Save MMP!
We tolerate an overhang.
We stop it from distorting proportionality.

Changes to the Parliament Act 2025

The draft wording proposed by SaveMMP

> First draft for legal review, 16 November 2026. This is not a Government bill. It has not been drafted or checked by the Parliamentary Counsel Office, and lawyers have not yet reviewed it. It contains open questions and points marked for a lawyer to check. It is written in the form of a bill to show the changes in full; we ask that it be taken up as a Government bill, drafted by the Parliamentary Counsel Office.

Clauses 29 to 32 of the draft Electoral (Proportional Voting Strength) Amendment Bill: the changes to the Parliament Act 2025, and one change to the Broadcasting Act 1989.

How to read this draft

- **New wording** stands on a tinted background with a purple line. The text around it says where it goes in the law.
- **[Open]** The point is not decided. “Open question 20” refers to the list of open questions at www.savemmp.org.nz/law/ and in the complete draft.
- **[To check]** A point a lawyer needs to confirm, such as a section number.
- The draft uses the words of the law: “member” for an MP, “electoral district” for an electorate, “constituency candidate” for an electorate candidate.

What the clauses do

- **Clauses 29 to 31** amend the Parliament Act 2025 so that resources for parties follow voting places and electorate funding continues for every electorate member. Where funding or a service depends on the size of a party, that size is its number of voting places (new section 85(1AB)). They also deal with salaries and with membership of the Parliamentary Service Commission, which is counted in voting places.
- **Clause 32** amends section 78(2)(c) of the Broadcasting Act 1989, so that the allocation of election broadcasting money has regard to a party’s voting members.

The draft wording

29 Section 85 amended (Speaker to determine authorised funding and services)

After section 85(1), insert:

> (1A) In determining the allocation of authorised funding and services under subsection (1)(d) and (e) for the parliamentary operations of parties (including funding for party leaders’ offices, research, and staff), the Speaker must allocate that funding and those services in proportion to each party’s voting places, and not in proportion to the number of its members.
>
> (1AB) Where a determination under this section makes any funding or service depend on the size of a party, that size is the number of the party’s voting places, and not the number of its members.

> (1B) In determining authorised funding and services for members under subsection (1), the Speaker must provide to every member elected to represent an electoral district, whether a voting member or a non-voting member, the same funding and services for an electorate office and for constituency services.
>
> (1C) In this section, **voting place**, **voting member**, and **non-voting member** have the meanings given in section 3(1) of the Electoral Act 1993.

Drafting note: The allocation of party funding is not fixed in the Act itself. It is left to the Speaker's determination under section 85(1)(e). Section 69 sets the principles. The Speaker's Directions 2023, read on 19 November 2026, allocate party funding by headcount: leadership funding of $125,900 for each party plus $70,500 for each non-executive member in caucus, and party and group funding of $24,200 for each member plus $6,200 for each non-executive member (year 1, excluding GST). Those directions end at the 2026 election (Parliament Act 2025, Schedule 1, clause 14); the determination for the present term was not seen **[To check]**. The rule that resources follow voting places may also need a reference in section 69(2) **[To check]**.

30 Section 71 amended (Remuneration Authority to determine salaries and allowances)

After section 71(2), insert:

> (2A) The Remuneration Authority must not treat the fact that a member is a non-voting member (within the meaning of section 3(1) of the Electoral Act 1993) as a consideration under subsection (2)(c).

Drafting note: This keeps salaries unchanged, as the proposal requires. Without it, section 71(2)(c) ("any other considerations that the Remuneration Authority may determine") would allow differentiation.

31 Section 155 amended (Membership of Parliamentary Service Commission)

In section 155(1)(c), replace "represented in the House of Representatives by 30 or more members" with "that has 30 or more voting places (within the meaning of section 3(1) of the Electoral Act 1993)".

Subpart 3 — Other enactments

Drafting note: The statute book was searched by phrase on 19 November 2026 (see question 33). No other Act in force refers to sections 55A to 55E of the Electoral Act 1993. The phrase "75% of all the members" in the Citizens Initiated Referenda Act 1993 and the Referenda (Postal Voting) Act 2000 is covered by new section 59M(5) as widened. Salaries that depend on party size are set by the Remuneration Authority; the decision of 19 November 2026 is that party size should mean voting places there too, and that the Authority is asked to follow this; the draft does not bind it (section 71(2)(c) of the Parliament Act 2025 leaves such considerations to the Authority). A drafter should repeat the search **[To check]**.

32 Broadcasting Act 1989 amended

In section 78(2)(c) of the Broadcasting Act 1989 (Criteria for allocating money to party), replace "the number of members of Parliament who were members of that party" with "the number of voting members (within the meaning of section 3(1) of the Electoral Act 1993) who were members of that party".

Drafting note: Decided on 19 November 2026: an overhang brings a party no resource advantage. Section 78(2)(c) was read on legislation.govt.nz on 19 November 2026.

About this document

SaveMMP is an independent, non-partisan New Zealand campaign to keep MMP proportional: every electorate keeps the MP it chose, and each party gets exactly the votes in Parliament its party vote earned. SaveMMP is independent of every political party.

This draft is published at **www.savemmp.org.nz/law/**, where the latest version and the list of open questions can be found. To send us a question or a correction, use the contact form at **www.savemmp.org.nz/contact/**, or our Facebook Page, facebook.com/savemmpnz.

This document is not legal advice. It gives general information only. We work hard to check every detail, but we cannot guarantee that it is free of mistakes.