



**Reports of the Official Inter-
Parliamentary Relations
Programme
1 January– 31 July 2014**

Fiftieth Parliament
Rt Hon David Carter
Speaker

Presented to the House of Representatives

Contents

1	Foreword	4
2	Outward Programme	5
	2nd GLOBE Climate Legislation Summit Washington DC, United States of America	6
	25th Commonwealth Parliamentary Association Parliamentary Seminar Dar es Salaam, Tanzania	9
	63rd Westminster Seminar on Parliamentary Practice and Procedure London, United Kingdom	11
	45th Regional Presiding Officers and Clerks Conference Apia, Samoa	16
2	Inward Programme	39
	Visit to New Zealand by HE Kang Chang-hee, Speaker of the National Assembly of the Republic of Korea	41
	Visit to New Zealand by the Australian Senate Foreign Affairs, Defence, and Trade References Committee	46
	Visit to New Zealand by the Parliamentary Service Commission of Kenya	53
	Visit to New Zealand by His Excellency U Khin Aung Myint, Speaker of the House of Nationalities of the Union of Myanmar	56
	Visit to New Zealand by His Excellency Mr Bogdan Borusewicz MP, Marshal of the Senate, Republic of Poland	62
	Visit to New Zealand by Hon Kezia Purick MLA, Speaker, and Michael Tatham, Clerk of the Legislative Assembly of the Northern Territory	68
4	Study Programmes	72
	Fourth New Zealand Parliamentary Study Programme.	73

1 Foreword

Each year the official Inter-Parliamentary Relations Programme provides members of our Parliament with an opportunity to represent New Zealand on the international parliamentary stage. The programme accomplishes this through inward and outward inter-parliamentary visits, membership of international inter-parliamentary organisations, and hosting and contributing to parliamentary conferences, study programmes and other events.

The programme provides New Zealand with important opportunities for international engagements at the parliamentary level, and for our members to develop professionally and expand their international networks. The Inter-Parliamentary Relations Programme allows us to further New Zealand's interests in areas such as international agreements, educational and cultural exchanges, and contact between individuals. The diversity of the topics and issues canvassed at the events in which our members have engaged reflects positively on New Zealand's reputation.

While a compendium of inward and outward reports for the full calendar year is usually presented to the House, with the general election to be held in September 2014 I felt it appropriate to compile and present this final record of the official Inter-Parliamentary Relations Programme to coincide with the conclusion of the 50th Parliament.

The outward reports show a broad scope of diverse and interesting engagement on relevant topics and issues discussed in a range of multi-lateral fora. In addition, the inward reports reflect the ongoing interest that the New Zealand Parliament holds for our overseas counterparts, particularly in the Asia-Pacific region.

Once again, I would like to express my thanks and gratitude to colleagues who have submitted reports and for their active participation in the programme. I also thank those parliaments that have shown an interest in engaging and strengthening ties with the New Zealand Parliament, especially our colleagues in the Pacific. We value such relationships highly and remain committed to our engagement with, and support for, other parliaments. I would also like to take this opportunity to thank Parliamentary Relations staff for their dedication and professionalism in administering the programme and supporting members' participation in it.

The official Inter-Parliamentary Relations Programme continues to provide Parliament with excellent value and has contributed to our international reputation, as well as to the professional development of members.

Rt Hon David Carter
Speaker of the House of Representatives

2 Outward Programme

The official Outward Inter-Parliamentary Relations Programme includes participation by members at parliamentary conferences and seminars, and bilateral visits to other parliaments. The table below sets out each outward inter-parliamentary event attended by members of the New Zealand Parliament in 2013, and indicates whether a report has already been presented separately to the House; otherwise the report forms part of this compendium. An asterisk indicates the delegation leader where applicable.

Dates	Event	Delegates	Report
12-16 January	22nd Asia Pacific Parliamentary Forum (APPF) Puerto Vallarta, Mexico	Lindsay Tisch* Hon Maryan Street Barbara Stewart	Presented to the House
27-28 February	2nd GLOBE Climate Legislation Summit, Washington DC, United States of America	Meka Whaitiri	
16-20 March	130th Inter-Parliamentary Union (IPU) Assembly Geneva, Switzerland	Hon Tau Henare* Sue Moroney Dr Kennedy Graham	Presented to the House
23-28 March	Speaker's Bilateral Visit to Australia	Rt Hon David Carter	Presented to the House
25-31 May	25th Commonwealth Parliamentary Association (CPA) Parliamentary Seminar Dar es Salaam, Tanzania	Le'aufa'amulia Asenati Lole-Taylor	
15-21 June	63rd Westminster Seminar on Parliamentary Practice and Procedure London, United Kingdom	Tim Macindoe* Andrew Williams	
30 June-4 July	45th Regional Presiding Officers and Clerks Conference Apia, Samoa.	Eric Roy*	

2nd GLOBE Climate Legislation Summit Washington DC, United States of America 27–28 February 2014

Introduction

The Global Legislators Organisation (GLOBE International) is an organisation of national parliamentarians from over 80 countries that are committed to finding legislative solutions to the challenges posed by climate change and sustainable development.

GLOBE supports legislators in more than 40 national chapters, which provide economic, political, and policy capacity to develop and advance legislation and to monitor its implementation.

With headquarters in London, offices in Beijing, Bogota, Brussels, Kinshasa, Manila, Mexico City, New Delhi, Tokyo and chapters established in over 40 legislatures, GLOBE is developing an international network of legislators committed to practical action.

2nd GLOBE Climate Legislation Summit

Legislators from 40 countries, met in Washington DC on 27-28 February, hosted by US Senator Edward Markey and the World Bank, to receive, consider, and act on the results of the *4th edition of the GLOBE Climate Legislation Study*.

The study found that:

- In the 66 study countries, together responsible for 88 percent of global greenhouse gas emissions, almost 500 climate laws have been passed as at the end of 2013, an increase of 450 since 1997.
- Laws cover categories including mitigation and adaptation, and disaster risk reduction.
- Developing countries and emerging markets are advancing climate change laws and regulation fastest.
- The passing of national laws is creating a stronger foundation for monitoring and verifying national actions for a new post-2020 climate change agreement, due to be concluded in Paris in 2015.
- The cumulative ambition of this legislation is not yet enough to prevent the 2 degrees Celsius rise in global average temperatures, avoiding which is the agreed goal of the international community.

Having considered the study, the summit heard from countries that had advanced laws

over the past year. With a commitment to maximising the chances of securing an effective international agreement in 2015, it is extremely urgent that commitments be strengthened, and that countries that have not yet passed climate change laws or regulations do so. There is also a need to measure the performance of existing legislation, ensure appropriate budget allocations, and derive lessons learned.

Delegation members

I was the sole representative from the New Zealand Parliament at this event.

Event programme

Day 1

- Welcome Remarks from the summit hosts, US Senator Edward Markey, Rt Hon. John Gummer, Lord Deben from the House of Lords, UK Parliament and the US House Democrat Leader Nancy Pelosi.
- Presentation of the 4th GLOBE Climate Legislation Study of 66 countries by Mr Terry Townsend, Director of Policy and Deputy Secretary General, GLOBE International.
- Responses to the study and presentations on the need to share climate legislation best practise by various GLOBE members: Hon. Cedric Frolick, MP National Assembly of South Africa; Dr Robert Orr, Assistant Secretary General of the United Nations; Ms Christine Figueres, Executive Secretary of the United Nations Framework Convention on Climate Change; Ms Rachel Kyte, Vice President and Special Envoy for Climate Change, the World Bank Group; and Ms Naoko Ishii, Chairperson and CEO, the Global Environment Facility.
- A presentation on Climate Legislation in the US Senate by Senator Barbara Boxer, Chairperson US Senate Environment and Public Works Committee.
- A keynote address by Mr Achim Steiner, Executive Secretary of the United Nations Environment Programme and Under-Secretary General of the United Nations.
- Views from the Executive Agencies, including Rt Hon. William Hague MP (UK); Minister Xie Zhenhua (China) by video, Vice Chairman of the National Development & Reform Commission; Todd Stern (USA), USA Special Envoy for Climate Change.
- Short introductory presentations from 30 countries on Key National Developments.
- A panel discussion on “How can National Climate Change Legislation Contribute to an International Climate Change Agreement in 2015?” with Senator Laurence Rossignol, Vice Chair of the Senate Committee on Sustainable Development and Spokeswoman for the French Socialist Party on Environment

and Hon Cedric Frolick MP, House Chairperson of the National Assembly of South Africa, President GLOBE Africa; Ms Christiana Figueres, UNFCCC Executive Secretary and Lord John Prescott, Chairman of the Council of Europe Parliamentary Assembly Sub-Committee on Environment and Energy and Vice President of GLOBE International, Former Deputy Prime Minister of the United Kingdom and lead EU Negotiator at Kyoto.

- A briefing from the US Academy of Science and the UK Royal Society.

Day 2 was hosted by the President of the World Bank Group and included:

- An address by the President, Dr Jim Yong Kim, President of the World Bank Group.
- Reduced Emissions from Deforestation and Degradation (REDD+) 2nd World Summit of Legislators presentation and discussion of the draft agenda and legislators resolution
- The GLOBE AGM Conclusion and Agreement on Summit Outcome Statement and next steps Hon.Graham Stuart, MP Chairman of the Board, GLOBE International and Committee Chair House of Commons, UK Parliament; and Hon Cedric Frolick MP, GLOBE Vice President for Africa, House Chairperson of the National Assembly of South Africa.

Conclusion

This seminar was an excellent opportunity for me to meet with parliamentarians from around the world to discuss our experiences of working through the issues of climate change and global development in the parliamentary context.

New Zealand is not a member of GLOBE International and our attendance was as an observer only. I believe we have much to offer other nations and we have much to learn from them in addressing climate change from a legislative perspective.

Therefore it is my strong recommendation that serious consideration be given to New Zealand becoming a member of GLOBE International.

Meka Whaitiri MP

25th Commonwealth Parliamentary Association Parliamentary Seminar

Dar es Salaam, Tanzania

25–31 May 2014

Introduction

The Commonwealth Parliamentary Association (CPA) is an international community of parliaments and legislatures working together to deepen the Commonwealth's knowledge and understanding of and commitment to democratic governance. It seeks to build an informed parliamentary community and to enhance co-operation between its parliaments and legislatures.

The Commonwealth Parliamentary Seminar is an annual event supported by the CPA that focusses on parliamentary practice and procedure, providing participants with an intensive programme to engage with international colleagues on these and other parliamentary matters.

Delegation members

I was the sole representative from the New Zealand Parliament at this event.

Event programme

The seminar ran over 5 days, with each day featuring separate sessions on the following topics:

- The Commonwealth and the role of the CPA
- The Parliamentary and Political Scene in Tanzania
- The Role of the Presiding Officer and the Staff of Parliament
- The Member of Parliament and the Party
- Parliamentary Ethics, Transparency and Accountability
- Parliamentary Committees and the Committee System
- Parliament and the National Economy
- Parliament and HIV/AIDS
- Parliament, Gender and Human Rights

- Parliament, the Member and the Media
- Relationship between Parliament, the Executive and the People
- Financial Responsibility in the Democratic Process.

On the role of the CPA within the Commonwealth, I noted to the presenter and CPA Secretary-General, Dr William F. Shija, that the Youth Parliament initiative is an important one that would benefit from a strategic plan being developed. I also requested that the CPA continue to expend upon its support for the Pacific region in general, and in particular, the Pacific branch of the Commonwealth Women Parliamentarians group. Both of these points were acknowledged by the Secretary-General.

I also found the session on Parliamentary Ethics, Transparency and Accountability particularly informative and useful. I agreed with presenter Barry House MLC that *“Parliamentarians should consider the fundamental purpose in preserving the integrity of the ethical standards, in being transparent and accountable”*, especially in light of the often negative portrayal of members of Parliament in the media.

Delegates were also given the opportunity to visit the University of Dar es Salaam, which gave us good insight into some of the issues faced by Tanzania’s education system.

Conclusion

This seminar was an excellent opportunity for me to meet with parliamentarians from around the Commonwealth, to share experiences of working in the parliamentary environment, serving the community, and strengthening parliamentary democracy in our respective countries. At the conclusion of the seminar, I was privileged to have the opportunity on behalf of all the delegates to thank our Tanzanian hosts for their generous hospitality and excellent organisation of the event.

Asenati Lole-Taylor MP

63rd Westminster Seminar on Parliamentary Practice and Procedure London, United Kingdom 15–21 June 2014

Introduction

This annual seminar is hosted by the United Kingdom Branch of the Commonwealth Parliamentary Association (CPA). Participants from around the Commonwealth are invited to explore parliamentary democracy, and practice and procedure within a Westminster-style framework in order to enhance and share knowledge between parliamentarians and clerks.

Delegation members

Andrew Williams MP and I represented New Zealand at the seminar, joining over 80 parliamentarians and clerks from close to 40 parliaments and legislatures from around the Commonwealth. Rafael Gonzalez-Montero, Clerk-Assistant from the Office of the Clerk, was in attendance for the clerks' programme.

Event programme

The objectives of the seminar were for parliamentarians to explore through briefings, discussion sessions and practical observation:

- the role of Parliament in holding the Executive to account
- the role of opposition parties and cross-party relations
- party discipline and transparency
- the role of a second chamber and bicameralism
- the relationship between parliament and the media
- representation and the role of the MP in the constituency
- standards, privileges and accountability
- the management and administration of Parliament including the work of the Speaker and Presiding Officers, the Commission and Members' services.

The seminar provided an opportunity to interact and exchange knowledge and experiences with members and officials both from Westminster and other Commonwealth legislatures.

The commitment shown by members and officials from both the House of Commons and the House of Lords was excellent, with high-level presenters throughout the programme.

I was asked to present at the session about electoral systems where I had the opportunity to explain the workings of the MMP system in New Zealand, and which was contrasted with other electoral systems. Andrew Williams MP was a presenter at the session about bicameralism, where he described the unicameral system in our Parliament, and highlighted the importance of our select committee system and how it effectively replaces a second chamber. We also had the opportunity to visit a constituency.

It was interesting to understand the steps that the UK Parliament has taken to enhance its reputation following the expense scandal in 2010. In particular, a comprehensive amount of work has been carried out to reconnect the parliament with the people. They are achieving this through a comprehensive outreach programme in which the Speaker of the House of Commons, Rt Hon. John Bercow takes an active part, engaging with the public and communicating the work and importance of Parliament. Speaker Bercow also plays a role in forging closer relationships with parliaments from around the world through what he has labelled “parliamentary diplomacy”.

Conclusion

The programme was very comprehensive and useful in understanding the processes of both the House of Commons and the House of Lords. It was also very interesting to listen to the different challenges across legislatures in the Commonwealth, which in some cases may be poles apart. Examples of this are gender and equality issues or levels of engagement with the public.

It was also interesting to understand the differences between the New Zealand parliamentary system, compared to others in the Commonwealth. This highlighted in particular, the importance of our select committee system, which seems to be stronger than most.

We thoroughly enjoyed the experience of attending the seminar, and it proved very worthwhile. While the seminar is tailored for new parliamentarians, the presence of more experienced ones enriched the discussions both during the presentations and through informal networking.

Tim Macindoe MP
Delegation Leader

Programme

Monday, 16 June 2014	
10:00am	Session 1: Introduction to UK Parliament
11:00am	Session 2: Running Parliament
12:30pm	Session 3: Role of Speaker
1:30pm	Lunch
2:30pm	Session 4: Bicameralism
3:30pm	Session 5: Legislative process
4:45pm	Session 6: Parliamentary Information Services; broadcasting Parliament
Tuesday, 17 June 2014 – Members only	
9:00am	Session 7: Role of an MP
10:00am	Session 8: Role of the Opposition
11:15am	Session 9: Role of the Leader of the House
12:15pm	Session 10: Party discipline in Parliament
1:15pm	<i>Lunch in Speaker's House</i>
2:30pm	Session 11: Role of the Media
3:30pm	Session 12: Media / public speaking workshops
5:00pm	<i>Delegate photograph, followed by afternoon tea in the CPA Room</i>
6:00pm	Debate in Grand Committee Room, <i>followed by reception in CPA Room (1930-approx 2015)</i>

Tuesday, 17 June 2014 – Clerks only	
9:00am	Session 7: Member/Clerk Relations
10:00am	Session 8: Journal Office
11:15am	Session 9: Legal Services & Speaker's Counsel
12:15pm	Session 10: Scrutiny Unit
1:15pm	<i>Lunch in Speaker's House</i>
2:30pm	Session 11: Role of the Committee Clerk
3:30pm	Session 12: Committee workshop
5:00pm	<i>Delegate photograph, followed by afternoon tea in the CPA Room</i>
6:00pm	Debate in Grand Committee Room, <i>followed by reception in CPA Room (1930-approx 2015)</i>
Wednesday, 18 June 2014	
9:00am	Session 13: Women in Parliament
10:00am	Session 14: Parliamentary Questions & motions
11:30am	Session 15: Holding PMs to account- PMQs
12:30pm	Lunch
1:30pm	Session 16: Commonwealth Matters
2:30pm	Session 17: The working Parliament
3:45pm	Session 18: Standards, Privileges & the Independent Parliamentary Standards Authority (IPSA)

5:30pm	<i>Reception hosted by Clerk of the House</i>
Thursday, 19 June 2014	
9:15am	Session 19: The future of Parliament: reconnecting Parliament and the people
10:30am	Session 20: The Committee System
11:45am	Session 21: Parliament & Civil Society
12:45pm	Lunch
2:15pm	Session 22: Electoral systems
3:15pm	Session 23: Closing plenary- Parliament, Power & the Executive
4:45pm	Session 24: Certificates
5:30pm	Session 25: Constituency visit briefings
Friday 20 June	
8:00am	Session 26: Constituency visits
3:00pm	<i>End of programme</i>

45th Presiding Officers and Clerks Conference of the Australian and Pacific Regions

Apia, Australia

30 June–4 July 2014

Introduction

The 45th Presiding Officers and Clerks Conference of the Australia and Pacific Regions was held in Apia, Samoa from 30 June to 4 July 2014. Representatives from 21 Australian and Pacific parliaments attended the conference from the Commonwealth of Australia, Australian states and territories, New Zealand, the Autonomous Region of Bougainville, Cook Islands, Kiribati, Nauru, Niue, Papua New Guinea, Samoa, Tonga and Tuvalu.

Eric Roy MP, Deputy Speaker and Debra Angus, Deputy Clerk of the House of Representatives represented the New Zealand Parliament. Steve Cutting, Manager (Parliamentary Relations) also attended for the Commonwealth Parliamentary Association (CPA) Pacific region management meeting and a joint region meeting in his capacity as regional secretary.

Conference programme

The Conference programme adopted a broad theme of “Building a Legacy: Strengthening Parliamentary Powers and Independence”. Presiding Officers and Clerks participated in discussions and workshops over three days to consider:

- the separation of powers and good governance
- parliamentary oversight: committee scrutiny and Government responses
- parliamentary privilege and ethics.

As the roles of a presiding officer and a clerk in a Parliament are quite unlike any other roles in a Parliament or elsewhere, it is vital to connect with other parliaments to keep up to date with recent developments and share experiences. This conference provides a rare professional development opportunity within the Australia and Pacific region for participants. It is a forum to discuss issues of parliamentary procedure and governance, and to learn and to impart knowledge. It is an opportunity to further commitments to strengthening parliamentary democracy in the Pacific. A number of delegates, especially from the Pacific, were new to their roles and welcomed the opportunity to meet others who hold similar roles in another parliament.



Conference papers being presented in the Debating Chamber of the Samoan Parliament

The conference reflected the culture of Samoa, steeped in custom, tradition and faith. It also demonstrated how a Westminster parliamentary system can incorporate strong cultural and traditional values. The conference opened with a traditional Welcome Ava Ceremony which included participation by the Head of State and Masi'ifo, the Prime Minister and members of the Cabinet, the Chief Justice, the Speaker, Samoan members of Parliament, as well as Speakers from Australian, New Zealand and Pacific Islands parliaments.

Conference papers

Our papers focused on topics about practice and procedure in the New Zealand Parliament relating to the conference themes of separation of powers and good governance, and parliamentary privilege. I presented a paper entitled “The role of the Business Committee, the House’s Executive”. I outlined the development of the Business Committee into an effective mechanism to assist the management of business and in winning the confidence of members and parties across the House.

Debra Angus, Deputy Clerk, presented a paper, entitled “Recent Developments in parliamentary privilege in New Zealand”. This paper dealt with the recent work of the Privileges Committee which has seen itself at the cutting edge of developments in parliamentary privilege. The paper highlights recent work in areas of legislative reform, issues concerning information security and privacy breaches and the use of social media.

These papers are included in this report.

Other conference papers addressed a wide range of topics of interest in the region such as Parliament and gender, the independence of the parliamentary budget, the powers of committees to obtain information, government response to committee reports, ethics and

integrity and the relationship between Parliament, the Executive and the Courts and relationships with the Press.

Parliamentary strengthening

We were interested to learn about the Samoa Parliamentary Strengthening Project which was developed following a Legislative Needs Assessment done in 2011. This project was developed in collaboration with the UNDP and focused on two significant outcomes:

- effective national leadership and accountability of members
- strengthening of law-making and committee oversight.

After some initial problems with project management, there has been recent progress and achievement of project objectives through engagement of specialists from the Australian Federal Parliament. The project will end in 2015 and following the 2016 elections, it has been identified that more work will be required particularly to build capacity of current and new members of Parliament.

CPA Region Management Meetings

The conference also provided an opportunity to hold separate meetings of the CPA Region Management committees for Australia and the Pacific. The delegations from Bougainville, the Cook Islands, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Samoa, Tonga and Tuvalu were present at the Pacific Region meeting. Reports were received on the CPA Executive Committee meeting held in London in 2013 and the upcoming Commonwealth Women Parliamentarians Steering Committee to be held in Tonga in July 2014. The meeting also discussed regional representation on the Executive committee, the future format of regional conferences and seminars, the CPA Regional Staff Development Workshop held in the Cook Islands in March 2014, The New Zealand Parliament's Pacific Staff Study Programme and upcoming CPA events.



Deputy Speaker Eric Roy with Deputy Clerk Debra Angus at the Conference

Joint Regions Meeting

Following the separate Region Management meetings, a joint CPA Australia Region and Pacific Region meeting was held. This was the third time that a joint meeting had been held, following a proposal led by Australia to review the arrangements for regional conferences and seminars. The meeting agreed to the proposal for the Australian and Pacific CPA Annual Regional Conference and noted that the next regional conference under the new arrangement is likely to be held in Papua New Guinea in November 2014.

Conclusion

This conference provides a valuable opportunity to share experiences of developments in parliamentary procedure and law, and for the professional development of Presiding Officers and Clerks of the Pacific and Australia regions. The issues discussed were topical and very relevant to our Parliament. The conference also supports a long-term objective to build parliamentary capacity, particularly in the Pacific. The next conference will be hosted by the Legislative Assembly and Legislative Council of Tasmania in 2015.

We thank the Legislative Assembly of Samoa for its generosity in hosting us. We would like to pay tribute to the organisers of the conference.

We look forward to continuing to work to develop the capacity of national parliaments in the Pacific region particularly through the strengthening programmes and twinning arrangements. In our capacity as the CPA's regional secretariat in the Pacific, we will continue to focus on effective coordination and communication to assist partners working in the Pacific.

Eric Roy MP
Deputy Speaker

Programme

Monday, 30 June 2014	
10:00am - 3:00pm	Arrival of Delegates: Airport Transfers provided
2:00pm- 5.00pm	Registration Venue: Tanoa Tusitala Hotel Lobby
6:00pm - 8:00pm	Welcome Reception Venue: Samoa Tourism Authority Fale
Tuesday, 1 July 2014 - SEPARATION OF POWERS & GOOD GOVERNANCE	
8:20am	Transport to Maota Tofilau Eti Alesana (MTEA)
8:45am	Arrival of the Prime Minister
8:50am	Arrival of the Head of State National Anthem of Samoa (Police Band)
9:00 am	Homily – Pastor Viliamu Mafoe
9:10am	Ava Ceremony
9:50am	Vote of Thanks by Mr Speaker
9:55am	Conference Photo Venue: MTEA Steps
10:00am	Morning Tea Venue: Parliament Forecourt
10:30am	Election of Chairman and Deputy Chairman

	Venue: Chamber
10:45am –12:00pm	<p>Conference Papers</p> <p>Hon Nikki Rattle (Speaker- Parliament of the Cook Islands): “Parliament & Gender”</p> <p>Hon Eric Roy (Deputy Speaker- New Zealand House of Representatives): “Role of the Business Committee: the House’s Committee”</p>
12:00pm	<p>Lunch</p> <p>Venue: Parliament Forecourt</p>
1:00pm–3:00pm	<p>Conference Papers</p> <p>Ms Beverly Duffy (Assistant Clerk, Committees- NSW Parliament): “The Powers of Parliamentary Committees to obtain information: Current issues in NSW”</p> <p>Clareesa Surtees (Deputy Clerk- Australian House of Representatives): “Perspectives from the Australian Parliament”</p> <p>Neil Laurie (Clerk- Queensland Parliament): “Parliament, Executive and Courts: Conventions of Mutual Respect”</p> <p>Tom Duncan (Clerk, Australia Capital Territory, Australia): “A matter of Protocol: Maintaining the Independence of the Budget”</p>
3:00pm	<p>Afternoon Tea</p> <p>Venue: Parliament Forecourt</p>
3:15–4:30	<p>Conference Papers</p> <p>Togiavalu Pihigia (Speaker, Niue): “Separation of Powers and Good Governance”</p> <p>Tuisa Tasi Patea MP (Legislative Assembly of Samoa): “Theory & Practice in Samoa”</p>
4:30pm	Transfer to Hotel
7:00pm	Reception hosted by HE, Sue Langford, Australian High Commissioner to Samoa

10:00pm	Transfer to Hotel
Wednesday, 2 July 2014 - PARLIAMENTARY OVERSIGHT: COMMITTEE SCRUTINY & GOVERNMENT RESPONSES	
8:00am	<p>Pacific Parliamentary Fund Executive Meeting</p> <p>Venue: Committee Rooms 1&2, Maota Tofilau Eti Alesana Building</p> <p>*Remaining delegates to be transferred to Parliament House</p>
9:00am–10:30am	<p>Conference Papers</p> <p>Hon Shelley Hancock- (Speaker, New South Wales Legislative Assembly): “Inquiry Outcomes: Recent Experiences of Government responses to Committee Reports in NSW”</p> <p>Hon John Simon, MP (Assistant Speaker, Parliament of Papua New Guinea): “Parliamentary Oversight: Committee Scrutiny & Government responses”</p> <p>Hon Don Harwin, MLC (President, Legislative Council of New South Wales): “Celebrating 25 years of the Modern Committee System in the NSW Legislative Council”</p>
10:30am	<p>Morning tea</p> <p>Parliament Forecourt</p>
11:00am – 1.00pm	<p>Conference Papers</p> <p>Peter Alcock (Clerk, Tasmania House of Assembly: “Committees and Minority Government in Tasmania 2010-2014”</p> <p>Hon Bruce Scott, MP (Deputy Speaker, House of Representatives, Australia): “Parliamentary Ethics, Transparency and Accountability”</p> <p>Hon Otinielu Tauteleimalae Tausi (Speaker, Tuvalu): “Parliament Oversight: Committee Scrutiny and Government Responses”</p>
1:00pm	<p>Lunch</p> <p>Venue: Parliament Forecourt</p>

2:00pm	<p>Speakers Meeting</p> <p>Venue: Chamber</p> <p>Clerks' Meeting</p> <p>Venue: VIP Lounge Maota Tofilau Eti Alesana</p>
3:00pm	<p>Afternoon Tea</p> <p>Venue: Maota Tofilau Eti Alesana</p>
3:15pm	<p>CPA Australian Regional Meeting</p> <p>Venue: Committee Rooms 1 & 2</p> <p>CPA Pacific Regional Meeting</p> <p>Venue: VIP Lounge Maota Tofilau Eti Alesana</p>
4:20pm	<p>Transfer to Hotels</p> <p>Free evening</p>
<p>Thursday, 3 July 2014 - PRIVILEGES AND ETHICS- LEGISLATION, REDRESS & WAY FORWARD</p>	
8:30am–10:00am	<p>Conference Papers</p> <p>Debra Angus (Deputy Clerk- New Zealand House of Representatives): “Recent Developments in Parliamentary Privilege”</p> <p>Hon Barry House (President, Legislative Council of Western Australia: “Parliamentary Ethics, Transparency and Accountability”</p> <p>Hon Vicki Dunne, MLA (Speaker- Legislative Assembly of the Australia Capital Territory): “Integrity in Parliament: An Oxymoron?”</p>
10:00am	<p>Morning tea</p> <p>Venue: Parliament Forecourt</p>
10:30am–12:00pm	<p>Conference Papers</p> <p>Michael Tatham (Clerk- Legislative Assembly of the Northern</p>

	<p>Territory): “Refreshers and Retaining for Sitting Members and Public Engagement- recent initiatives in the Northern Territory”</p> <p>Hon Fiona Simpson (Speaker, Parliament of Queensland): “Parliamentary Privilege: Why Bother?”</p> <p>Peter McHugh (Clerk, Legislative Assembly of Western Australia): “Ethic Seminar for Members”</p>
12:00pm	<p>Lunch</p> <p>Venue: Parliament Forecourt</p>
1:00pm–2:00pm	<p>Conference Papers</p> <p>Wendy Duncan (Deputy Speaker, Legislative Assembly of Western Australia): “Parliament and the Press: Shield and Swords”</p> <p>Lefau Harry Schuster, MP (Legislative Assembly of Samoa): “Developments in Privilege- the Past 52 years”</p>
2:00pm	Conclusion of POCC
2:15pm	CPA Joint Meeting
3:20pm	Transfer to Hotels
6:00pm–9:00pm	<p>Farewell Function & Dinner</p> <p>Dress: POCC outfit (provided)</p> <p>Venue: Maota Tofilau Eti Alesana</p>

45th Presiding Officers and Clerks Conference 2014, Samoa, July 2014

The role of the Business Committee: the House's executive

Eric Roy, Deputy Speaker of the House of Representatives, New Zealand

Introduction: the establishment of the Business Committee

In 1996, New Zealand abandoned first-past-the-post voting in favour of the proportional representation system known as mixed-member proportional, or MMP. First-past-the-post had almost always resulted in a government based on a cast-iron majority for one party. Under MMP, a party would require half of the popular vote (or something very near it) to secure a majority in the House without the support of other parties. In six general elections since the introduction of MMP no party has achieved this, though the National Party came close to doing so in 2011, securing 47% of the party vote and 59 seats out of 121, two short of an overall majority.

Under first-past-the-post, managing the business in New Zealand's unicameral Parliament was usually straightforward. The government would use its outright majority to exercise substantial control over what happened in the House. When negotiation was necessary, it was simply a matter of the whips of the governing party getting together with those of the main opposition party to come to an arrangement.

When MMP was introduced in 1996, it was clear that managing the business of the House would be a much more complex issue than had usually been the case under first-past-the-post. This was partly because the main governing party would almost certainly lack a majority in its own right, but also because under MMP it is much easier for smaller parties to win seats in the House. The fiftieth Parliament that comes to an end in August consists of no fewer than eight parties, plus one independent member.

In 1995 the House's Standing Orders Committee considered how the challenges of the new parliamentary environment created by MMP could be dealt with. Committee members visited several European parliaments functioning under a similar electoral system as the one that was about to be introduced in New Zealand and had discovered that they all had some form of business committee chaired by the presiding officer. The committee's report described the establishment of a Business Committee as "essential".

The Clerk of the House, Dave McGee, was a major influence behind the changes to parliamentary procedure made to take the House into the MMP era, including the creation of the Business Committee. In the most recent edition of *Parliamentary Practice in New Zealand*, McGee describes the intention behind the creation of the Business Committee:

It was to be a forum in which discussions could be held among the parties represented in the House as to the organisation of the business to be transacted. In effect, the House needed an executive or management committee, on which all parties were represented, which could help to direct the flow of the House's work and spread information among members as to the management of that work.

The 1995 Standing Orders Committee saw the main tasks of the Business Committee to be fourfold:

- to determine the order of business to be transacted and the times to be spent on it in the coming week's sittings;
- to recommend to the House a programme of sittings for each calendar year;
- to operate as a committee of selection in respect of recommending the personnel to serve on select committees; and
- other duties as the House decides from time to time.

In short, the Business Committee was to oil the wheels of parliamentary business so that the House could spend its time considering items of business rather than how to deal with items of business.

The last task specified in the 1995 Standing Committee's report: "other duties as the House decides from time to time", is a measure of the uncertainty that was felt about how well the Business Committee would work. There was a reluctance to devolve too many powers to the committee until it had become clear whether or not it would be an effective tool for managing the business of the House.

The evolution of the Business Committee

In fact, the Business Committee quickly established itself as an effective mechanism to assist the management of business, winning the confidence of members and parties across the House. The inclusiveness of its membership and the way in which it reaches its decisions were both key to the Business Committee winning the confidence of the wider House. I will return to both these matters later, but first I will bring the story of the evolution of the Business Committee up-to-date.

Over the six parliaments that have followed the introduction of MMP and the establishment of the Business Committee, the House has gradually entrusted the committee with more responsibility. The biggest leap forward came with the 2011 report of the Standing Orders Committee. The changes it recommended have been in place for the fiftieth Parliament that is coming to its close in advance of our general election on 20 September.

In the introduction to its report, the committee made "encouraging constructive Business Committee negotiations" a theme of its report. Here is part of what the report said:

While the Government's ability to direct the House's consideration of business for which it has majority support would remain largely intact if our recommendations were implemented, there would be greater incentives for the Government to negotiate in the Business Committee. This in turn might promote consultation with party spokespeople as a means of assuring Business Committee members that support for a course of action is in the interests of their respective parties.

Our recommendations would give the Business Committee even greater flexibility to make arrangements, and we would encourage all members with an interest in promoting business or proposing matters for debate to be imaginative in their negotiations. For example, the determination by the Business Committee of extra

sitting hours for Government business, over and above the hours the Government could obtain through a motion for an extended sitting, might also include some time for a lengthened second reading debate on a bill that is of interest to Opposition parties, or for consideration of a significant select committee report. The ability to determine the shape of the Committee stage debate prior to a bill's introduction could bring about early consultation with party spokespeople as to the structure of legislation.

Such consultation would be likely to benefit all parties, particularly those that would not otherwise be consulted in the Government's normal maintenance of its support arrangements.

Of course, behind-the-scenes negotiations have always been a feature of democratic parliaments. By promoting the Business Committee as a forum for such negotiations, the Standing Orders committee was acknowledging the trust that the House and the political parties that it comprises have developed in the committee over the fifteen years of its existence up to the time that the report was published.

The membership of the Business Committee

I will now move on to describe how the Business Committee works and to analyse why it works.

The Speaker chairs the Business Committee. It is important for the committee's authority that this is the case. The Standing Orders Committee of 1995 noted that this was the case in all the successful models that it had observed in European parliaments. As we will see, the Speaker has to decide when the committee has sufficient consensus to reach a binding decision, a responsibility that could be more contentious if exercised by a partisan Chairperson drawn from membership of the committee. In the absence of the Speaker, I as Deputy Speaker assumes the Speaker's role as Chairperson of the Business Committee, just as I do in relation to all his other duties. There is no elected Deputy Chairperson of the committee.

Every party represented in the House is entitled to be represented at each meeting of the committee by one member nominated by its leader. In the current Parliament, this includes three parties that each has just one member in the House. When the Business Committee was created it was not the case that every party was entitled to representation; parties with six members or fewer had to agree on one representative on the committee for those supporting the government and one for those in opposition. As time went on it was realised that every party, however small, should be represented if the interests of the small parties were to be properly safeguarded.

There is an anomaly in the membership of the Business Committee. Though one-member parties are represented, independent MPs are not. This reflects the fact that the Business Committee was conceived as a forum for parties. Earlier in the current Parliament, a situation arose where one of the single-member parties—United Future—was deregistered by New Zealand's Electoral Commission for not being able to prove that it had the minimum 500 members required of a registered party by law. Consequently, United Future lost its recognition as a party for parliamentary purposes and its sole member, Hon Peter Dunne, sat as an independent until United Future was reregistered and had its recognition

as a party for parliamentary purposes restored. In this period Mr Dunne lost his membership of the Business Committee.

Though Standing Orders allow every party to be represented at the Business Committee by one member, the largest government and opposition parties invariably have more members present. The main government party is represented by the Leader of the House, usually supported by two whips. The Shadow Leader of the House and the senior whip usually attend for the main opposition party. Other parties are represented by their whips, except the one-member parties who obviously have no choice about who to send. There has been a request from a small party to send an official to the meeting when no member is available. This request was refused; the Business Committee follows processes that are more flexible from other committees, but that does not extend to having non-members sitting on it.

How the Business Committee reaches decisions

It might seem odd that parties choose how many representatives to send to the Business Committee. The reason that there is no concern about this is that the committee never votes in the conventional way. It reaches its decisions on the basis of unanimity or, if this is not possible, near-unanimity having regard to the numbers in the House represented by each of the members of the committee. So, in the Parliament just coming to an end, whoever is representing the National Party on the Business Committee speaks with the authority of 59 National MPs and the weight attached to this is unaffected by how many of those MPs are in the room at the time. It is important, however, that each party is represented by a senior figure so that the committee can be assured that any course of action agreed by it will be followed by each party in the House.

Reaching a decision unanimously is unambiguous. But if that is not possible, the committee is able to agree by near-unanimity. What counts as near-unanimity? In 1995, the Standing Orders Committee said that the requirement for near-unanimity ensured that:

one member, representing say, only six or maybe fewer members could not thwart the overwhelming majority of the House.

This somewhat tentative statement is as close as we have ever come to putting a figure on “near-unanimity”. The vagueness of the concept has become a virtue. It is left to the Speaker to decide if near-unanimity has been achieved. The only guidance that Standing Orders would give him, is that he:

...must be satisfied that, having regard to the party membership in the House, the proposed determination is fair to all parties and does not discriminate against or oppress a minority party or minority parties.

The Standing Orders Committee’s 2011 report reinforced the Speaker’s responsibility towards smaller parties:

...it would be unusual for near-unanimity to be reached in the face of objection by a number of smaller parties.

This means that it is not simply a numbers game. On one occasion, a previous Speaker made it clear that he would not regard the opposition of one party of seven members as a breach of near-unanimity. That ruling was made by that Speaker on that issue; it did not necessarily set a benchmark. It might be that in another context a different decision would have been reached. The protection that Standing Orders offer to small parties means that it is possible that the objection of several very small parties could be seen as meaning that near-unanimity had not been achieved, even if the total number of members represented was fewer than that of a single seven-member party.

In practice, the Speaker is asked to be the judge of whether near-unanimity has been achieved only rarely. Whether there is sufficient support for a determination to be made is usually clear from the discussion. If one of the two biggest opposition parties (with 34 and 14 seats respectively) is against the proposal, the matter is settled. Often the reservations of the smaller parties can be addressed to their satisfaction, perhaps by the sort of imaginative negotiation suggested by the Standing Orders Committee in its 2011 report.

Meetings of the Business Committee

The meetings of the Business Committee are conducted quite unlike those of any New Zealand select committee or other committee of the House. The committee meets every sitting Tuesday at 4.30 pm in the Speaker's Office, at a time when the House has finished question time and senior members are likely to be available to attend. Meetings are always held in private and rarely last more than 15 to 20 minutes.

The agenda is compiled in a more flexible manner than what is usual for committees. Though a notice of meeting is circulated on the day before the meeting, the final shape of the agenda can differ substantially from the business foreshadowed on the notice, with items added up to the last moment. Sometimes there will be fruitful discussion of items that are not on the agenda at all. Overall, the meeting is conducted in a manner and with a tone that is less formal than an outsider might expect of a forum at the centre of Parliament's affairs.

The committee's decisions are called "determinations" and are released at 9.00 am on the day after the committee meets. Business Committee determinations are effective automatically. A determination does not require confirmation or endorsement by the House, and applies notwithstanding any Standing Order to the contrary.

Powers of the Business Committee

Over the six Parliaments since the Business Committee was established, it has been given more and more powers as confidence has grown in its integrity as a guardian of the interests of all sides of the House. It is worth noting that any enhancement to the powers of the committee comes from the House approving changes recommended unanimously by the Standing Orders Committee.

The Business Committee has the power to determine a number of matters in two broad categories: the business of the House and the business of select committees. The committee has a range of powers that affect the order, timing and duration of business in the House, though it is fair to say that they are not used that often; the Government remains in firm control of the business on all days except Members' days.

The committee's powers are used from time to time to speed the progress of non-controversial business, for example by determining that two or more bills (on a common subject area) may be debated together, or that the committee stage of a bill may be dispensed with.

In this respect, an interesting development in the current Parliament has been the provision for extended sittings of the House. Previously, the only way in which the sitting hours of the House could be extended was by the Government moving an urgency motion. This often resulted in the House sitting under urgency to consider bills that had been on the order paper for months, or occasionally years, and about which there was obviously no genuine urgency whatsoever. Urgency was usually politically contentious and to an extent brought the House into disrepute in the eyes of the public.

So the Standing Orders Committee proposed the creation of extended sittings, usually in the form of an additional morning sitting of up to four hours in duration. There are two ways in which an extended sitting can be brought about: by motion in the House or by the agreement of the Business Committee. It is interesting that of the 26 extended sittings that had taken place up to 8 May of this year, only one had been initiated by a motion; all the rest were by determination of the Business Committee. An agreement about the business to be dealt with is part of such determinations, and the Government chose to ask the Business Committee to give time to relatively non-contentious bills rather than use its majority in the House to force the use of extended sittings for more controversial legislation. This shows that the vision of the Standing Orders Committee in its 2011 report has been realised:

...the promotion of constructive engagement through the Business Committee regarding how business will be dealt with by the House.

The Business Committee also has extensive powers with regard to select committees, including their membership at the start of a Parliament and any changes to membership during the Parliament. Select committees may apply to the Business Committee to meet at times that would otherwise be outside Standing Orders.

Discussions at Business Committee meetings are not limited to matters on which it has the power to make determinations. It is also a forum in which a course of action on other matters can be agreed to. For example, if the Government needs to seek the leave of the House for a procedural matter, the Leader of the House may inform the Business Committee in advance and seek assurance that there will be no objection when leave is sought.

At the start of a Parliament, the Business Committee will agree an order of calls for each type of debate. Of course, it is always up to the Speaker to decide who gets a call, but, provided that members remember to seek the call at the right time, the Speaker will follow the order noted by the Business Committee. Thus a possible area of contention is avoided. Another of the Business Committee's duties is to recommend the annual sitting programme to the House.

The Business Committee is also a conduit for information. The Leader of the House often informs the committee of the Government's plans for the business that it intends to bring

before the House. The Speaker and the Clerk of the House sometimes use the committee to make members aware of issues or developments that will affect them or on which their views are being sought.

Conclusion

The Business Committee experiment on which the New Zealand House of Representatives embarked in mid-1990s has been a success. This has come about because the committee has achieved a delicate balance between the conflicting interests in the House. To put it another way, there is something in it for everybody. By working co-operatively in the Business Committee, the Government (no matter of what persuasion) gains valuable House time, more than it would have if it relied simply on the muscle of its majority to get things done. The opposition parties appreciate that the Business Committee offers them leverage that would not be available in any other way, and the smaller opposition parties appreciate the protection of their interests that the committee offers, while realising that it does not allow them to hold the House to ransom.

It is hard to imagine how the House would manage without the Business Committee now. It would certainly waste a good deal of its time sorting out issues on the floor of the House that the committee now deals with. It is the oil that lubricates the complicated mechanism that is an MMP-elected House.

45th Presiding Officers and Clerks Conference, Samoa, July 2014

Recent developments in parliamentary privilege in New Zealand

Debra Angus, Deputy Clerk of the House of Representatives, New Zealand

Black clouds

“Parliamentary privilege is an arcane branch of the law’...Although efforts have been made to tidy it up at the edges, privilege remains a great black cloud in the sky threatening to stifle freedom of expression in many different ways.”¹

Sir Geoffrey Palmer, former Prime Minister, Attorney-General and Chairperson of the Privileges Committee.

Parliamentary privilege may sound like a dry and academic topic, but over the past year, the New Zealand Privileges Committee has been occupied with the cutting edge of developments in parliamentary law and procedure. This paper highlights some recent work of the Privileges Committee in legislative reform, information security and privacy breaches and the use of social media. These matters concern the relationship between Parliament and the courts, between Parliament and the Executive, and between Parliament and the media.

Has Parliament created yet more “black clouds” as described by Sir Geoffrey Palmer, or have some of the clouds cleared away?

Introduction

At last year’s conference I spoke about the report of the Privileges Committee made in June 2013, *Question of privilege concerning the defamation action Attorney-General and Gow v Leigh*.²

The New Zealand Supreme Court had concluded that statements from an official to a Minister for the purposes of preparing for answering an oral question in the House were not protected by absolute privilege in a defamation case. The committee found that the Supreme Court decision represented a shift from previous judicial authority, and moved New Zealand away from other Commonwealth jurisdictions in its interpretation of the scope of Parliament’s privilege of freedom of speech. While it is rare for a committee of the House to comment directly on a court decision, the Privileges Committee made it clear that it did not accept that the decision was correct, particularly in its application of the “necessity test” to determine the extent of the House’s privileges. The committee concluded that the judgment would damage the House’s capacity to function in the public interest and would have a chilling effect on the ability of the House to receive information.

¹ Palmer, Geoffrey, *Reform: A Memoir*, Victoria University Press, Wellington 2013, p 557.

² I.17A, June 2013.

http://www.parliament.nz/en-NZ/PB/SC/Documents/Reports/f/b/8/50DBSCH_SCR5877_1-Question-of-privilege-concerning-the-defamation.htm

Finally, the committee recommended legislative reform as the only way to remedy these issues, and made suggestions about the form legislation might take.

Legislative reform

In response to the Privileges Committee recommendations, the Government agreed that legislative reform was necessary.³ When the judiciary and the legislature come to different views, legislation is the usually appropriate means of addressing the issue. In December 2013, the Leader of the House introduced the Parliamentary Privilege Bill.⁴ The bill seeks to implement the Privileges Committee's previous recommendations. It is intended to return the law to Parliament's understanding of the privilege of freedom of speech by clarifying critical definitions and to modernise existing legislation to make it more accessible.

The Bill does not replace or alter Article 9 of the Bill of Rights 1688. It defines "proceedings in Parliament" and provides guidance on how to interpret key terms such as "questioned or impeached". These provisions of the Bill are modelled on the provisions of the Australian Commonwealth's Parliamentary Privileges Act 1987.

The bill brings together and modernises current statutory references to parliamentary privilege which are found in a number of different places, including the Legislature Act 1908, Legislature Amendment Act 1992 and the Defamation Act 1992. The bill also updates protections for broadcasting and publication to keep pace with changing technology. It puts the power to fine for contempt on a statutory footing and provides for a process for the collection of any fine. Finally, the bill addresses the doctrine of effective repetition, which the committee has previously recommended should be abolished.

Select Committee process

After the first reading debate, the bill was referred to the Privileges Committee for consideration.⁵

The committee called publicly for submissions on the Bill and also invited submissions from a number of interested parties and its counterparts in some overseas jurisdictions. The committee received and considered nine submissions and heard evidence from the Clerk of the House, the Legislation Advisory Committee and the Law Society. These submissions are publicly available.⁶ The Committee also received advice from the Ministry of Justice, the Office of the Clerk and an independent specialist adviser (Mr. John Pike QC).

One of the interesting aspects of the select committee process was the interaction with privileges committees from other Westminster parliaments. Some committees had

³ Government response, J.1, 3 September 2013.

<http://www.parliament.nz/resource/0001806851>

⁴ <http://www.legislation.govt.nz/bill/government/2013/0179/latest/versions.aspx>

⁵ http://www.parliament.nz/en-nz/pb/debates/debates/50HansD_20131212_00000012/parliamentary-privilege-bill---first-reading

⁶ <http://www.parliament.nz/en-nz/pb/sc/documents/evidence?Criteria.Keyword=&Criteria.Author=Privileges+Committee&Criteria.Parliament=50&Criteria.Timeframe=&Criteria.DocumentType=&Search=Go>

previously made submissions on the committee's inquiry into the *Leigh* case and at the NZ Privileges Committee's invitation, followed up with further submissions on the bill.

In the United Kingdom, a report by a joint parliamentary committee on the Government Green Paper on proposals to reform parliamentary privilege was released in July 2013, one month after the *Leigh* report.⁷ That report recommended a few changes but did not recommend comprehensive codification of privilege in the United Kingdom. The Privileges Committee received a submission on the bill from Lord Sewel which noted that the Joint Committee kept the legislative option open.⁸ For instance on the problem of judicial questioning of proceedings in Parliament, the Joint Committee concluded that while at this stage the problem in the UK was not sufficient to justify legislation, "Parliament should be prepared to legislate if it becomes necessary to do so in order to protect freedom of speech from judicial questioning."⁹

Lord Sewel's submission on the bill also referred to the specific issues which led to the NZ legislative reform, where the Joint Committee "expressed regret" at the decision in *Leigh* but noted the decision was not binding in the UK and the matter had not been tested in the UK courts. The Government response to the Joint Committee report also agreed that briefings by officials to ministers to enable them to answer parliamentary questions should continue to enjoy absolute privilege, while recognising that would be a matter for the courts.¹⁰

The submission also referred to the issue of member's liability for "effective repetition" where the Joint Committee shared the concerns but did not consider that legislation would be feasible. A recent UK court case in *Makudi v Baron Triesman*¹¹ which raised similar issues to those in *Jennings v Buchanan* has now reached a conclusion. Details of statements made by a witness to a parliamentary committee were held to be not actionable, where in a subsequent inquiry into arrangements over football World Cup match-hosting, the maker of the statement objected to going into any further detail which would not be protected by privilege. The plaintiff had alleged that the witness had adopted by reference and/or confirmed and/or repeated his statements to the select committee. This shows that the issue of "effective repetition" depends very much on the facts of each case, but attempts may still be made to use a statement made outside a privileged occasion as a "hook" back into a proceeding in Parliament.

Some of the NZ submitters considered that the committee should satisfy itself that the Australian legislation was working effectively, particularly as the definition of proceedings in Parliament in the bill was based on the Australian legislation. In its submission on the bill, the Standing Committee of Privileges and Member's Interests of the House of Representatives of the Parliament of Australia provided a very useful summary of the issues, including the court decisions which led to legislation making it clear to the courts how Article 9 of the Bill of Rights applied to the Australian parliament.

⁷ <http://www.publications.parliament.uk/pa/jt201314/jtselect/jtprivi/30/30.pdf>

⁸ http://www.parliament.nz/resource/en-nz/50SCPR_EVI_00DBHOH_BILL12934_1_A380931/76b1c2e6f4c0324e9516e3e06c5c152b9e26cf37

⁹ <http://www.publications.parliament.uk/pa/jt201314/jtselect/jtprivi/30/30.pdf>, para 136.

¹⁰ <http://www.parliament.uk/documents/joint-committees/Parliamentary-Privilege/Cm%208771%20Gov%20response%20to%20JC%20on%20PP%20Dec%202013.pdf>

¹¹ <http://www.bailii.org/ew/cases/EWCA/Civ/2014/179.html>

Section 16 of the Australian Parliamentary Privileges Act 1987 puts beyond doubt that Article 9 is part of the law of Australia under the Constitution and lists those actions which make up proceedings in Parliament. The committee noted that these provisions have functioned well and there is no evidence that by prescribing what constitutes proceedings in Parliament there has been any limitation. Since 1987, there has not been any need or proposal to expand the items specified under section 16(2). In view of this experience, the committee believes that the provision in the NZ legislation which mirrors the Australian legislation, should serve the NZ Parliament effectively.¹²

Select Committee report

The Privileges Committee has now considered the bill and reported it back to the House with recommended amendments on 5 June 2014.¹³ The main changes are to restructure the bill to organise the core elements of the legislation more clearly. The changes would make clear the underlying justifications for parliamentary privilege; the privileges, immunities and powers in the bill exist to uphold the integrity of the House as a democratic institution, and to secure the independence of the House, its committees and its members of the performance of its functions. Changes are also made to address some confusion caused by importing defamation concepts of “absolute” and “qualified” privilege in the original bill, which may have led to inadvertently extending parliamentary privilege. The Committee concluded that these concepts are best left in the Defamation Act 1992. The committee recommended taking only an evidential prohibition approach to liability from statements regarded as effectively repeating statements made during parliamentary proceedings. The committee also recommended changes to rely on reinforced provisions for stays of court or tribunal proceedings in respect of communications (reporting or broadcasting by whatever means) under the authority of the House and a qualified immunity for certain communications such as fair and accurate reporting of proceedings.

At the time of writing this paper, the bill is awaiting its second reading in the House.

Observations

Legislative reform of the law of parliamentary privilege is not for the faint-hearted. In New Zealand there have been several committee reports recommending reform and one unsuccessful member’s bill. In Australia, legislation was enacted as a response to several court decisions in an attempt to reassert the true law of privilege. In the UK, the 1999 Joint Committee on Parliamentary Privilege recommended comprehensive codification of parliamentary privilege,¹⁴ but neither House formally endorsed the report. The Government’s Green Paper in 2012, while recommending specific reforms, suggested that the case has not been made out for comprehensive codification.¹⁵

The UK Joint Committee on Parliamentary Privilege in 2013 reported that it was not aware of any country which relies on privilege having brought about comprehensive codification of privilege. The Joint Committee noted in its report that there have been many examples

¹² http://www.parliament.nz/resource/en-nz/50SCPR_EVI_00DBHOH_BILL12934_1_A380859/a07c476212bc1b66cee2182c266f06219d8b794c

¹³ http://www.parliament.nz/resource/en-nz/50DBSCH_SCR56326_1/9b9b2f6170ca311b1b4a801c3d952f18aad8bd51

¹⁴ Report from the Joint Committee on Parliamentary Privilege, Session 1998–99, HL Paper 43-I, HC 214-I

¹⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/79390/consultation.pdf

of parliaments enacting legislation in response to court decisions regarding the extent of their exclusive cognisance. “On the other hand, attempts by Parliament to assert its privileges short of legislation have been less successful”.¹⁶ The committee concluded that if Parliament feels that the limit of its exclusive cognisance have been eroded to the extent that it can no longer effectively perform its core work, it can change the law.

“But this is a last resort, and such legislation carries the risk that statute law, and the judicial interpretation of that law will, over time ossify privilege, taking away the possibility of evolution and adaptation to changing circumstances”.¹⁷

Reform through legislation has therefore tended to be incremental to address particular issues and concerns often as the result of court decisions, such as providing for protection of authorised parliamentary publications. The resulting legislation can be described more as a series of building blocks (somewhat precarious) anchored on Article 9 of the Bill of Rights, rather than a codification of the law.

There are challenges in legislating for post-colonial Westminster parliaments which have used the formula of adopting the privileges “held, enjoyed and exercised” by the House of Commons as at a particular 19th century date. What does that actually mean in modern times? Do we continue with this formula? How would you describe what these privileges are when some have not been exercised since the 17th century but arguably are still exercisable? Much has been written on this topic and a body of law has developed. The Privileges Committee recommended some changes to this formula to define a new term of “exercisable” while not losing the history and body of precedent of the “triplet” terminology.

“Modernising” the language and terminology of privilege legislation is a further challenge. The very name “privilege” has unfortunate connotations of grandeur. Defining “proceedings in Parliament” requires explaining the 17th century terminology and concepts of Article 9 of the Bill of Rights, while not losing its original meaning. The term “impeached or questioned” taken from the Bill of Rights 1688 remains in both the Australian legislation and the NZ bill, with examples of what might be covered or excluded by these terms. The language of UK Parliamentary Papers Act 1840 has been described as being in a “somewhat impenetrable early Victorian style” and needs updating to take account of modern reporting and broadcasting practices.¹⁸ In NZ, the Legislature Act 1908 needed modernising to bring it up to date with current terminology and practices particularly in the areas of broadcasting and reporting. There are multiple ways now of disseminating information beyond the 19th century concept of “papers” and new terminology has to be future-proof. All these issues create considerable legislative drafting complexities.

Finally, the law of privilege tends to be scattered like a patchwork of legislative repairs to deal incrementally with specific issues or adverse court decisions. Bringing these together in a more comprehensive way can highlight uncomfortable overlaps or intersections. This was evident in a way in which the NZ bill originally attempted to deal with defamation

¹⁶ <http://www.publications.parliament.uk/pa/jt201314/jtselect/jtprivi/30/30.pdf>, para 37.

¹⁷ As above, para 39.

¹⁸ Report from the 1999 Joint Committee on Parliamentary Privilege, paragraph 342

concepts. On further reflection, the committee considered that this caused confusion, was unnecessary and that absolute privilege protections against liability in defamation are best left in the Defamation Act itself.

All this makes for very good reasons why legislative reform should be a last resort where Parliament considers that its ability to function has been eroded to the extent that it cannot carry out its core work.

Recent inquiries

Use of powers within the parliamentary precincts

Apart from its major occupation with legislative reform, the Privileges Committee has also other significant inquiries underway. It has been conducting a review of three agreements relating to policing, search warrants and security intelligence powers exercised within the parliamentary precincts. Many parliaments have such agreements with enforcement agencies about the execution of search warrants on the parliamentary precincts. The memorandum of understanding between the New Zealand Security Intelligence Service and the Speaker entered into in 2010 is quite unusual and possibly without precedent. It was entered into following the recommendations of the Inspector-General of Intelligence and Security who had conducted an inquiry in response to concerns raised by a member of Parliament about the NZSIS's collection and retention of information on him, particularly following his election to Parliament. The committee made an interim report on the issue and recommended amendments to intelligence agency legislation (which have now been enacted) to ensure that the oversight role of the Inspector-General is broad enough to encompass the activities of the NZSIS under its agreement with the Speaker. However, the committee's work on the three agreements was diverted by another referral, this time into an information release by the Parliamentary Service to an executive inquiry.

This referral led to the committee examining as an issue of privilege, the exercise of intrusive powers against members and the release of information from the parliamentary information system. An executive inquiry into leaked information, while lacking any formal powers, obtained from the Parliamentary Service information including email metadata and content, telephone logs and swipe card records about a member and a journalist. Information was released without the direct involvement of members, the journalist, or the Speaker. The inquiry highlighted a lack of understanding by key participants about the relationship between Parliament and the Executive or between Parliament and the media. The principles which underpin the other agreements between executive agencies and the Speaker when investigations are conducted within the parliamentary precincts did not appear to have been considered at all.

The committee having established what has occurred, has issued an interim report and is now focusing on a further inquiry to ensure that proper systems and processes are established to guide access to and the release of parliamentary information.¹⁹ Once the committee has reported on those guidelines, its work in relation to the other agreements and protocols on the parliamentary precinct can be completed.

¹⁹ *Question of Privilege regarding use of intrusive powers within the parliamentary precinct*, Interim Report of the Privileges Committee, I.17B, December 2013

http://www.parliament.nz/resource/en-nz/50DBSCH_SCR6018_1/88d1763d88e4926539c1c4eda9c5a35bffc58db

Social media In May 2014 the committee had referred to it a question of privilege regarding the use of social media to report on parliamentary proceedings and to reflect on members, including the Speaker.²⁰

While no particular allegation of breach of privilege has been referred, the Privileges Committee has been asked to look at the House's rules and the application of new technology, particularly in respect of members tweeting or using social media from the Chamber. These are issues which have recently concerned a number of parliaments in Australia and the UK House of Commons. The committee has developed terms of reference and while the committee is unlikely to conclude its inquiry before the House rises at the end of July for the general election, this is a matter which is likely to be of continuing interest.

Blue skies

All of the matters referred to today, take parliamentary privilege in New Zealand into new territory or "blue skies" to some extent. It has been very helpful (and reassuring) to connect with other parliaments and parliamentary committees about common issues. In the end, these matters are very much for Parliament to determine and assert. Blue skies or a great black cloud, I suspect whether privilege sheds light or creates darkness depends on whether you are standing within the parliamentary precincts or outside it.

Parliamentary privilege is a much misunderstood concept. What is often ignored is that the protection extends equally to those who participate in, assist with, or report on parliamentary proceedings as well as members. Far from stifling freedom of expression, parliamentary privilege, when used responsibly, ensures the free flow of information vital for a democratic society.

²⁰ http://www.parliament.nz/en-nz/pb/sc/about/media/00SCPR_MediaRelease20140529_1/question-of-privilege-regarding-use-of-social-media-to

3 Inward Programme

The official Inward Inter-Parliamentary Relations Programme includes hosted and self-funded visits.

Up to 10 parliamentary delegations per year visit the New Zealand House of Representatives at the invitation of the Speaker. These visits are accorded Guest of Parliament status and are fully funded, with a comprehensive programme organised according to the objectives of each visit.

Self-funded visits are primarily organised by the diplomatic representatives of the visiting country or other New Zealand agencies, while the New Zealand Parliament offers assistance with organising the parliamentary components of the visit. Because of the reputation of the New Zealand Parliament, many overseas parliaments express an interest in visiting to learn first-hand about our parliamentary practices and procedures.

Four delegations came to New Zealand in the year 2014 at the invitation of the Speaker and were accorded Guest of Parliament status:

- HE Kang Chang-hee, Speaker of the National Assembly of the Republic of Korea
- HE U Khin Aung Myint, Speaker of the House of Nationalities (Amyotha Hluttaw) of the Assembly of the Union of Myanmar
- The Senate Foreign Affairs, Defence and Trade Reference Committee from the Commonwealth Parliament of Australia
- HE Bogdan Borusewicz MP, Marshal of the Senate of the Republic of Poland

The Inter-Parliamentary Relations Secretariat also provided some support to the programmes of the following visitors:

Country	Visitor(s)
Australia	Steven Marshall MP Leader of the Opposition South Australia
Bangladesh	Masud Ahmed Comptroller and Auditor General
China	Ethnic Affairs Committee
Denmark	Committee for Employment

Lesotho	Cross-party delegation led by Deputy Prime Minister Hon Mothetjoa Metsing
Philippines	Senator Paolo Benigno Aquino IV
Switzerland	Thomas Aeschi National Councillor (MP)
United Kingdom	National Branch of the CPA
United States	Congressional staff delegation
Vietnam	National Assembly delegation

Visit to New Zealand by His Excellency Kang Chang-hee, Speaker of the National Assembly of the Republic of Korea 14–19 February 2014

Background

An official Guest of Parliament invitation to visit New Zealand was first extended to the Speaker of the Korean National Assembly in 2011, and a visit took place in February 2014. His Excellency Kang Chang-hee lead a delegation to visit New Zealand in an official capacity, after travelling to Antarctica (via Christchurch) to open Korea's new research base. The delegation included four Korean National Assembly members.

New Zealand and the Republic of Korea have a warm and friendly relationship, dating back to the Korean War, which has continued with cooperation on Antarctica, defence, science, and education. Both countries have participated in regular parliamentary exchanges; the former Speaker, Lim Chae-jung, visited New Zealand in 2008, and a New Zealand parliamentary delegation, led by Lindsay Tisch MP, visited Korea in 2013.

Speaker Kang's visit was an opportunity to foster the parliamentary relationship, and to discuss subjects of mutual interest, and practices and recent developments in the parliaments of both countries.

The programme for Speaker Kang's brief visit included the following activities:

- Meeting with Mr Speaker
- Introduction to the House and observing Question Time from the chair to the left of the Speaker
- Meeting with the Prime Minister; and
- Meeting with members of the New Zealand-Korea Friendship Group.

Parliamentary meetings

On February 18, Speaker Kang visited the New Zealand Parliament, where he met with Rt Hon David Carter, Speaker of the House of Representatives. They discussed the state of the relationship between the two countries. Both Speakers commented on the strength of the relationship, and Speaker Carter suggested that Speaker Kang's visit was only going to strengthen it. Speaker Kang stressed the importance of international cooperation, and cited the rebuilding of Christchurch as an opportunity for Korean companies to assist. Speaker Carter welcomed international assistance with the rebuilding. He also noted Christchurch's importance to Korea as a gateway to Antarctica, where it has two research stations. Speaker Carter mentioned that New Zealand can learn from Korea's experiences of specialising and capitalising on its economic competitive advantage. The previous night, Speaker Carter hosted a formal dinner in honour of Speaker Kang's visit.

Speaker Kang then met the Prime Minister, Rt Hon John Key. They discussed their experiences in Antarctica, people travelling between the two countries to further their studies or careers, and the New Zealand-Korea free trade agreement negotiations. Speaker Kang expressed appreciation for New Zealand's contribution to the Korean War and offered his best wishes for the Christchurch earthquake recovery. Mr Key offered his condolences for the loss of Korean lives in a terrorist attack in Egypt.

Speaker Kang and the delegation then had lunch with members of the New Zealand-Korea Parliamentary Friendship Group, Lindsay Tisch MP and Iain Lees-Galloway MP. Messrs Tisch and Lees-Galloway had previously met Speaker Kang when a New Zealand parliamentary delegation had visited Korea in 2013. The visit to Parliament concluded with the Korean delegation being introduced to the House, and Speaker Kang being accorded the seat to the left of the Speaker to observe question time.



Speaker Kang and delegation meeting with New Zealand members of Parliament and members of the New Zealand-Korea parliamentary friendship group.

Meetings outside Parliament

In Canterbury, Speaker Kang and the delegation visited Akaroa and went on a wildlife cruise, before returning to Christchurch for a function with members of the local Korean community.

In Wellington, the delegation met with the Korea Free Trade Agreement negotiation team and attended a dinner hosted by His Excellency Mr Park Yongkyu, Ambassador of Korea to New Zealand. On February 17 they were honoured in a pōwhiri at the Museum of New Zealand Te Papa Tongarewa, and attended a wreath-laying ceremony at the National War Memorial. The delegation then had lunch with New Zealand veterans of the Korean War, and visited Park Road Post Production, a local post-production film company.

After the delegation's official visit to Parliament, Speaker Kang hosted a dinner for members of the Wellington Korean community, and on February 19 the delegation visited Zealandia, before departing for Sydney.



Speaker Kang at the pōwhiri held at Museum of New Zealand Te Papa Tongarewa

Conclusion

Speaker Kang's visit to New Zealand was a reminder of the importance of parliamentary relationships to the friendship between countries. Speaker Kang's visit demonstrated the warmth of the relationship between New Zealand and the Republic of Korea, which has continued to flourish, and it allowed the Speakers to learn about each other's Parliaments.

Programme**Friday, 14 February**

Arrival in Christchurch

Saturday, 15 February

Wildlife cruise in Akaroa

Function with members of the Christchurch Korean community

Sunday, 16 February

Travel from Christchurch to Wellington

Meet with members of the Korea Free Trade Agreement negotiation team

Dinner hosted by His Excellency Mr Park Yongkyu, Ambassador of Korea to New Zealand

Monday, 17 February

Pōwhiri at Museum of New Zealand Te Papa Tongarewa, Wellington

Tour of the museum

Wreath-laying ceremony at the National War Memorial, Wellington

Lunch with New Zealand veterans of the Korean War, hosted by His Excellency Kang Chang-hee, Speaker of the National Assembly, Republic of Korea

Visit Park Road Post Production, Wellington

Official Dinner hosted by Rt Hon David Carter, Speaker of the House of Representatives

Tuesday, 18 February

Meeting with Rt Hon David Carter, Speaker of the House of Representatives

Meeting with Rt Hon John Key, Prime Minister of New Zealand

Informal lunch hosted by Melissa Lee MP, Chairperson of the New Zealand-Korea Parliamentary Friendship Group

Introduction to the House of Representatives and accorded seat to the left of the Speaker

Dinner with members of the Wellington Korean community

Wednesday, 19 February

Visit Zealandia, Wellington

Depart New Zealand

Australia Select Committee Exchange, The Senate Foreign Affairs, Defence, and Trade References Committee 3-9 May 2014

Background

Every year the New Zealand Parliament and the Commonwealth Parliament of Australia each select a committee to visit its trans-Tasman counterpart, either as part of an inquiry they are undertaking or in relation to another item of business. The topic or theme chosen will pertain to trans-Tasman relations, and may be approached at national, Commonwealth or state level.

This year the Senate Foreign Affairs, Defence and Trade References Committee was selected for the committee exchange visit to New Zealand.

Role of the Standing Committee on Foreign Affairs, Defence and Trade

Following an order of the Senate on 13 May 2009, the Senate's eight legislative and general purpose standing committees each now comprises a pair of committees: A Legislation Committee, whose purpose is to deal with bills referred by the Senate, conduct the Estimates process, and oversee the performance of departments, and a References Committee charged with dealing with all other matters referred by the Senate. The coverage of the Senate Foreign Affairs, Defence and Trade portfolio includes Defence, Foreign Affairs and Trade and Veterans' Affairs.

Visit Objectives

The committee's programme (attached) reflects the member's expressed interests in the following topics:

Defence Partnerships

- Strengthening military-civilian cooperation among nations in the Pacific
- Annual US-sponsored Pacific partnerships programme delivering humanitarian and civic assistance to partner and host nations in the Asia-Pacific region
- Exploring Australia's military and civilian ties with New Zealand and other regional neighbours including Vanuatu
- Examining how participation in the US-sponsored Pacific Partnerships programme can support the provision of development assistance in the region, lift the effectiveness of aid programmes and contribute to the achievement of the Millennium Development Goals in the Pacific.

Tourism

- Funding, governance and activities of Tourism New Zealand
- Development and outcomes of the New Zealand Tourism Strategy 2015
- Government support for tourism operators in New Zealand
- New Zealand's approach to international marketing – particularly in emerging Asia markets
- Regulatory approach to tourism in New Zealand (fees, charges and visas).

Overseas Aid

- Parliamentary oversight of overseas aid funding in New Zealand
- Mechanisms in New Zealand to ensure and maintain the effectiveness of aid
- New Zealand development collaboration with China in the Cook Islands
- Australia -New Zealand aid priorities in the context of Millennium Development Goals and current consideration of the post-2015 development agenda at the UN.

Civil Aviation

- The New Zealand Civil Aviation Authority's regulatory reform programme and how they approach the task of keeping their regional aviation industry (which underpins tourism) safe and viable.

Members of the Australian Senate Foreign Affairs, Defence and Trade References Committee

Senator the Hon Ursula Stephens, Committee Chair and Delegation Leader
Senator for New South Wales, Australian Labour Party NSW

Senator David Fawcett, Senator for South Australia
Liberal Party for South Australia

Senator Anne McEwen, Senator for South Australia
Australian Labour Party SA

Senator Helen Kroger, Senator for Victoria
Liberal Party for Australia

Mr David Sullivan
Committee Secretary & Delegation Secretary.



From left Senator David Fawcett, Senator Ursula Stephens, Rt Hon David Carter, Speaker of the House of Representatives, Senator Helen Kroger and Senator Anne McEwen

Parliamentary Meetings

On 7 May the committee visited Parliament and met New Zealand members of Parliament from various political parties. The programme included meetings with the Rt Hon David Carter, Speaker of the House of Representatives: Ms Jacqui Dean MP, Parliamentary private Secretary for Tourism and the Hon Dr Jonathan Coleman, Minister of Defence. Members of the New Zealand-Australia Parliamentary Friendship Group hosted the committee for a working lunch, before the committee met the National, Labour, Green and NZ First party spokespersons on Overseas Development Assistance. The Committee were also introduced to the House and observed question time. The Speaker hosted a formal dinner for the Committee that evening.

At their meeting with the Commerce Committee, the Senators took the opportunity to ask questions about the committee's political composition and its role, specifically in the oversight and scrutiny of Ministers and their departments. The Senators were also interested in the estimates process in New Zealand, the ability for committee's to travel and the Commerce Committee's scrutiny of legislation.

At their meeting with the Foreign Affairs, Defence and Trade Committee, -Senators again took the opportunity to examine the scope of the work and responsibility of the committee and compared it with their own. They also discussed regional issues in Asia and the Pacific.

Meetings Outside Parliament

Queenstown meetings

The committee was briefed by Ngai Tahu Tourism, the Queenstown Lakes District Council, and Destination Queenstown on the importance of the Australian market to

Queenstown's tourism, and the impact of increasing direct flights from Australia. Emerging developments and cultural requirements in relating to the growing Asian market were also discussed. A meeting with the Queenstown Resort College gave the committee an insight into education designed to ensure that people working in the tourism sector were properly qualified.

Christchurch meetings

The committee attended a presentation coordinated by the Canterbury Employers Chamber of Commerce, involving personnel from Civil Defence and Emergency Management and the Canterbury Earthquake Recovery Authority.

The committee expressed an interest in policy planning for the emergency recovery and rebuilding phases, how the economy reacted during the recovery phase, and the impact of the earthquakes on the national psyche. In response, the committee heard about the scale of the emergency management response to the 2010 and 2011 earthquakes. The subsequent economic downturn, with capital and population flight, and the physical impact of the earthquakes on infrastructure and public services, were also discussed. The committee was briefed on the formation of an economic development strategy for Christchurch and Canterbury region.

The committee also heard from the Visitor Sector Recovery Manager for Christchurch and Canterbury Tourism about the effect of the earthquakes on visitor numbers, tourism operators and conference marketing with special reference to Australia. The senators were also briefed on the time needed to restore hotel accommodation and occupancy, hospitality and venue capacity to meet projected market growth over the next five years. At Christchurch International Airport, the committee met Mr Malcolm Johns, Chief Executive and were briefed on the airport's operations and its relationship with the Melbourne and Sydney hubs.

Wellington meetings

On the afternoon of Tuesday 6 May, the committee met Mr Chris Roberts, General Manager, Corporate Affairs, Tourism New Zealand and Mr Roger Wigglesworth, General Manager Tourism, Sectors, Regions and Cities, Ministry of Business Innovation and Employment. The meetings provided an insight into the Government's business growth agenda regarding tourism and major events. The committee also attended a briefing at the Australian High Commission.

Thursday afternoon's meetings at the Ministry of Foreign Affairs and Trade focused on the New Zealand Aid programme and military-civilian cooperation in delivering development assistance in the Pacific. The committee took part in roundtable discussions with personnel from the Australia and Pacific Divisions, the International Development Group, the New Zealand Defence Attaché to the Pacific, the New Zealand Defence Force and the Ministry of Defence. Discussions centred on the committee's areas of interest which included the reintegration of the New Zealand Aid Programme into the ministry. A similar process was taking place in Australia, involving AusAid and the Department of Foreign Affairs. The committee also met Mr Wren Green, Director, Council for International Development and

other representatives of non-governmental organisations, to gain an insight into overseas development aid from their perspective.

On Friday 9 May, the committee met with Dr Robert Ayson, of the Centre for Strategic Studies, Victoria University of Wellington. Discussions focused on the Asian and Pacific regions, and specifically the ways Australia's and New Zealand's regional relationships differed and why.

This was followed by a meeting with Aviation New Zealand where Senator David Fawcett discussed regulatory reform and New Zealand's approach to keeping its aviation industry safe and viable. The committee then held a final meeting and working lunch with the Acting Australian High Commissioner.

Conclusion

The Committee's visit to New Zealand was comprehensive and thought-provoking. The visit was highly successful, with the committee engaging with many members of Parliament and a wide range of parliamentary officials and organisations concerned with tourism, defence-civilian partnerships and overseas aid. New Zealand's approaches, policy and operational strategies in these fields were canvassed in various forums, with good opportunity for interaction. The committee left well informed of current developments and issues in their areas of interest, and a heightened awareness of commonality in some areas and regional impacts in others. The committee's visit strengthened the ties between the two Parliaments, and again highlighted the constructive contribution of the inter-parliamentary relations programme to bilateral parliamentary relations.

PROGRAMME**Saturday 3 May**

Arrive Auckland from Vanuatu

Travel Auckland to Queenstown

Sunday 4 May

Private rest and recreational programme - morning

Presentation by Southern Ngai Tahu Tourism followed by Shotover jet boat ride on Shotover River - afternoon

Monday 5 May

Meeting with Queenstown Lakes District Council Resource Consent Manager

Meeting with Destination Queenstown Chief Executive

Presentation and luncheon at Queenstown Resort College

Travel Queenstown to Christchurch

Tuesday 6 May

Meeting hosted by Canterbury Employers Chamber of Commerce with presentations from Christchurch and Canterbury Tourism, CERA, Industry Capability Network, Canterbury Development Corporation

Meeting with Christchurch International Airport CEO

Flight Christchurch to Wellington

Meeting with Tourism New Zealand General Manager Corporate Affairs

Australian High Commission briefing

Meeting with Ministry of Business Innovation and Employment

Wednesday 7 May

Meeting with The Right Honourable David Carter, Speaker of the House of Representatives

Meeting with Ms Jacqui Dean MP, Parliamentary Private Secretary for Tourism

Meeting with the Honourable Jonathan Coleman, Minister of Defence

Friendship group lunch hosted by Ms Denise Roche MP, Group Chair

Introduction to the House of Representatives

Talks on Overseas Development Assistance with National, Labour, Greens and NZ First spokespersons

Dinner in honour of the delegation hosted by The Right Honourable David Carter, Speaker of the House of Representatives

Thursday 8 May

Meeting with Commerce Select Committee

Meeting with Foreign Affairs, Defence and Trade Select Committee

Meeting with Ministry of Foreign Affairs and Trade – roundtable on Overseas Development Assistance

Meeting with Council for International Development and representatives of New Zealand non-governmental organisations working in the field of Overseas Development Assistance

Evening guided tour of the Museum of New Zealand Te Papa Tongarewa

Friday 9 May

Meeting with Centre for Strategic Studies, Victoria University of Wellington

Meeting with Aviation New Zealand

Closing Meeting and luncheon with the Acting Australian High Commissioner

Depart Wellington for Australia.

Visit to New Zealand of the Parliamentary Service Commission of Kenya

14–15 May 2014

Background

The Parliamentary Service Commission of Kenya was established following the enactment of the Constitution of Kenya (Amendment) Act in 1999. The commission has since evolved, and issues have emerged regarding its structure and resources. The delegation visited New Zealand to learn how the New Zealand Parliamentary Service functions.

Objectives of the programme

The delegation's aim was to learn as much as possible from their New Zealand contemporaries. A programme was arranged by the Office of the Clerk, to help them learn about:

- the structure and workings of the New Zealand Parliamentary Service
- its management of Parliament
- services and facilities provided for members and staff of Parliament
- staffing arrangements at the New Zealand Parliament public outreach activities by the New Zealand Parliament.

Parliamentary meetings

The delegation met with the Speaker of the House of Representatives, Rt Hon David Carter, and Mary Harris, Clerk of the House of Representatives, where they discussed the of the two countries. Mr Speaker said that the services available to New Zealand parliamentarians are exemplary, and that the New Zealand Parliament has evolved and adapted to create its own Westminster-style parliamentary system.

The delegation then met with the Government Administration Committee, where they learnt about the history of the Parliamentary Service, and staffing arrangements and remuneration for New Zealand members of Parliament.

The delegation then met with James Picker, Manager (Select Committees) in the Office of the Clerk, where they discussed the way our select committees engage with the New Zealand public. This discussion was later joined by Philippa Henwood, Visitor Services Manager for the Parliamentary Service; it focused on the means used to engage the public, and their efficacy. The delegation met with the Africa-New Zealand Parliamentary Friendship Group at the end of the day, where they discussed matters of mutual interest.



Members of the Parliamentary Service Commission of Kenya meet with Rt Hon David Carter, Speaker of the House and Mary Harris, Clerk of the House of Representatives

The next day, the delegation met with several managers of the New Zealand Parliamentary Service. First, David Stevenson, General Manager of the Parliamentary Service, gave them an overview of the Parliamentary Service, including the organisation's structure and how it delivers services to members and staff. Later they received more detailed information from Judith Taylor, Group Manager Precinct Services, and Anne Smith, Group Manager Shared Services. Judith Taylor discussed the buildings and facilities at Parliament, and the security services available, which was of particular interest to the delegation. They also took the opportunity to visit the parliamentary mail distribution centre to see how mail is screened and dealt with by security staff. Anne Smith spoke about the services available to members, their remuneration, and the Speaker's Directions. Finally, the delegation met with Katherine Close, Senior Advisor, Public Engagement, from the Parliamentary Library, where they discussed the library's services to members, staff, and the public.

The delegation was also introduced to the House, observed question time, and took a tour of the parliamentary precinct.

Conclusion

This visit came about following a request by the Parliament of Kenya for assistance, during the Conference of Speakers and Presiding Officers of the Commonwealth in Wellington in January 2014. The programme supported the delegation's pursuit of its objectives and enhanced their knowledge of the structure and organisation of Parliament, particularly the Parliamentary Service. The delegation expressed their appreciation of the visit and their wish for continuing communication with their New Zealand counterparts.

Programme

Wednesday, 14 May 2014

Meeting with Rt Hon David Carter, Speaker of the House of Representatives, and Mary Harris, Clerk of the House of Representatives

Meeting with the Government Administration committee

Meeting with James Picker, Manager (Select Committees), Office of the Clerk

Introduction to the House, Observe question time

Meeting with Philippa Henwood, Manager, Visitor and Support Services, Parliamentary Service

Informal afternoon tea with the Africa-New Zealand Parliamentary Friendship Group

Thursday, 15 May 2014

Meeting with David Stevenson, General Manager, Parliamentary Service

Meeting with Judith Taylor, Group Manager, Precinct Services, Parliamentary Service

Meeting with Anne Smith, Group Manager, Shared Services, Parliamentary Service

Meeting with Katherine Close, Senior Advisor, Public Engagement, Parliamentary Service.

Visit to New Zealand by His Excellency U Khin Aung Myint, Speaker of Amyotha Hluttaw (House of Nationalities), and delegation of the Republic of the Union of Myanmar 17 – 23 May 2014

Background

An official Guest of Parliament invitation to visit New Zealand was extended to His Excellency U Khin Aung Myint, Speaker of the Amyotha Hluttaw in November 2013, and a visit took place in May 2014. Speaker Myint led a delegation which included four members of the Amyotha Hluttaw to visit New Zealand.



Rt Hon David Carter, Speaker of the House of Representatives and His Excellency U Khin Aung Myint, Speaker of Amyotha Hluttaw, Republic of the Union of Myanmar

New Zealand is developing a mature bilateral relationship with Myanmar (formally named the Republic of the Union of Myanmar) following political and economic reforms initiated in 2011. After decades of limited interaction while Myanmar was under military rule, a significant aid programme has been initiated. There have also been a number of high-level visits from New Zealand over the past 18 months, including a parliamentary delegation led by the Speaker of the New Zealand House of Representatives, the Rt Hon David Carter.

Speaker Myint's visit was an opportunity for him and his delegation to learn about:

- The systems and workings of the New Zealand Parliament, including the Parliamentary Service and Parliamentary Library
- New Zealand's constitutional framework and conventions

- The New Zealand Electoral system and the MMP environment
- Central and local government coordination
- The relationship between Māori and Government;
- Renewable energy.

Parliamentary meetings

On 21 May, Speaker Myint visited the New Zealand Parliament, where he met the Rt Hon David Carter, Speaker of the House of Representatives and Mary Harris, Clerk of the House of Representatives. Speaker Carter recalled with warmth his visit to Myanmar the previous October, and was pleased to welcome Speaker Myint to New Zealand for the first time.

Speaker Myint spoke warmly of the support New Zealand has been giving to their Parliament and to Myanmar generally, and noted that New Zealand could assist Myanmar further by granting additional scholarships at tertiary level, investment in renewable energy and training in animal husbandry. He recalled historical developments on the path to democracy, noting that his own Chamber, the Amyotha Hluttaw, (House of Nationalities), was not a classic upper house but rather a Chamber that provided equal representation of all the nationalities present in Myanmar. Speaker Myint also spoke of the challenges facing Myanmar to ensure political stability, peace, security and ethnic representation.

Speaker Myint and the delegation held two meetings with select committees. In the first meeting, with the Health Committee, the delegation was briefed on the committee's process for examining legislation, including written and oral submissions, with particular reference to the Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill then before the committee. In the meeting with the Māori Affairs Committee, the delegation learnt of its mandate to consider all things Māori. The committee had recently exercised its power (common to all select committees) to initiate its own inquiries and had just completed an inquiry into Māori children.

Speaker Myint and the delegation held a working lunch with members of the Local Government and Environment Committee, Eugene Sage MP, (Host), Paul Goldsmith MP, Claudette Hauiti MP, Su'a William Sio MP and Andrew Williams MP. Then the Myanmar delegation was introduced to the House, and Speaker Myint was accorded the seat to the left of the Speaker to observe Question Time.

The delegation then met with the Parliamentary Librarian - Ms Barbara McPhee, Ms Katherine Close, Public Engagement Advisor; and Mr Peter Quinn, Manager Research Client Team. Speaker Myint spoke of his passion for books and libraries and the important role of the Village Library in people's education. Speaker Myint also talked about his plans for the parliamentary library attached to the Amyotha Hluttaw, which attracts visits from approximately 150 members of the Hluttaw daily. The delegation received a briefing on the library and research services provided to New Zealand Members of Parliament, then took a tour of the library facilities. In the evening Speaker Carter hosted a formal dinner in honour of Speaker Myint's visit attended by David Shearer MP, Hon Maryan Street MP, Paul Foster-Bell MP and David Clendon MP, who had travelled to Myanmar as a member of the Speaker's delegation in 2013. On 22 May the delegation met the General Manager of Parliamentary Services, Mr David Stevenson and Clerk Assistant,

Mr David Wilson. The delegation was briefed on the five agencies located in the parliamentary complex with an extensive overview of the Parliamentary Service.

The parliamentary programme concluded with a meeting with the Foreign Affairs, Defence and Trade Committee in which the delegation was apprised of the way the committee worked its relationship with Ministers and their departments. An overview on New Zealand's place in the world today and challenges at a regional and international level were addressed.

Meetings outside Parliament

Auckland

In Auckland, Speaker Myint and the delegation were given a presentation by the Auckland University of Technology Faculty of Health and Environmental Studies on ways AUT might become involved with Myanmar, given the University's extensive experience in other parts of Asia. This was followed by a visit to Beca Group Limited, an engineering and related services consultancy company in the Asia-Pacific with a twenty year history of involvement with Myanmar.

Taupō

In Taupō the delegation explored the relationships between central and local government in New Zealand, the renewable energy sector and engagement between government and iwi. The visit to Taupō District Council afforded the delegation an opportunity to learn about the role and responsibilities of district councils in New Zealand. -GNS Science gave the delegation an insight into sustainable energy development and the production and use of geothermal energy. The visits to Miraka Limited, (a young high-tech manufacturer in the dairy processing industry owned by a group of Māori trusts and incorporations), and the Lake Taupō Forest Trust (representing the interests of 68 separate Māori land titles) allowed the delegation to see at first hand the benefits of Māori development and engagement for local iwi and the region.

Wellington

In Wellington, the delegation met senior officials from the Ministry of Foreign Affairs and Trade and the Ministry of Defence over a working lunch. They also met Professor Claudia Geiringer at Victoria University Law School for a briefing on New Zealand's constitutional structure, conventions and arrangements. They then took a tour of the National Library of New Zealand and viewed selected items from the Alexander Turnbull Library heritage collection, before meeting with Mr Don Hunn, Chair, and other members of the Library and Information Advisory Commission. The final appointment was a meeting with Helen Mexted, Director of Advocacy, and Mike Reid, Principal Policy Advisor from Local Government New Zealand, to discuss New Zealand's local government structures and the policy, advocacy and operational relationships between central and local government.

Finally the Speaker and his delegation had a meeting with Mr Robert Peden, Chief Electoral Officer at the Electoral Commission, to learn about New Zealand's electoral system and the MMP environment. The delegation were most interested in the role of the

Māori seats and the ethnic makeup of the House of Representatives, and how MMP had allowed representation of a wider range of political parties in New Zealand's parliament.

Conclusion

Speaker Myint's visit to New Zealand served to enhance the emerging relationship between the two countries, and provided him with extensive information on our parliamentary practices and services, constitutional conventions and electoral system. It also gave him an opportunity to talk with New Zealand parliamentarians in person, and to see how our select committee system operates. The visit continued the important work started with an earlier visit by the Speaker of the Myanmar Lower House in 2013. Finally the visit is a reminder of the importance of parliamentary relationships and the role New Zealand can play across borders in promoting good parliamentary practices and strengthening democracy.

Programme

Saturday, 17 May

Arrival in Auckland

Sunday, 18 May

Sightseeing programme and winery visit in Auckland

Monday, 19 May

Meeting with Auckland University of Technology (AUT) Faculty of Health and Environmental Sciences

Meeting with BECA

Travel from Auckland to Taupō

Wairakei Terraces Māori Experience

Tuesday, 20 May

Meeting with Taupō District Council

Tour & Presentation by GNS Science

Meeting with Miraka Limited

Meeting with Lake Taupō Forest Trust

Travel from Taupō to Wellington

Wednesday, 21 May

Meeting with Rt Hon David Carter, Speaker of the House of Representatives

Meeting with Health Committee

Meeting with Māori Affairs Committee

Informal lunch with Local Government and Environment Select Committee

Introduction to the House of Representatives, accorded seat to the left of the Speaker

Meeting with the Parliamentary Librarian

Official Dinner hosted by Rt Hon David Carter, Speaker of the House of Representatives

Thursday, 22 May

Meeting with the General Manager of Parliamentary Services and Clerk Assistant (House)

Meeting with Foreign Affairs, Defence and Trade Select Committee

Working lunch with Ministry of Foreign Affairs and Trade and Ministry of Defence senior officials

Constitutional briefing by Professor Claudia Geiringer, Victoria University of Wellington

National Library tour and presentation

Meeting with Local Government NZ

Friday, 23 May

Tour of Museum of New Zealand Te Papa Tongarewa

Meeting with the Electoral Commission

Travel from Wellington to Auckland

Depart New Zealand.

Visit to New Zealand by His Excellency Mr Bogdan Borusewicz MP, Marshal of the Senate, Republic of Poland 21–26 June 2014

Background

An official Guest of Parliament invitation to visit New Zealand was extended to the Marshal of the Senate in April 2014 and His Excellency Mr Bogdan Borusewicz MP, Marshal of the Senate, led a delegation to New Zealand in June 2014. The delegation included the Deputy Marshal of the Senate and two Senators.



From left to right: Mr Andrzej Person MP, Mr Stanisław Karczewski MP, HE Beata Stoczynska, HE Mr Bogdan Borusewicz MP, Rt Hon David Carter, Speaker of the House of Representatives, Mrs Jadwiga Rotnicka MP, Mrs Ewa Polkowska and Mr Artur Kozłowski

This was the second visit by the Marshal to New Zealand. His previous visit was in 2007 when he was hosted by the Hon Margaret Wilson DCNZM.

Marshal Borusewicz's visit was an opportunity to renew the excellent relationship between New Zealand and Poland. Specifically, the visit programme included meetings with New Zealand members of Parliament, and exploration of the workings of the New Zealand parliamentary and electoral systems. New Zealand's energy policy, reporting on Foreign policy developments in Europe including the Eastern Partnership and recent European

parliamentary elections were also topics of discussion. The Marshal's visit also afforded the delegation an opportunity for engagement with the Polish community in New Zealand.

The visit occurred at an important time for Poland, which had recently celebrated twenty-five years of democracy and free elections. 2014 is also a very special year in the relationship between New Zealand and Poland with the 70th anniversary of the arrival in Pahiatua of 734 Polish refugee children at the end of WWII, approaching, in November.

Parliamentary meetings

On 25 June, Marshal Borusewicz visited the New Zealand Parliament, where he met Rt Hon David Carter, Speaker of the House of Representatives and Mary Harris, Clerk of the House of Representatives. The Speaker spoke of the importance of the relationship between the two countries, which New Zealand did not take for granted. He recalled his own visit to Poland as a member of Parliament in the 1990s in a Speaker-led delegation. Marshal Borusewicz addressed issues facing Poland and Europe and expressed the view that global food security was the greatest challenge for the next 50 years. Speaker Carter canvassed areas where the relationship between the two countries could be extended and enhanced. Marshal Borusewicz extended an invitation to the Speaker to visit Poland next year (while he was still in Office) which the Speaker hoped to be able to accept, subject to his re-election as Speaker. The previous night, the Speaker hosted a formal dinner in honour of Marshal Borusewicz and the delegation.

Marshal Borusewicz then met the Hon Christopher Finlayson, Attorney-General and Minister for Arts, Culture and Heritage. Minister Finlayson recalled his own visit to Poland in January 2013 and his personal connections with families of descendants of the Polish refugee children of 1944. He also acknowledged the important contribution the Polish Community had made to New Zealand. They discussed various issues the Marshal being especially interested in the New Zealand judicial appointment process.

The New Zealand–Poland Parliamentary Friendship group then hosted Marshal Borusewicz and the delegation for a working lunch. This was attended by Hon Maryan Street MP (Deputy Chair and host) Kanwaljit Singh Bakshi MP, David Bennett MP, Hon Phil Goff MP, John Hayes MP, Colin King MP and Dr Jian Yang MP.

In the afternoon, the Polish delegation was introduced to the House, with Marshal Borusewicz accorded the seat to the left of the Speaker to observe question time.

As there is no equivalent to question time in the Polish parliament, Marshal Borusewicz was interested in the management of the House, particularly the application of standing orders. He explored this in detail in his discussions with the Deputy Speaker, Eric Roy MP.

On Thursday, 25 June, Marshal Borusewicz and the delegation met the Commerce Committee and were briefed by the Chairperson about the scope of the committee's work. This was followed by a general discussion on the New Zealand energy sector. The Polish delegation apprised the committee of the economic situation in Poland, and the current difficulties of the Polish energy sector.

The delegation's final meeting was with the Foreign Affairs, Defence, and Trade Committee, where a wide range of issues were canvassed. The delegation was interested in

learning about New Zealand's foreign policy strategy and key issues. The delegation took the opportunity to update the committee on developments in Europe with reference to the Eastern Partnership (EaP) a European Union initiative, and on the outcomes of the recent European Parliament elections.

Meetings outside Parliament

Christchurch

In Christchurch, the delegation met the Hon Ruth Dyson, Member of Parliament for Port Hills, whose electorate was at the epicentre of the 2011 earthquake. The delegation discussed the tragic effects of the earthquake on the people and families in the electorate, the recovery process and ongoing issues for constituents.

The delegation then met the Christchurch Central Development Unit. Mr Baden Ewart, Deputy Director Implementation, and Ms Linda Paterson, Visits and Relations Adviser briefed them on the impact of the earthquakes, recovery strategy and opportunities for foreign investment. At the conclusion of the presentation the delegation, accompanied by Mr Greg Wilson, General Manager Christchurch Central Project Delivery toured the central business district, and saw at first-hand the scale of the destruction. They were shown where the new anchor projects are to be constructed.

At the National Centre for Research on Europe at the University of Canterbury the delegation viewed the "Lech Walesa Polish Trails" plaque, and the Marshal officially opened the Solidarność Room in the Logie Building. They also attended a reception with University staff and Polish community members at the School of Music, to celebrate 25 years of democratic change in Poland.

The delegation's visit to Christchurch concluded with a briefing on New Zealand's Antarctic programme by Antarctica New Zealand's Chief Executive, Mr Peter Beggs and its General Manager Field Operations, Science and Planning, Dr Ed Butler. Poland is a signatory to the Antarctic Treaty and operates a research station on King George Island, off the coast of Antarctica.

Wellington

In Wellington, the Marshal visited the Dom Polski in Newtown, to learn how the school, (thanks to its parent volunteer programme), had succeeded despite severe financial difficulties. The Principal outlined the actions they had taken to increase the use of the Polish language by Polish children of new immigrants and the families of descendants from the 1944 Polish refugee group. Through the recent efforts of the Embassy, the school now receives funding from the Polish Ministry of Foreign Affairs. The final engagement on the visit was a wreathlaying ceremony, in the presence of Her Worship the Mayor, Celia Wade Brown, on the Wellington waterfront at the plaque commemorating the arrival of the Polish children in New Zealand.

Conclusion

Marshal Borusewicz's visit to New Zealand was a reminder of the importance of parliamentary relationships, coming so soon after Poland had marked twenty-five years of democracy and the holding of free elections. Marshal Borusewicz's visit also demonstrated the warmth of the relationship between New Zealand and the Republic of Poland. Much was made of the upcoming 70th anniversary of the arrival of the Polish refugee children and the contribution that they and their descendants have made to New Zealand society in the intervening period. While acknowledging the past, discussions between the Speaker and parliamentarians also afforded an opportunity to suggest ways in which the bi-lateral relationship between the countries and their Parliaments could be enhanced.

Programme

Saturday, 21 June

Arrival in Queenstown

Sunday, 22 June

Sightseeing programme and winery visit in Queenstown

Monday, 23 June

Travel from Queenstown to Christchurch

Informal lunch with the Honourable Ruth Dyson, Member of Parliament for Port Hills

Briefing by the Canterbury Earthquake Recovery Authority followed by central city tour including anchor project sites and precincts

Visit to the National Centre for Research on Europe, University of Canterbury

Dinner hosted by the Polish Consulate, Christchurch

Tuesday, 24 June

Briefing on New Zealand's Antarctic programme followed by a guided tour of the International Antarctic Centre

Travel from Christchurch to Wellington

Visit to the Dom Polski

Official Dinner hosted by the Right Honourable David Carter, Speaker of the House of Representatives

Wednesday, 25 June

Meeting with the Right Honourable David Carter, Speaker of the House of Representatives

Meeting with the Honourable Chris Finlayson, Attorney-General and Minister for Arts, Culture and Heritage

Visit to the New Zealand Portrait Gallery to view *Facing the Front: New Zealand's Enduring First World War*

Lunch with the New Zealand-Poland Parliamentary Friendship Group

Introduction to the House of Representatives and accorded seat to the left of the Speaker

Presentation on New Zealand's electoral system

Thursday, 26 June

Meeting with the Commerce Select Committee

Meeting with Foreign Affairs, Defence and Trade Select Committee

Lunch hosted by Her Excellency Ambassador Stoczynska

Wreathlaying Ceremony at the Wellington waterfront

Depart New Zealand .

Visit to New Zealand by Hon Kezia Purick MLA, Speaker, and Michael Tatham, Clerk of the Legislative Assembly of the Northern Territory 23–24 June 2014

Background

Hon Kezia Purick, Speaker, and Michael Tatham, Clerk of the Legislative Assembly of the Northern Territory, visited our Parliament in June.

Although the visit was not long, a substantial programme was constructed around Ms Purick's specific areas of interest, which included

- the workings of the New Zealand Parliament
- observing Parliament's question time
- New Zealand's select committee system (with a particular interest in legislative scrutiny)
- Standing Orders and control in the Chamber
- how New Zealand updates and reforms its parliamentary procedures.

Meetings within Parliament

Elizabeth Cossar, Relationship Manager, Parliamentary Service, explained the support services and entitlements offered to members of the New Zealand Parliament. The importance of reporting requirements in ensuring transparency and public trust in members was noted. Elizabeth also discussed the challenges faced by her team during the interregnum between Parliaments, such as high staff turnover and organising the induction programme for new members.

The delegation then took time to tour the parliamentary precinct and library before breaking for a working lunch with Office of the Clerk managers. The lunch provided an opportunity to discuss the role of Clerks-at-the-Table, and harnessing new technologies to improve the accessibility and relevance of Parliament to younger generations.

After lunch, the delegation met with Mary Harris, Clerk of the House of Representatives. She outlined our legislative process and parliamentary procedure. The role of lobbyists in the New Zealand and Northern Territory Parliaments was also discussed. The delegation valued the opportunity to engage with the Clerk of the House and learn from her experience.

The delegation then met with Brent Smith, Serjeant-at-Arms, who gave an informative presentation on the relationship between the Serjeant-at-Arms and the Speaker and

Presiding Officers. The delegation noted that the role operates quite differently in the Northern Territory.

Edward Siebert, Clerk of the Commerce Committee, then gave a detailed account of the crucial role of select committees play in legislative scrutiny, a key area of interest to the delegation. The day concluded with a dinner hosted by New Zealand's Speaker of the House, who was joined by Lindsay Tisch MP, the Australian Deputy High Commissioner to New Zealand, Remo Moretta, and the Clerk of the House, Mary Harris.

The following day began with a meeting with the Deputy Speaker, Eric Roy MP, which centred on the farming and tourism industries. The Speaker and Deputy Speaker then shared tips for dealing with disorder in the Chamber, and commented on the similar problems facing their constituencies.

The delegation then met with Hon Trevor Mallard to discuss the process of reviewing New Zealand's Standing Orders each parliamentary term. Questions also focused on our procedure for petitions, the proportional make-up of select committees, and effectively holding the Government to account.

David Bagnall, Senior Parliamentary Officer, provided an informative presentation on recent developments in parliamentary privilege and New Zealand's unique constitutional arrangements. Fiona McLean, Legislative Counsel, then explained the role of the Regulations Review Committee in holding the Executive to account. The delegation was particularly interested in the committee's work, as their committees do not scrutinise legislation.

The delegation then took time to enjoy a cross-party lunch with members of the Australia-New Zealand Parliamentary Friendship Group, hosted by the Chair, Denise Roche MP. Ms Purick was then introduced to the House, where she was accorded the seat to the left of the Speaker, and observed a lively question time. The delegation commented on the political tension in debates before a general election.

The visit concluded with the delegation observing a Business Committee meeting, which provided an insight into how the business of the House is determined on the basis of cross-party unanimity.

Meetings outside of Parliament

Graham Hassall, Associate Professor for the School of Government at Victoria University, briefed the delegation on the history and current state of the Niue Parliament, and suggested ways in which the delegation could offer practical assistance during their upcoming visit to Niue.

A presentation on New Zealand's electoral system and administration by the New Zealand Electoral Commission was deemed valuable by the delegation. Similarly, they appreciated a meeting with Gareth Ellis, Assistant Auditor-General, who discussed the role of the Office of the Auditor-General in helping select committees to hold public entities to account.



Hon Kezia Purick, Speaker, and Michael Tatham, Clerk of the Legislative Assembly of the Northern Territory

Conclusion

Ms Purick's and Michael Tatham's visit to New Zealand served as a reminder of the importance of the parliamentary relationship to the warm, collaborative relationship that New Zealand and Australia enjoy. The sharing of knowledge and experiences proved mutually beneficial. The delegation is looking forward to meeting with their New Zealand counterparts again shortly at the 45th Presiding Officers and Clerks Conference in Samoa.

Programme

Monday 23 June 2014

0845	Arrival at Parliament
0900	Meeting with Graham Hassall, Associate Professor, School of Government, Victoria University
1000	Meeting with Elizabeth Cossar, Relationship Manager, Parliamentary Service
1100	Tour of Parliament Buildings
1200	Working lunch with Debra Angus, Deputy Clerk of the House; David Wilson, Clerk-Assistant (House); Peter Carr, Clerk-Assistant (Select Committees); Renato Guzman, Manager (Legal Services)
1315	Meeting with Kristina Temel, Electoral Policy Manager, and Natasha Warren, Project Leader, Electoral Commission
1400	Meeting with Mary Harris, Clerk of the House
1500	Meeting with Brent Smith, Serjeant-at-Arms
1545	Meeting with Edward Siebert, Clerk of the Commerce Committee
1900	Dinner hosted by the Rt Hon David Carter

Tuesday 24 June 2014

0900	Arrival at Parliament
0915	Meeting with Eric Roy MP, Deputy Speaker
1000	Meeting with Hon Trevor Mallard
1040	Meeting with David Bagnall, Senior Parliamentary Officer (Policy) and Clerk of the Standing Orders Committee
1130	Meeting with Fiona McLean, Legislative Counsel
1230	Lunch hosted by the Chairperson of the Australia-New Zealand Parliamentary Friendship Group, Denise Roche MP
1400	Observation of Question Time
1515	Meeting with Gareth Ellis, Assistant Auditor-General, Parliamentary Group
1630	Observation of Business Committee meeting.

4 Study Programmes

The New Zealand Parliament hosted one event for officials of the Pacific region in Wellington in 2014.

The 4th Parliamentary Study Programme was held from 16 to 20 June, and was designed to develop parliamentary staff in the Pacific. The Parliamentary Study Programme reflects one of the key aims of the Inter-Parliamentary Relations Programme, that is to support capacity and capability building in Pacific parliaments.

Fourth New Zealand Parliamentary Study Programme Wellington, New Zealand 16–20 June 2014

Introduction

The Office of the Clerk hosted the fourth New Zealand Parliamentary Study Programme from Monday 16 June to Friday 20 June 2014. Clerks and parliamentary officers from the Pacific region were invited to participate. There was strong uptake of places on this year's programme, which was designed to build governance capacity in the Pacific and to provide professional development opportunities for staff. The New Zealand Parliament has a special relationship with the Pacific and the study programme is invaluable in fostering these links.

Participants

This year the programme included participants from the Parliaments of Bougainville, Cook Islands, Kiribati, Nauru, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. Bougainville, Kiribati, Nauru, Tonga and Solomon Islands each sent an additional participant. For the first time, two participants from Fiji attended, supported by the United Nations' Development Programme. Three parliamentary officers from the Parliament of Bangladesh also joined the programme as part of their ongoing parliamentary strengthening programme, supported by the World Bank.

The roles of those attending included Clerks, committee clerks, librarians, a legal officer and *Hansard* officials.

Study programme

The one-week programme provided an overview of New Zealand's Parliament and political system, with a focus on the core roles of the House and committees in law-making, scrutiny, and oversight.

The objectives of the programme were to

- provide the opportunity for staff from the Pacific parliaments to observe the workings of the New Zealand Parliament
- support participants in developing their own understanding of the key features of a Westminster parliament, and its relevance to their own system
- develop a network of contacts between the Pacific parliaments and facilitate the exchange of procedural knowledge
- help participants identify areas where the New Zealand Parliament could provide or facilitate further support.

The programme consisted of presentations, workshops, and practical exercises on topics pertaining to the structure of the New Zealand parliamentary system:

- introduction to the New Zealand parliamentary system
- New Zealand's legislative process
- House business
- running Parliament and managing House time effectively
- financial scrutiny
- supporting Parliament
- public engagement
- select committee processes
- legislative drafting.

During the programme, participants saw the various aspects of the New Zealand Parliament in action. They engaged in discussion of a wide-range of topics, stimulated by presentations from the Parliamentary Service and the Office of the Clerk, including one from Mary Harris, Clerk of the House of Representatives and others from the Senior Management Team. The programme afforded an opportunity for engagement with the Speaker of the New Zealand House of Representatives, Rt Hon David Carter, who spoke candidly about his role and particularly emphasised the value of parliamentary engagement and knowledge sharing across the Pacific.



Participants of the 2014 New Zealand Parliamentary Study Programme with the Rt Hon David Carter, Speaker of the House of Representatives and Mary Harris, Clerk of the House of Representatives.

The study programme offered an opportunity to reflect on the different parliamentary and constitutional systems that have evolved. A round-table discussion with Debra Angus, Deputy Clerk of the House of Representatives, and presentations from Professor Claudia Geiringer and Associate Professor Graham Hassall of Victoria University of Wellington provided an excellent basis from which participants could tease out the issues and challenges that they wished to address over the course of the programme. It was valuable for participants and presenters alike to acknowledge the various political, social, cultural and traditional contexts in which parliamentary systems have emerged. Participants reflected on how their own parliaments had changed, particularly in terms of gender, age and ethnicity. Many noted that in the age of technology and social media, public scrutiny had become more immediate, this issue was also discussed in insightful sessions on parliamentary privilege, *Hansard*, and the Parliamentary Library.

Participants were actively involved in developing their programmes, and each submitted a needs assessment form. A particular theme that emerged was the domination of Parliament by the Executive, and participants requested attention to ways of strengthening oversight and scrutiny. There was much discussion of the important role of select committees in scrutinising legislation, examining the Government's spending plans, and reviewing the performance and operations of Government departments. There was an opportunity to see various select committees in action during the 2014/2015 Estimates hearings, and participants commented on the lively proceedings.

Workshops included drafting of terms of reference for a select committee inquiry into an issue currently facing participants' jurisdictions. One group looked at increasing youth participation in democratic processes, another at increasing the number of women in parliament. Participants reported to each other on how they would approach an inquiry, from drafting the terms of reference to public engagement through a submissions process.

Several other mechanisms for ensuring that the Government is regularly held accountable were explored, including questions and petitions. Participants compared their own parliaments' processes, drawing on a presentation about New Zealand's procedures for questions for written and oral answer and an observation of Question Time in the House. Discussion included notice requirements for questions and ministerial responsibility.

In another workshop, participants used video clips from the New Zealand Parliament in a session facilitated by David Wilson, Clerk-Assistant (House), to look at the Standing Orders and *Speakers' Rulings* that apply to proceedings in the House, with topics ranging across *sub judice*, ministerial responsibility, and tabling documents. It was an enjoyable session with various parliamentary staff stepping into the role of Clerk at the Table and proffering their suggestions as to what procedural advice they would give.

Another key theme was organising House time effectively, a matter particularly relevant to parliaments that meet briefly or sporadically. Participants heard how in New Zealand the Business Committee is particularly important in ensuring the House works efficiently and effectively; and they discussed the value of agreeing and publishing a House sitting programme and an Order Paper.

Participants also undertook a site visit to the electorate office of Grant Robertson MP, to discuss the role of a member of Parliament elected to represent a constituency and the

resourcing of an electorate office. The office staff explained how their office assisted constituents.

At the end of the week, participants gave a presentation to staff from the parliamentary precinct on their respective parliaments and the challenges they faced. Common themes emerged: from the consequences of being small and isolated, including staffing and resourcing implications, and the fragility of the separation of powers and indeed parliamentary democracy. These presentations and reflections reinforced participants' comments that study programmes such as this are important for creating and maintaining a network of parliamentary staff; this will enable participants to stay connected, support each other, and develop their own solutions to their various challenges.

Conclusion

In their feedback about the study programme, participants noted that they had addressed the questions and issues they arrived with and that the inter-action with fellow participants and New Zealand parliamentary staff had been invaluable in testing and developing their thinking. Participants said they had gained an in-depth understanding of the workings of the New Zealand Parliament. They rated the overall programme as excellent and would apply the knowledge in their own Parliaments.

The study programme is a vital component of the Office of the Clerk's efforts to strengthen relations between the New Zealand and Pacific parliaments and to build capacity, resilience, and capability. Discussion of regional issues and sharing knowledge of parliamentary best practice between parliamentary staff is vital in building strong and sustainable parliamentary democracy. It is therefore hoped that this programme will continue to be provided, complementing other parliamentary capacity-building activities in the Pacific region.

Programme

Monday 16 June

Welcome

Debra Angus, Deputy Clerk of the House of Representatives

Introduction to New Zealand Parliamentary Study Programme

Wendy Hart, Parliamentary Officer (Parliamentary Relations)

Orientation: complex overview and tour of Parliament

Roundtable discussion: Small parliaments, big challenges

Debra Angus, Deputy Clerk of the House of Representatives

Welcome lunch hosted by Mary Harris, Clerk of the House of Representatives

New Zealand's Constitutional Arrangements

Professor Claudia Geiringer, School of Law, Victoria University of Wellington

Comparative discussion: Regional developments

Associate Professor Graham Hassall, School of Government, Victoria University of Wellington

Introduction to the New Zealand Parliament and the role of the Clerk

Mary Harris, Clerk of the House of Representatives

Funding and administration of Parliament

Wayne Murphy, Manager (Policy and Entitlements), Parliamentary Service

Reflection on the Day's Programme

Tuesday 17 June

The role of the Speaker

Rt Hon David Carter, Speaker of the House of Representatives

The Legislative Process

David Wilson, Clerk-Assistant House (House)

The roles of the Parliamentary Counsel Office and Office of the Clerk in drafting legislation

Fiona Leonard, Deputy Chief Parliamentary Counsel, Parliamentary Counsel Office

Elizabeth Grant, Legislative Counsel, Office of the Clerk

Organising House time effectively: Order Paper, sitting calendar, papers and petitions

Tim Workman, Manager (House)

Observe Questions for Oral Answer in the House

Roundtable discussion: Parliamentary procedure

David Bagnall, Senior Parliamentary Officer (Policy), Clerk of the Standing Orders Committee

Reflection on the Day's Programme

Wednesday 18 June

Overview of Select Committees

Peter Carr, Clerk-Assistant (Select Committees)

Observe the proceedings of Select Committees

Holding the Executive to account: Questions

Pavan Sharma, Manager (Policy)

Select committee procedure and administration

On-site visits with Select Committee Services teams

Workshop: Select committee inquiries and drafting terms of reference

Fenella Bovett, Parliamentary Officer (Clerk of Committee)

Select Committee scrutiny

James Picker, Manager (Select Committees)

Reflection on the Day's Programme

Thursday 19 June

Preparation for participant presentations

Hansard

Lynlee Earles, Manager (Hansard)

Parliamentary Library

Katherine Close, Senior Advisor, Public Engagement

Parliamentary Privilege

Renato Guzman, Manager (Legal Services)

Meipara Poata, Manager (Select Committee Services), Clerk of the Privileges Committee

Workshop: Interactive small group session with PTV case studies

David Wilson, Clerk-Assistant (House)

Suze Jones, Manager (Organisational Performance), Clerk at the Table

Reception hosted by Rt Hon David Carter, Speaker of the House of Representatives

Friday 20 June

Presentations from participants on key features and challenges facing their Parliament

Procedural Forum – Dissolution of Parliament and By-elections

David Bagnall, Senior Parliamentary Officer (Policy)

Alyson Groves, Parliamentary Officer (Table)

David Wilson, Clerk-Assistant (House)

Public information, engagement and communications

Kerry Scott, Manager (Public Information and Chamber Operations)

Visit to the Electorate Office of Grant Robertson MP

Staying in touch: Parliamentary Relations and role of the Pacific Region CPA secretariat

Steve Cutting, Manager (Parliamentary Relations)

Evaluation and programme feedback

Debra Angus, Deputy Clerk of the House of Representatives.