



# Cabinet Legislation Committee

## Minute of Decision

---

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

---

### Partnership Law Bill: Approval for Introduction

**Portfolio**                      **Attorney-General**

On 21 May 2019, the Cabinet Legislation Committee:

- 1        **noted** the Legislation Act 2012 (the Act) requires the government to systematically revise New Zealand's Acts to make the law clearer and more accessible, without changing its substantive legal effect;
- 2        **noted** that the Attorney-General presented the government's current three-year programme of statute revision for the 52nd Parliament to the House in April 2018;
- 3        **noted** that the Partnership Law Bill (the Bill) is on the current revision programme, and revises the Partnership Act 1908 to make it more readable and easier to understand, without making any substantive changes to the law;
- 4        **noted** that public submissions and feedback on an exposure draft of the Bill have helped to inform the Bill;
- 5        **noted** that the Bill's revision certifiers certified on 17 April 2019 that the revision powers have been exercised appropriately and that the effect of the law has not been changed except as authorised;
- 6        **noted** that the revision certificate must be presented to the House on the introduction of the Bill, in order that the streamlined parliamentary procedure set out in Standing Order 271 applies to the Bill;
- 7        **noted** that the Justice Committee is nominated in the Bill's explanatory note as the subject select committee for the Bill (as required under Standing Order 271(3));
- 8        **noted** that the Bill holds a category 4 priority (to be referred to a select committee in the year) on the 2019 Legislation Programme;
- 9        **noted** at the appropriate time, the Attorney-General proposes to discuss with the Business Committee how to streamline the consideration of the Bill when it is reported back to the House;

- 10 **noted** that:
- 10.1 the Partnership Act 1908 does not expressly bind the Crown;
  - 10.2 there is uncertainty about the legal position as to whether the Act impliedly binds the Crown;
  - 10.3 to best preserve the legal effect of the 1908 Act, the Bill as introduced will be silent on this matter;
- 11 **approved** the Partnership Law Bill [PCO 19271/6.0] for introduction, subject to the final approval of the government caucuses and sufficient support in the House of Representatives;
- 12 **agreed** that the Bill be introduced in May 2019;
- 13 **invited** the Attorney-General to present the revision Bill certificate to the House on the introduction of the Bill;
- 14 **agreed** that the government propose that the Bill be:
- 14.1 referred to the Justice Committee for consideration, as nominated in the Bill's explanatory note;
  - 14.2 enacted by December 2019.

Vivien Meek  
Committee Secretary

---

**Present:**

Hon Chris Hipkins (Chair)  
Hon Stuart Nash  
Hon Iain Lees-Galloway  
Hon Tracey Martin  
Hon Kris Faafoi  
Hon Peeni Henare  
Hon Eugenie Sage

**Officials present from:**

Office of the Prime Minister  
Officials Committee for LEG

**Hard-copy distribution:**

Attorney-General