



CABINET OFFICE

24 May 2013

Glenn Collis

Email: fyi-request-872-390dbd97@requests.fyi.org.nz

Dear Mr Collis

Information request: sale of state-owned assets

Our ref: CAB 26-13

- 1 Thank you for your enquiry of 13 May 2013. You raise a question about the ability of a Government to carry out its policy programme. This is provided for in several statutes and constitutional conventions.
- 2 The ability of a Government to implement policy (including for example any sale or partial sale of state-owned assets such as state-owned enterprises) depends on having a majority in Parliament. (This was already the case before the enactment of the Constitution Act 1986.) The make-up of Parliament depends on the outcome of elections, held under the Electoral Act 1993. Through these elections, members of the public choose who they wish to represent them as Members of Parliament (MPs).
- 3 Under the Constitution Act 1986 and constitutional convention, the Government (made up of the Prime Minister and the other Ministers) is drawn from the pool of democratically-elected MPs. The Prime Minister is the party leader supported by a majority of MPs. The other Ministers are senior MPs from the party of the Prime Minister and, in some cases, from other parties that support it in Parliament.
- 4 As long as it has majority support in Parliament, the Government is entitled to carry out policy initiatives, and to use its parliamentary majority to pass any necessary legislation. In doing this, the Prime Minister and the other Ministers remain accountable to Parliament, and in turn to the public. This provides important democratic control over the actions of the Government.
- 5 You requested documentation in relation to this matter. I recommend to you the introduction to the Cabinet Manual 2008, which is a useful summary of the key foundations of our system of government, and is available at www.cabinetmanual.cabinetoffice.govt.nz.

Yours sincerely

A handwritten signature in blue ink that reads 'Rebecca Kitteridge'.

Rebecca Kitteridge
Secretary of the Cabinet