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## ASSEMBLY MEMBERS' INTERESTS ACT 2006

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### 2006, No. 284

#### 1 Title

This is the Assembly Members' Interests Act 2006.

#### 2 Definition

In this Act "interest" means an interest in the execution or enjoyment of any contract under which public money is payable or an interest in the performance of services under a Government funded project or under a project externally funded for the benefit of Niue.

#### 3 Disclosure of interest

(1) No member of the Assembly may have an interest unless the member, before obtaining such an interest or immediately the member is aware that such an interest has been obtained, gives notice of the nature of that interest to the Speaker, in writing in the form set out in the Schedule.

(2) Where an interest exists before a member is elected to the Assembly, the member shall give notice of the nature of that interest to the Speaker, in writing, before the first sitting of the Assembly which that member attends.

#### 4 Effect of disclosure

The Speaker shall report every disclosure made under section 3 to the Assembly, when the Assembly first meets after that disclosure has been made.

**5 Seat not to become vacant**

The seat of the member will not become vacant by virtue of Article 19 of the Constitution in relation to any interest which is disclosed in accordance with section 3.

**6 Government contract exceeding a certain limit to be tendered**

- (1) Every Government contract of which the value exceeds \$10,000 shall be subject to public tender.
- (2) Public notice of the call to tender shall be given in the media on at least two occasions with a minimum of one month between the first notice and the date of the closing of tenders.
- (3) Where the contract is of more than \$20,000, the period of notice shall be of such greater period as may be specified by Cabinet.

**7 Regulations**

Cabinet shall make such regulations as it thinks fit for the purposes of this Act.

**8 Transitional provisions**

- (1) An interest in existence at the commencement of this Act shall, for 30 days following the commencement of this Act, be deemed to have been disclosed to the Speaker.
  - (2) Within 30 days following the passing of this Act, every member who has an existing interest, shall give notice of the nature of that interest, in writing, to the Speaker.
  - (3) The seat of the member will not become vacant by virtue of Article 19 of the Constitution in relation to any interest which is disclosed in accordance with this section.
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**Schedule**

Declaration of Interest

The Speaker,

I ... [name]... member of the Niue Assembly hereby declare under the Assembly Members' Interests Act 2006 that I have an interest in the contract/project for ... [here give sufficient information to identify clearly the contract or project]...

The nature of my interest is as party to contract/ benefit under a project/ indirect through a family member or company etc [delete the inapplicable]

Signature of Member

\_\_\_\_\_

Date

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