SELECT COMMITTEES

New Zealand’s select committee system enables members of Parliament to examine issues in more detail than is possible in the House of Representatives. Select committees can also provide the public with an opportunity to comment on and suggest changes to impending legislation, and to participate in other parliamentary functions such as inquiries. Select committees carry out public scrutiny of the Government’s spending plans and of the performance and operations of Government departments, Crown entities, and State enterprises. Select committees operate under the authority of the House and are required to report to the House.

APPOINTMENT OF COMMITTEES

Select committees are appointed at the start of each Parliament (after a general election). The number of members on a committee can vary, but normally a committee has between six and twelve members each, with parties broadly represented in proportion to party membership in the House. The areas of ministerial responsibility are reflected in 13 subject-specific committees:

- Commerce
- Education and Science
- Finance and Expenditure
- Foreign Affairs, Defence and Trade
- Government Administration
- Health
- Justice and Electoral
- Law and Order
- Local Government and Environment
- Māori Affairs
- Primary Production
- Social Services
- Transport and Industrial Relations

There are also five specialist committees:

- Business
- Officers of Parliament
- Privileges
- Regulations Review
- Standing Orders

An ad hoc committee can also be appointed for a specific purpose such as a bill or an inquiry. For example, in 2010 the House established the Electoral Legislation committee as an ad hoc committee.

COMMITTEE BUSINESS

Committee work includes examining bills (proposed laws) and holding the Government accountable to the House in several ways. The types of business of the 13 subject-specific committees are set out below.

Bills

After passing its first reading, a bill is usually referred to a select committee to examine the bill in detail and make recommendations for amendment to the House. The committee can call for public submissions, by advertising and by approaching organisations and individuals with a known interest in the legislation. Six months is usually allowed for consideration of each bill but this can be either extended or shortened by the House. People can ask to give an oral presentation to the committee, in addition to providing written submissions.

eCommittee

eCommittee is the electronic information system for select committees. It is used to distribute papers to committee members electronically, allowing them to access their papers quickly in their parliamentary offices, at committee meetings, and from locations outside Wellington.

eCommittee enhances public access to select committees by making information available on the internet and allowing people to make submissions online. People wishing to make an online submission can access the form from the web address below. [http://www.parliament.nz/en-nz/pb/sc/make-submission/](http://www.parliament.nz/en-nz/pb/sc/make-submission/)

The committee considers matters raised in submissions and receives advice from its appointed advisers, who are usually drawn from Government departments. It then decides whether to recommend the bill be passed, and recommends any amendments...
it considers necessary. The committee presents to the House a reprinted bill showing the amendments it recommends, with a report explaining its recommendations (see *Parliament Brief*, ‘The Legislative Process’).

**Inquiries**

Committees can hold inquiries within their subject areas. They can call for public submissions and request evidence from any organisation that is the subject of an inquiry. After considering the evidence, committees may report to the House with their findings and recommend that the Government take certain actions. The Government must respond formally to any committee recommendations within 60 working days. The Government’s response is presented to the House and is publicly available.

![One of Parliament’s committee rooms, known as Māui Tikitiki a Taranga.](image)

**Estimates**

After the Budget has been presented in the House, committees have two months to consider the Government’s spending plans (the Estimates) for the new financial year. Committees examine the spending plans and call for evidence from the Minister responsible to justify the planned spending. Committees report to the House with recommendations whether to approve spending, and may recommend changes. The reports are debated in the House.

**Financial reviews**

Committees conduct financial reviews of more than 100 entities (including Government departments, Officers of Parliament, Crown entities, State enterprises, and public organisations) by examining their previous year’s performance and current operations. This is crucial for maintaining the Government’s accountability to the House for the funding made available to it by Parliament in the previous year’s Estimates. The reports are debated in the House.

**Petitions**

A member of the public can request that the House take action on a matter of public policy or law, or to address a personal grievance, by presenting a petition to the House, through their local member of Parliament. The petition is referred to the appropriate committee, which decides whether to seek submissions from affected people or organisations. If the committee reports to the House with recommendations, the Government must respond within 60 working days.

**International treaties**

Some treaties are referred to committees, which consider whether any matters relating to the treaties should be drawn to the House’s attention. Committees do not have to report on the treaties within a specific time period, but after 15 House sitting days the Government may take final action on the treaty, such as ratification.

**Reports of Officers of Parliament Committee**

Committees are required to report to the House on reports from Officers of Parliament. Reports of the Controller and Auditor-General are referred to the Finance and Expenditure Committee, those of the Ombudsmen to the Government Administration Committee, and those of the Parliamentary Commissioner for the Environment to the Local Government and Environment Committee.

These committees can consider the reports themselves, or refer them to another committee whose subject area covers the subject matter of the report.

**PUBLIC ACCESS TO COMMITTEE PROCEEDINGS**

When a committee hears evidence (such as submissions), the meetings are usually open to the public, including the news media.

A committee may, however, decide unanimously to hear particular evidence in private or in secret. Private evidence remains confidential until the committee reports. It then becomes publicly available, along with all the other committee proceedings. Secret evidence remains secret after the committee presents its report. Secret evidence can be released only by order of the House.
When committees are not hearing evidence, proceedings are not open to the public. This allows members to discuss issues freely while they decide what to report to the House. It would be much harder to have free and frank discussions if committees were open to observation by the public and the media. This would inevitably drive some discussions out of the committee room and into private unofficial meetings.

After a committee reports to the House, papers (other than secret evidence) related to that item are made available through the website at www.parliament.nz.

**PARLIAMENTARY POWERS AND WITNESSES’ RIGHTS**

Most evidence supplied to committees is given willingly, because people want to help committees reach an outcome that takes into account their concerns. However, committees may sometimes need information that would not be provided so willingly. Therefore, the House of Representatives has the power to require:

- witnesses to appear before a committee
- the production of documents to a committee
- answers to relevant committee questions.

The powers derive from the privilege to send for persons, papers, and records (see Parliament Brief, ‘Parliamentary Privilege’). Because they are somewhat coercive, procedures have been developed to ensure due deliberation is built into the exercise of these powers, which are used rarely. The mere knowledge of their existence tends to ensure cooperation.

Evidence given to committees is covered by the absolute freedom of speech that applies to all parliamentary proceedings. The House has therefore built into its Standing Orders (procedural rules of the House) some natural justice procedures giving a right of reply. This ensures a fair process is followed for those whose reputation may be seriously harmed by comments made during parliamentary proceedings. Parliamentary privilege prevents the person from taking legal action for defamation.

Standing Orders provide further rights to witnesses, including the right to ask to be heard in private or in secret, the right to be accompanied by counsel, the ability to object to questions, and the right to comment on proposed findings in a draft report that might be damaging to their reputation.

**FURTHER READING**


Office of the Clerk, *Making a Submission to a Parliamentary Select Committee*

Office of the Clerk, *Natural Justice before Select Committees*

Office of the Clerk, *Petitioning the House of Representatives*

Office of the Clerk, *Working with Select Committees*

The guides above are available at: http://www.parliament.nz/en-nz/about-parliament/how-parliament-works/procedures

*Standing Orders of the House of Representatives, 2011*


Thirteen subject-specific committees

**Commerce**: business development, commerce, communications, consumer affairs, energy, information technology, insurance, superannuation, and tourism.

**Education and Science**: education, education review, industry training, research, science, and technology.

**Finance and Expenditure**: audit of the financial statements of the Government and departments, Government finance, revenue, and taxation.

**Foreign Affairs, Defence and Trade**: customs, defence, disarmament and arms control, foreign affairs, trade, and veterans’ affairs.

**Government Administration**: civil defence, cultural affairs, fitness, sport and leisure, internal affairs, Pacific Island affairs, Prime Minister and Cabinet, racing, services to Parliament, State services, statistics, and women’s affairs.

**Health**: health.

**Justice and Electoral**: courts, Crown legal and drafting services, electoral matters, human rights, and justice.

**Law and Order**: corrections, criminal law, police, and serious fraud.

**Local Government and Environment**: conservation, environment, and local government.

**Māori Affairs**: Māori affairs.

**Primary Production**: agriculture, biosecurity, fisheries, forestry, lands, and land information.

**Social Services**: housing, senior citizens, social development, work and income support, and youth development.

**Transport and Industrial Relations**: accident compensation, immigration, industrial relations, labour, occupational health and safety, transport, and transport safety.

Five specialist committees

**Business**: facilitates House business, decides the size and composition of select committees, grants extensions to the report dates for bills before committees, and grants permission for members’ votes to be counted while they are absent from the House.

**Officers of Parliament**: makes recommendations to the House on the appropriations and the appointments of the Auditor-General, the Ombudsmen, and the Parliamentary Commissioner for the Environment.

**Privileges**: considers questions of privilege (see *Parliament Brief*, ‘Parliamentary Privilege’).


**Standing Orders**: House procedures and practices.