



9 December 2009



Dr Russel Norman MP
Co Leader
Green Party
Level 14
Bowen House
PARLIAMENT BUILDINGS

Dear Dr Norman

Reserves and Other Lands Disposal Bill

Thank you for your letters dated 18 and 24 November 2009 in which you raised concerns about amendments to the Reserves and Other Lands Disposal Bill recommended by the Primary Production Committee.

Having considered the amendments relating to the Opua esplanade reserve, I do consider that they may confer a private benefit on an identifiable individual and, in so far as they do, should not be included in a Government bill. The appropriate vehicle for an individual seeking an exemption from the general law is private legislation.

The bill is currently set down for second reading. The amendments recommended unanimously by the Primary Production Committee are not yet part of the bill. Issues relating to the classification of bills are usually dealt with by the Speaker at the time of the introduction of a bill, or by the chairperson of a select committee or the committee of the whole House when amendments are being considered.

I understand from discussions between the Clerk and the Minister's office that a member may propose amendments in the committee of the whole House to remove the provisions that confer a specific private benefit. While ultimately the Speaker has a role to rule on any matter of classification, I consider that the proposed amendments may provide a suitable remedy in this instance.

I may deliver a ruling to this effect, prior to the question being put on the bill's second reading and the amendments recommended by the Primary Production Committee becoming part of the bill.

Kind regards

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A. L. Smith', written over a horizontal line.

Hon Dr Lockwood Smith
SPEAKER