Constitution Amendment Act 2026

Public Act	2026 No 45
Date of assent	9 July 2026
Commencement	see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Constitution Amendment Act 2026.

2 Commencement

This Act comes into force on 10 July 2026.

Section 2: editorial change made by the PCO, on 27 July 2026, under sections 86(1) and 87(m) of the Legislation Act 2019 (2019 No 58).

3 Principal Act

This Act amends the Constitution Act 1986.

4 Section 6 amended (Ministers of Crown to be members of Parliament)

(1) Replace section 6(2)(b) with:

(b) a person who held office both as a member of Parliament and as a member of the Executive Council or as a Minister of the Crown immediately

before having to vacate office as a member of Parliament under section 54(1)(b) or (2)(b) of the Electoral Act 1993 (the **Act**) may continue to hold office as a member of the Executive Council or as a Minister of the Crown until the close of the day after the day on which the Electoral Commission declares, in accordance with section 193(5)(a) of the Act, the elected list candidates.

(2) After section 6(2), insert:

(3) In subsection (2)(b), **list candidate** has the meaning given to it by section 3(1) of the Electoral Act 1993.

5 Section 8 amended (Appointment of Parliamentary Under-Secretaries)

Replace section 8(2) with:

(2) A Parliamentary Under-Secretary holds office at the pleasure of the Governor-General while they are a member of Parliament.

(3) However, a Parliamentary Under-Secretary may continue to hold office during the period—

(a) beginning on the day that they must vacate office as a member of Parliament under section 54(1)(b) or (2)(b) of the Electoral Act 1993 (the **Act**); and

(b) ending on the close of the day after the day on which the Electoral Commission declares, in accordance with section 193(5)(a) of the Act, the elected list candidates.

(4) In subsection (3), **list candidate** has the meaning given to it by section 3(1) of the Electoral Act 1993.

Legislative history

24 July 2025	Introduction (Bill 187–1)
14 August 2025	First reading and referral to Justice Committee
27 November 2025	Reported from Justice Committee (Bill 187–2)
30 June 2026	Second reading, committee of the whole House, third reading
9 July 2026	Royal assent

This Act is administered by the Ministry of Justice.

Wellington, New Zealand:
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