



Parliament Bill Submission Submission from Health Coalition Aotearoa

Health Coalition Aotearoa

Health Coalition Aotearoa (HCA) is a collective organisation of public health NGOs, health professional associations, health providers, and academics with a shared goal of promoting equitable health outcomes in Aotearoa New Zealand. HCA advocates for healthier public policy to reduce the significant health burden posed by tobacco and vaping, alcohol, and unhealthy food, which collectively account for roughly a third of New Zealand's preventable health loss. HCA is committed to upholding the principles of Te Tiriti o Waitangi, embedding tikanga Māori and kaupapa Māori values into all aspects of its work. HCA's four Expert Advisory Panels provide the best available international and national evidence to guide policy on reducing the impact of these harmful products and strengthening the public health infrastructure to address the underlying determinants of health. This ensures that our advocacy and actions are both evidence-based and culturally responsive.

HCA supports this Bill as it seeks to improve Parliamentary systems, enhancing effectiveness, efficiency, transparency, and trust in government processes. HCA's interest in strengthening the Parliament Bill lies in the opportunities it presents within this omnibus legislation to bolster the integrity of public policy-making by reinforcing democratic processes and limiting the influence of powerful vested interests on legislation and regulation.

There are two areas within the Parliament Bill which HCA has identified as very important provisions to protect and enhance the quality of public policy-making:

1. Extend the changes to the **Citizens Initiated Referenda Act 1993** (CIR) so that it matches the realities of today's digital world. This will bring the CIR into line with the Government's priorities for increasing efficiency and enhancing democracy.
2. Add in amendments to the **Official Information Act 1982** (OIA) to cover the Speaker's role with ministerial responsibilities for Parliamentary Service and the Office of the Clerk; the Parliamentary Service; the Parliamentary Service Commission; and the Office of the Clerk in its departmental holdings.

HCA supports the submissions from Philippa Yasbek and Andrew Ecclestone.

1. Update Citizens Initiated Referenda (CIR) Act 1993

Background

HCA explored the potential of using the CIR process when world-leading legislation to reduce smoking was repealed in 2024, despite no governing party campaigning on this during the election and significant public opposition to the repeal. However, upon review, the CIR legislation appeared outdated, grounded in a pre-internet era. Although the Act did not explicitly prohibit modern digital approaches, the Clerk of the House was reluctant to interpret it to allow digital signature collection or recognize 'printing' as inclusive of electronic distribution without specific amendments to the Act.

This government has expressed a commitment to making government processes more efficient and democratic, which includes modernising legislation to align with the digital age. Further amendments to the Parliament Bill would significantly strengthen and update the CIR Act to support this intent.

Comments on the amendments needed to the Parliament Bill

- A. Part 9 of the Bill covers amendments to the CIR Act 1993 to bring it up to date and transferring some responsibilities from the Clerk of the House to the Electoral Commission. Some of the proposed changes do bring the Act from the pre-internet/digital era into the 21st century (eg 219 Section 7, 222 Section 13). However, the modernisation is only partial or even retrograde. For example, 223 Section 14 now specifies replacing “on forms approved in writing” with “on printed forms approved”.
- B. The Contract and Commercial Law Act 2017 (CCLA) establishes that, generally, an electronic signature will be sufficient for circumstances and documents requiring a signature. Importantly, Schedule 5 to the CCLA specifically excludes the Act from this default position. **The Parliament Bill needs to add the following: the references to the Citizens Initiated Referenda Act 1993 (1993 No 101), and Citizens Initiated Referenda Regulations 1995 (SR 1995/227) should be removed from the list of enactments in Part 1 of Schedule 5 of the Contract and Commercial Law Act.**
- C. In addition, the **CIR Act needs to change Section 2 Interpretations so that ‘Forms’ includes paper and electronic forms and that ‘printed’ includes electronic distribution.**

2. Official Information Act, 1982

Background

Government transparency is essential for fostering public trust, supporting New Zealand’s reputation as a low-corruption country, ensuring a stable business environment, and, most importantly, maintaining integrity in public policy-making. The OIA is fundamental to upholding these values.

The Bill acknowledges the importance of transparency in Clause 68(2)(d), which states that it “promotes transparency in relation to the allocation and use of authorised funding and services necessary for members, Ministers, and parties to perform their respective roles and functions.” The Parliamentary Bill


could be further strengthened by extending the OIA to cover parliamentary functions, as recommended by the Law Commission in 2010, to enhance transparency in Parliament.

Comments on the amendments needed to the Parliament Bill

HCA supports the calls from the Law Commission and experts in the field, Phillipa Yasbek and Andrew Ecclestone, that the OIA should be extended to cover information held by:

- The Speaker in his role with ministerial responsibilities for Parliamentary Service and the Office of the Clerk
- The Parliamentary Service
- The Parliamentary Service Commission
- The Office of the Clerk in its departmental holdings

Please contact us if you have any questions.



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