

1. PROSTITUTION REFORM - UPDATE

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INTRODUCTION

Further to the Committee's report in the Council agenda, and as Councillors will be aware, the Prostitution Reform Bill received its second reading in the House on Wednesday 19 February 2003. The House voted 62 votes to 56, with 2 abstentions, to send the Bill to the Committee of the Whole House stage for further consideration.

Since that second reading there have been media reports that Mr Phil Goff MP wishes to have the Bill amended to provide controls over who can operate brothels with the intention of stopping gangs dominating a decriminalised prostitution trade.

This report is to set out the process in the House for the Bill from this stage.

PARLIAMENTARY PROCESS

In the second reading debate, MPs were asked to adopt the principles in the Bill and were being asked to make a commitment to the basic desirability of passing the Bill at all. A detailed debate on any proposed changes to the Bill was not permitted at the second reading.

As the Bill passed its second reading, it now proceeds to the next stage which is consideration of the Bill by a Committee of the Whole House. It is understood that the Committee stage has been scheduled to commence on Wednesday 5 March 2003.

At this stage the House goes into Committee to give the Bill's provisions detailed consideration. This has been called "the nuts and bolts stage", where the Bill is considered clause by clause to decide whether the detailed provisions properly incorporate the principles or objects of the Bill.

The function of this Committee stage is to make any amendments to the Bill that may be found to be desirable before the Bill is reported back to the House and proceeds to the next stage.

The Committee stage gives all members an opportunity to participate in detailed consideration of the Bill and to move amendments to the Bill. Amendments can be made to any clause provided the amendments are relevant to the subject matter of the Bill. Once the Committee stage has been completed, the Bill together with any amendments made in the Committee stage, is reported back to the House. The House then votes on whether to adopt the Committee's report and if it does so, the Bill is set down for a third reading.

At the third reading stage members must confine themselves to the general principles of the Bill. A principal use of the third reading is to record arguments advanced at the Committee stage as the Committee stage is not recorded in Hansard.

In the third reading stage members can discuss amendments made in the Committee stage, but not lost amendments during the Committee stage. Members cannot go through the Bill clause by clause and the third reading stage is really a summing-up for members.

Once the House has passed the third reading, the Bill it is referred to the Governor-General to receive the Royal assent.

With a Member's Bill, such as the Prostitution Reform Bill, when the Bill is reported back from the Committee stage the Member in charge of the Bill, Mr Barnett MP, has the right to move the third reading stage immediately.

CONCLUSION

A copy of the report in the Council agenda together with this supplementary report has been forwarded to Local Government New Zealand which advises it is grateful for having been provided with this information by the Council.

A request has been made to Local Government New Zealand that if contact is made by the Government or Mr Goff regarding any amendments to the Bill, that Local Government New Zealand keep in contact with this Council regarding the efficacy of any proposed amendments.

Staff

Recommendation: That the information be received.

**Recommendation
from the Chair:**

That the Regulatory and Consents Committee be authorised to liaise with Local Government New Zealand and any Members of Parliament proposing amendments to the Bill concerning controls on the location of brothels and to approve any such amendments.