)** must be printed and published in accordance with the Acts and Regulations Publication Act 1989, but is not a regulation for the purposes of the Regulations (Disallowance) Act 1989.

25. Parliamentary precincts under control of Speaker—
(1) The control and administration of the whole of the parliamentary precincts is vested in the Speaker on behalf of the House of Representatives, whether Parliament is in session or not.

(2) The Speaker and every person authorised by the Speaker for the purpose has and may exercise, in respect of every part of the parliamentary precincts, all the powers of an occupier under the Trespass Act 1980.

Parliamentary Corporation

26. Parliamentary Corporation—(1) There is a corporation called the Parliamentary Corporation.

(2) The Parliamentary Corporation is a body corporate with perpetual succession and a common seal, and has and may exercise all the rights, powers, and privileges, and may incur all the liabilities and obligations, of a natural person of full age and capacity.

27. Functions of Parliamentary Corporation—The Parliamentary Corporation has the following functions:

- (a) To facilitate transactions relevant to the duties of the Parliamentary Service:
- (b) To acquire, hold, and dispose of interests in land and other assets for parliamentary purposes. 5

28. Membership of Parliamentary Corporation—The Parliamentary Corporation consists of the Speaker and the General Manager.

29. Powers of Parliamentary Corporation—(1) The Parliamentary Corporation has all the powers that are necessary or expedient to enable it to carry out its functions. 10

(2) Without limiting the generality of **subsection (1)**, the Parliamentary Corporation may do any or all of the following:

- (a) Enter into deeds, contracts, or arrangements— 15

- (i) To purchase, take on lease, sub-lease, licence, or sub-licence any land or buildings or parts of buildings, or to acquire any other interest in land, whether or not subject to a mortgage, charge, lease, easement, or restrictive covenant or other encumbrance: 20

- (ii) To sell, transfer, assign, or otherwise dispose of any lease, or other interest in land or buildings or parts of buildings, whether or not subject to a mortgage, charge, lease, easement, or restrictive covenant or other encumbrance: 25

- (iii) To erect, alter, rebuild, or add to any building:

- (iv) To develop or improve any land:

- (v) To instal partitioning in any building or part of a building:

- (vi) To fit out any building or part of a building: 30

- (b) Grant leases, tenancies, sub-leases, licences, or sub-licences over land or buildings or parts of buildings held by the Parliamentary Corporation, and create easements and restrictive covenants over such land or buildings, and accept surrenders or partial surrenders of interests granted by the Corporation: 35

- (c) Incur other obligations relevant to the duties and functions of the Parliamentary Service.

(3) The Parliamentary Corporation has no power to borrow money. 40

Cf. 1985, No. 128, s. 6A

30. Further provisions relating to Parliamentary Corporation—Schedule 4 applies in relation to the Parliamentary Corporation.

PART 5

5

MISCELLANEOUS PROVISIONS

Exercise of Speaker's Powers

31. Deputy Speaker may act as Speaker—When there is a vacancy in the office of Speaker or when the Speaker is (for whatever reason) absent from duty, the functions, duties, and powers of the Speaker under this Act or the Public Finance Act 1989 are to be exercised or performed by the Deputy Speaker.

32. Delegation of powers by Speaker—(1) The Speaker may delegate to a specified person any function, duty, or power (other than this power of delegation) that the Speaker has under this Act.

(2) A delegation must be in writing and signed by the Speaker.

(3) A delegate must exercise or perform functions, duties, or powers—

(a) In accordance with any condition attaching to the delegation and any general or special direction given by the Speaker; but

(b) Otherwise in the same manner and with the same effect as if they had been conferred or imposed on the delegate directly by this Act.

(4) Every person purporting to act under a delegation is, in the absence of proof to the contrary, to be regarded as acting in accordance with the terms of the delegation.

33. Status of delegations—(1) The Speaker is not prevented from exercising or performing any function, duty, or power delegated under **section 32**.

(2) The Speaker may revoke a delegation at any time by written notice to the delegate.

(3) A delegation continues in force according to its tenor until it is revoked.

(4) If the person who made the delegation ceases to hold office as Speaker, the delegation continues to have effect as if made,—

(a) Until the election of the next Speaker, by the Deputy Speaker; and

(b) After that election, by the next Speaker.

Amendments to Other Acts

34. Amendment to Ombudsmen Act 1975—Part II of the First Schedule of the Ombudsmen Act 1975 is amended by omitting the item “The Parliamentary Service Commission.”, and substituting the item “The Parliamentary Service.” 5

35. Amendment to Higher Salaries Commission Act 1977—The Fourth Schedule of the Higher Salaries Commission Act 1977 is amended by inserting, after the item relating to the Clerk of the House of Representatives and the Deputy Clerk of the House of Representatives, the item “General Manager of the Parliamentary Service.” 10

36. Amendment to Official Information Act 1982—Section 2 (1) of the Official Information Act 1982 is amended by omitting from paragraph (a) of the definition of the term “organisation” the words “(other than the Parliamentary Service Commission)”, and substituting the words “(other than the Parliamentary Service)”. 15

37. Amendment to Public Finance Act 1989—Section 82 (3) of the Public Finance Act 1989 is amended by omitting the expression “9 (2) (i)”, and substituting the expression “9 (2A) (f)”. 20

Repeals

38. Repeals—(1) The enactments specified in **Schedule 5** are repealed.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is declared that the repeal of the Parliamentary Service Amendment Act 1991 does not affect the rights that any person has by virtue of section 9 of that Act. 25

SCHEDULES

SCHEDULE 1

Section 11

PROVISIONS APPLYING IN RESPECT OF PARLIAMENTARY SERVICE

General Manager and Acting General Manager

1. Appointment of General Manager—(1) The General Manager of the Parliamentary Service is appointed by the Governor-General on the recommendation of a committee consisting of—

- (a) The Speaker, who chairs the committee constituted under this clause;
- (b) A member of the Parliamentary Service Commission appointed for the purpose by the Leader of the House;
- (c) A member of the Parliamentary Service Commission appointed for the purpose by the Leader of the Opposition;
- (d) The State Services Commissioner;
- (e) Not more than 2 additional members appointed by the members specified in paragraphs (a) to (d), if those members decide, in a particular case, that the exercise of the power conferred by this paragraph is appropriate.

(2) The committee may examine applicants and seek advice from any sources it considers relevant.

(3) At every meeting of the committee,—

- (a) Each matter must be decided by a majority of the votes recorded on it; and
- (b) The person presiding has a deliberative vote and, if the votes are equal, also has a casting vote.

(4) The committee—

- (a) May from time to time invite any person it thinks fit to assist it in its deliberations; and
- (b) May, except as otherwise specified in this clause, regulate its own procedure.

Cf. 1985, No. 128, s. 35 (2)–(6)

2. Obligation to advertise vacancies—No person may be appointed as the General Manager of the Parliamentary Service unless the vacancy has been notified in a manner that the Speaker thinks sufficient to enable suitably qualified persons to apply for the position.

Cf. 1985, No. 128, s. 36

3. Remuneration and conditions of employment—(1) The remuneration of the General Manager is determined from time to time by the Higher Salaries Commission under the Higher Salaries Commission Act 1977.

(2) The terms and conditions of employment of the General Manager (other than remuneration) are determined from time to time by the State Services Commissioner with the agreement of the Speaker.

Cf. 1988, No. 126, s. 8

4. Term of office—(1) The General Manager is appointed for a term of 5 years; but is eligible for reappointment from time to time.

(2) When the term for which a person has been appointed as General Manager expires, that person, unless sooner vacating or removed from office under clause 5, continues to hold office until—

- (a) That person is reappointed; or

SCHEDULE 1—*continued*PROVISIONS APPLYING IN RESPECT OF PARLIAMENTARY SERVICE—*continued*

(b) A successor to that person is appointed.

Cf. 1988, No. 126, s. 10

5. Removal of General Manager from office—The State Services Commissioner may, with the agreement of the Speaker, for just cause or excuse, remove the General Manager from office.

Cf. 1985, No. 128, s. 36B

6. Acting General Manager of the Parliamentary Service—(1) When there is a vacancy in the position of General Manager or when the General Manager is (for whatever reason) absent from duty, the functions, duties, and powers of the General Manager must be exercised or performed by a person whom the Speaker directs to exercise those functions, duties, and powers.

(2) A person whom the Speaker directs must be an employee of the Parliamentary Service or an employee of a department.

(3) The Speaker may give a direction before the occurrence of any vacancy or absence referred to in that subclause or while the vacancy or absence continues.

(4) No direction and no act done by a person acting under a direction given under this clause may, in a proceeding, be questioned on the ground that the occasion for the direction had not arisen or had ceased or on the ground that the person had not been appointed to a position to which the direction relates.

Cf. 1985, No. 128, s. 34

Employment in Parliamentary Service

7. Application of State Sector Act 1988—(1) The provisions of Parts V, VI, and VIII of the State Sector Act 1988 apply in respect of employment within the Parliamentary Service as if—

(a) The Service were a department; and

(b) All references to the chief executive were references to the General Manager.

(2) Nothing in any other Part of the State Sector Act 1988 applies in respect of the Service or persons employed in the Service.

(3) **Subclause (2)** is subject to **clause 15**.

Cf. 1985, No. 128, s. 39

8. Delegation of powers by General Manager—(1) The General Manager may delegate to a specified employee, or to employees of a specified class, of the Parliamentary Service any function, duty, or power (other than this power of delegation) that the General Manager can exercise—

(a) Under an enactment; or

(b) Under a delegation made under an enactment.

(2) A delegation must be in writing and signed by the General Manager.

(3) A delegate must exercise or perform the functions, duties, or powers delegated—

(a) In accordance with any condition attaching to the delegation and any general or special direction given by the General Manager; but

SCHEDULE 1—*continued*

PROVISIONS APPLYING IN RESPECT OF PARLIAMENTARY SERVICE—*continued*

(b) Otherwise in the same manner and with the same effect as if they had been conferred or imposed on the delegate directly by this Act.

(4) Every person appearing to act under a delegation is, in the absence of proof to the contrary, to be regarded as acting in accordance with the terms of the delegation.

Cf. 1985, No. 128, s. 31 (1)-(4)

9. Status of delegations—(1) The General Manager is not prevented from exercising or performing any function, duty, or power delegated under **clause 8**.

(2) The General Manager may revoke a delegation at any time by written notice to the delegate.

(3) A delegation continues in force according to its tenor until it is revoked.

(4) If the person who made the delegation ceases to hold office as General Manager, the delegation continues to have effect as if made,—

(a) Until the appointment of the next General Manager, by the person acting as General Manager; and

(b) After that appointment, by the next General Manager.

Cf. 1985, No. 128, s. 31 (5), (6)

10. Superannuation—For the purposes of the Government Superannuation Fund Act 1956, service as an employee of the Parliamentary Service is government service.

Cf. 1985, No. 128, s. 44

Parliamentary Library

11. Parliamentary Library—The Parliamentary Library forms part of the Parliamentary Service.

Cf. 1985, No. 128, s. 49

12. Functions of Parliamentary Library—(1) The general function of the Parliamentary Library is to provide to the persons specified in **subclause (2)** the library, information, research, and reference services required by the General Manager.

(2) The Parliamentary Library must provide the services referred to in **subclause (1)** to the following persons:

(a) Members of Parliament:

(b) Officers of the House of Representatives:

(c) Officers of Parliament:

(d) Staff of the Parliamentary Service or of any office of Parliament:

(e) Persons employed within Parliament Buildings (including the Executive Wing):

(f) Any other person or class of person approved from time to time by the Speaker.

Cf. 1985, No. 128, s. 50

13. Parliamentary Librarian—(1) The head of the Parliamentary Library (called the Parliamentary Librarian) is an employee of the Parliamentary Service.

SCHEDULE 1—*continued*PROVISIONS APPLYING IN RESPECT OF PARLIAMENTARY SERVICE—*continued*

(2) Before appointing a person to the position of Parliamentary Librarian, the General Manager must consult with any committee, established under clause 8 of Schedule 2, that is responsible for providing advice on the Parliamentary Library.

(3) The holder of the position of Parliamentary Librarian is responsible to the General Manager.

Cf. 1985, No. 128, s. 51

Audits and Reviews of Parliamentary Service

14. Audit—(1) The Audit Office is the auditor of all money and stores of the Parliamentary Service and of all books and accounts and transactions relating to the money and stores of the Service.

(2) The Public Finance Act 1977 applies in respect of the Service as if it were a Government agency within the meaning of that Act.

Cf. 1985, No. 128, s. 55

15. Functions of State Services Commissioner in relation to Parliamentary Service—(1) The State Services Commissioner may from time to time, at the request of the Speaker, exercise in respect of the Parliamentary Service any of the functions conferred on the State Services Commission by section 6 of the State Sector Act 1988.

(2) For the purposes of this clause, section 6 of the State Sector Act 1988 applies, with all necessary modifications, as if—

(a) The Service were a department; and

(b) The General Manager of the Service were the chief executive of that department.

Cf. 1988, No. 126 s. 17

Assets of Parliamentary Corporation Notionally Owned by Parliamentary Service

16. Assets of Parliamentary Corporation owned by Parliamentary Service for certain purposes—All assets and liabilities of the Parliamentary Corporation must be treated as the assets and liabilities of the Parliamentary Service for each of the following purposes:

(a) The audit of the Service:

(b) All estimates and supplementary estimates of the Service required to be prepared under the Public Finance Act 1989:

(c) All financial reports of the Service required to be prepared under the Public Finance Act 1989:

(d) Any other matter done under, or in connection with, the Public Finance Act 1989.

SCHEDULE 2

Section 18

PROVISIONS APPLYING IN RESPECT OF PARLIAMENTARY SERVICE COMMISSION

Meetings of Commission

1. Calling of meetings—(1) Meetings of the Parliamentary Service Commission are held at times and places appointed from time to time by the Commission or its chairperson.

(2) The chairperson, or any 3 members, may at any time call a special meeting. When the membership of the Commission consists of the persons specified in **section 17**, 1 member of the Commission may call a special meeting at any time.

Cf. 1985, No. 128, s. 11 (1), (2)

2. Person presiding—(1) At all meetings of the Parliamentary Service Commission, the chairperson, if present, presides.

(2) If the chairperson is absent from a meeting and there is no deputy appointed under **clause 7** attending for the chairperson, the members present must appoint 1 of their number to be the chairperson of that meeting.

Cf. 1985, No. 128, s. 11 (3)

3. Quorum—(1) At all meetings of the Parliamentary Service Commission held during the term of a Parliament, the number of members required for a quorum is determined by the number of parties represented in the House of Representatives, as follows:

(a) If there is an even number of such parties, the quorum is half that number plus 1:

(b) If there is an odd number of such parties, the quorum is half that number, rounded up to the nearest whole number.

(2) The quorum determined in accordance with **subclause (1)** must include at least 1 member who is a member of a party in Opposition.

(3) At all meetings of the Commission that are held while the Commission consists of the persons specified in **section 17**, 2 members form a quorum.

4. Decisions—(1) Each question arising at any meeting of the Parliamentary Service Commission is decided by a majority of the valid votes recorded on the question.

(2) The manner of voting at meetings of the Commission must be in accordance with **clause 5** or **clause 6**, as the case may require.

Cf. 1985, No. 128, s. 11 (4)

5. Voting at meetings held during term of Parliament—(1) This clause applies to every meeting of the Parliamentary Service Commission that is held during the term of a Parliament.

(2) When a question is voted on at a meeting, all votes are cast on behalf of parties.

(3) A member of the Commission who votes at a meeting on behalf of a party casts as many votes as there are members of the House of Representatives who belong to that party.

(4) A member of the Commission may vote at a meeting only if the member is authorised by a party, either generally or for the particular meeting, to vote on behalf of that party.

(5) The fact that a member of the Commission votes at a meeting on behalf of a party is, unless the contrary is shown, sufficient evidence of that member's authority to vote on behalf of that party at that meeting.

SCHEDULE 2—*continued*PROVISIONS APPLYING IN RESPECT OF PARLIAMENTARY SERVICE
COMMISSION—*continued*

6. Voting at meetings held between Parliaments—At a meeting held while the Parliamentary Service Commission consists of the persons specified in **section 17**, each of those persons has 1 vote, and, if the votes are equal, the chairperson or other person presiding also has a casting vote.

Cf. 1985, No. 128, s. 11 (5)

7. Deputies—(1) A member of the Parliamentary Service Commission may, by notice in writing, appoint a member of Parliament to attend 1 or more meetings of the Commission as the deputy of that member.

(2) No person who holds office as a Minister of the Crown or as a Parliamentary Under-Secretary may be appointed as the deputy of a member of the Commission who holds office under **section 14 (1) (d)**.

(3) The appointment of a deputy ceases if—

(a) The person who appointed the deputy, by written notice, revokes the appointment; or

(b) The person who appointed the deputy ceases to be a member of the Commission.

(4) A deputy who attends a meeting for a member may vote on behalf of that member, and has and may exercise all the rights, privileges, and duties of that member.

(5) The powers conferred by this clause may not be exercised at any time while the Commission consists of the persons specified in **section 17**.

Cf. 1985, No. 128, s. 9 (1), (2), (2A)

Committees and Reports

8. Committees—(1) The Parliamentary Service Commission may from time to time appoint competent persons, whether members of the Commission or not, to be a committee or committees to assist the Commission on any matter within the scope of its functions.

(2) Subject to the provisions of this Act and to any general or special directions of the Commission, any committee appointed under this clause may regulate its procedure in any manner it thinks fit.

Cf. 1985, No. 128, s. 13

9. Employment of experts—(1) The Speaker may commission 1 or more experts to make any inquiries or conduct any research or prepare any reports that may be necessary for the efficient performance of the Parliamentary Service Commission's functions.

(2) The Speaker must consult with the Commission before doing so.

Cf. 1985, No. 128, s. 17

10. Procedure of Parliamentary Service Commission—Subject to the provisions of this Act, the Parliamentary Service Commission may regulate its procedure and exercise its functions in any manner it thinks fit.

Cf. 1985, No. 128, s. 15

11. Annual report—As soon as practicable after the end of each year ending with 30 June, the Parliamentary Service Commission must prepare

SCHEDULE 2—*continued*

PROVISIONS APPLYING IN RESPECT OF PARLIAMENTARY SERVICE
COMMISSION—*continued*

and present to the House of Representatives a report on its activities during that year.

Cf. 1985, No. 128, s. 18

Section 22**SCHEDULE 3****DESCRIPTION OF LAND VESTED IN HER MAJESTY THE QUEEN FOR
PARLIAMENTARY PURPOSES**

All that parcel of land containing 4.5592 hectares, more or less, being
Section 1, S.O. Plan 38114 and shown on S.O. Plan 38114 as—

	Area	Former Description
A	423 m ²	Part Section 505, Town of Wellington
B	19 m ²	Part Section 505, Town of Wellington
C	2651 m ²	Part Section 526, Town of Wellington
D	3616 m ²	Part Section 527, Town of Wellington
E	60 m ²	Part Section 528, Town of Wellington
F	79 m ²	Closed road
G	737 m ²	Part Section 1, S.O. Plan 20883
H	1209 m ²	Part Section 2, S.O. Plan 20883
I	244 m ²	Part Section 3, S.O. Plan 20883
J	613 m ²	Section 1, S.O. Plan 20910
K	1.1072 ha	Section 1210, Town of Wellington
L	2.2793 ha	Section 1211, Town of Wellington
M	13 m ²	Section 1, S.O. Plan 28137
N	30 m ²	Section 2, S.O. Plan 28137
O	2033 m ²	Part Section 2, S.O. Plan 36836

SCHEDULE 4

Section 30

PROVISIONS APPLYING IN RESPECT OF PARLIAMENTARY CORPORATION

1. Chairperson of Corporation—(1) The Speaker is the chairperson of the Corporation.

(2) When there is a vacancy in the office of Speaker, or when the Speaker is (for whatever reason) absent from duty, the Deputy Speaker is the chairperson of the Corporation.

2. Chief executive and Secretary—(1) The General Manager is the chief executive of the Corporation.

(2) The chief executive may appoint an employee of the Parliamentary Service to be the Secretary of the Corporation.

3. Meetings—(1) Meetings of the Corporation are held at times and places appointed by the Corporation or by the Speaker.

(2) Every meeting of the Corporation requires the presence of—

(a) The Speaker or a member of Parliament who is authorised by a delegation, given under **section 32**, to exercise the Speaker's functions, duties, and powers at the meeting; and

(b) The General Manager or an employee of the Parliamentary Service who is authorised by a delegation, given under **clause 8 of Schedule 1**, to exercise the General Manager's functions, duties, and powers at the meeting.

4. Resolutions to be unanimous—Every resolution of the Corporation must be unanimous.

5. Procedure—Subject to the provisions of this Act, the Corporation may regulate its procedure and exercise its functions in any manner that it thinks fit.

6. Seal—(1) The Corporation must provide for the safe custody of the common seal of the Corporation, which must be in a form that the Corporation decides.

(2) The common seal may be used only by the authority of a resolution of the Corporation, and each document to which the seal is affixed must be signed—

(a) By the Speaker or a member of Parliament who is authorised by a delegation, given under **section 32**, to sign the document or documents of that kind; and

(b) By the General Manager or an employee of the Parliamentary Service who is authorised by a delegation, given under **clause 8 of Schedule 1**, to sign the document or documents of that kind.

(3) The seal of the Corporation must be judicially noticed in all courts and for all purposes.

7. Contracts—(1) A contract or other enforceable obligation may be entered into by the Corporation as follows:

(a) An obligation that, if entered into by a natural person, would be required to be by deed must be entered into on behalf of the Corporation in writing under the common seal of the Corporation:

SCHEDULE 4—*continued*PROVISIONS APPLYING IN RESPECT OF PARLIAMENTARY CORPORATION—
continued

- (b) An obligation that, if entered into by a natural person, would be required to be in writing may be entered into on behalf of the Corporation in writing by a person acting under the Corporation's express or implied authority:
 - (c) An obligation that, if entered into by a natural person, would not be required to be in writing may be entered into on behalf of the Corporation in writing or orally by a person acting under the Corporation's express or implied authority.
- (2) **Subclause (1) (b) and (c)** do not prevent the Corporation from entering into any obligation in accordance with **paragraph (a)** of that subclause.
- (3) Despite **subclause (1)**, no obligation entered into by or on behalf of the Corporation, under the authority of a general or specific resolution of the Corporation, is invalid only because the obligation was not entered into in accordance with this clause.

Cf. 1959, No. 98, s. 3; 1993, No. 105, s. 180 (1)

8. Records—The Corporation must keep a record of all decisions made by the Corporation, but need not keep financial records or produce financial statements in respect of the Corporation.

SCHEDULE 5

Section 38

ENACTMENTS REPEALED

- 1974, No. 139—The Reserves and Other Lands Disposal Act 1974:
Section 2.
- 1980, No. 62—The Reserves and Other Lands Disposal Act 1980:
Section 8.
- 1985, No. 128—The Parliamentary Service Act 1985.
- 1986, No. 114—The Constitution Act 1986: So much of the First Schedule
as relates to the Parliamentary Service Act 1985.
- 1988, No. 29—The Parliamentary Service Amendment Act 1988.
- 1988, No. 126—The Clerk of the House of Representatives Act 1988:
Sections 33 and 34.
- 1991, No. 146—The Parliamentary Service Amendment Act 1991.