



# Weekly Report

**Week ending:** 4 October 2024

**Priority:** Medium

**Security classification:** In confidence

**Tracking number:** MFR2024-135

**Recipient**

**Action sought**

Hon David Seymour  
MINISTER FOR REGULATION

**Note** the contents of this report

Aisling Risdon  
Contact: s9(2)(a)  
Ministry for Regulation

**Minister's comments:**

# Actions

Action	Due date	Status update
A2024-032	8 October	In progress. Decisions will be sought in MFR2024-110 due 9 October 2024
A2024-044	18 October	New action.
A2024-042	29 November	New action.
A2024-043		s9(2)(f)(iv)
A2024-039		s9(2)(f)(iv)

# Briefings & Aides-mémoire

Papers delivered to the Minister for Regulation		Date Delivered
MFR2024-131	Business Ready – Overview of New Zealand results	1 October
MFR2024-134	Early Childhood Education Sector Review September Update	2 October

Papers under development		Due date
MFR2024-110	Draft Cabinet paper for Consultation: Improving Regulatory Policy Making	9 October
MFR2024-137	[legally privileged] Finalised Crown Law Office advice on the proposed approach to the Regulatory Standards Bill	9 October
MFR2024-136	Ministry for Regulation Statement of Appropriation	9 October
MFR2024-129	ECE sector regulatory review summary of all engagement - direct and indirect	11 October
MFR2024-125	Options for next regulatory review	11 October
MFR2024-130	s9(2)(f)(iv)	11 October
MFR2024-128	ECE sector regulatory review licensing criteria initial findings	Late October

Papers under development		Due date
R2024-107	October update on Agricultural and Horticultural Products Regulatory Review	1 November

## Upcoming events/announcements

Date	Location	Event	Opportunity
Mid-October	Wellington	TBC - Update on ECE review	TBC - PR and supporting communications products
November	Wellington	TBC - One year since Minister Seymour received warrant as Minister for Regulation (potential for event)	TBC – PR and supporting communications products – an opportunity to highlight regulatory enhancements over the past year, and update on the Ministry’s progress

Contact: Denise Mackay, Communications and Engagement Lead. Ph. s9(2)(a)

## Updates

### RIA non-compliance: Modifying the Sentencing (Reinstating Three Strikes) Amendment Bill

*For information*

Minister McKee as Associate Minister of Justice is preparing a paper to seek Cabinet agreement to two modifications to the Sentencing (Reinstating Three Strikes) Amendment Bill. The proposals relate to the reducing the length of qualifying sentences, and the inclusion of strikes obtained under the previous Three Strikes scheme into scope of the proposed new scheme. We understand this is being considered by Cabinet on 14 October.

A Regulatory Impact Statement (RIS) was completed when substantive policy decisions were taken, however the impact analysis in this RIS did not sufficiently cover the detail of these proposed modifications. The Ministry for Regulation’s RIA Team requested the Ministry of Justice update the previous RIS with a short annex to provide more specific impact analysis to support Cabinet’s decision-making. The Ministry of Justice advised that they would not be able to complete this annex in the timeframe available.

The Ministry of Justice and the Ministry for Regulation have agreed that a post-implementation assessment will be developed and provided to Cabinet no later than four years’ time from enactment of the legislation. While post-implementation assessments have previously been required sooner after enactment, given the nature of the policy there is a need for a lead-in period for offending, convictions, sentencing and appeals to occur before the policy can be assessed.

Contact: Andrew Royle, Deputy Chief Executive – Policy. Ph. s9(2)(a)



## Regulatory Response Team

For information

### New issues this week

RRT #	Issue	Description	Updates
RRT2024-033	Dairy Operations & Nitrogen Reporting	s9(2)(f)(iv)	

### Closed issues this week

RRT #	Issue	Update
RRT2024-032	Anti-Money Laundering Regulation	We have drafted a letter to the submitter advising their issue may be considered in the context of wider AML work.

### Priority issues

We have identified six matters which the Ministry will be engaging with as a priority. New updates for this week are marked in **bold**.

RRT #	Issue	Updates
RRT2024-003	Duplication of Children's Check	s9(2)(f)(iv)
RRT2024-005	Anti-Money Laundering (AML) Regulations	RRT is triaging a number of issues raised by submitters regarding the AML regulations. We are also engaging with Ministry of Justice officials to progress the AML work programme.
RRT2024-010	Telecommunications service obligations (TSO) – outdated requirements	s9(2)(f)(iv)

RRT #	Issue	Updates
RRT2024-014	Incorporated society re-registration costs	RRT have triaged/investigated this issue this week and reached out to MBIE with questions about the implementation of the Incorporated Societies Act changes.
RRT2024-025	Medicines Exemption for Authorised Prescribers	s9(2)(f)(iv) [Redacted]
RRT2024-028	Lack of regulation of ACC's third-party administrator system	We have begun investigating the ACC issues that have been raised with us.

Contact: Tony Clark, Manager, Regulatory Reviews. Ph: s9(2)(a)

## Agricultural and Horticultural Products Regulatory Review

*For information*

This week the Agricultural and Horticultural Products Regulatory Review team (Review team) and agency secondees have participated in a series of workshops to undertake a root cause analysis of the issues reported by stakeholders. The Review team are writing up the results and will test with agencies and the Sector Reference Group.

We have entered into a contract with Sense Partners to deliver quantitative economic analysis to support the review and the final report. We expect to agree scenarios for their modelling in the coming weeks.

We have met with agencies to understand their feedback and views on initial options identified, and any limitations or constraints that may be required to continue to effectively manage risks. The results of root cause analysis will be used to narrow down options to potential recommendations and identify where further recommendations may be required.

We will be meeting with the sector reference group on Tuesday 8 September, and intend to discuss initial results from the root cause analysis, and initial options that have been identified.

Contact: Tony Clark, Acting Agriculture and Horticulture Products Review Lead. Ph: s9(2)(a)

## Early Childhood Education Regulatory Review

*For information*

The Early Childhood Education Sector Regulatory Review continues to analyse and test initial findings and recommendations with Ministry of Education, Education Review Office, Ministry of Health and Ministry for Primary Industry regulatory subject matter experts. The purpose of testing is to:

- Understand the level of agreement on our findings and recommendations.
- Document where there is disagreement on our findings and recommendations.
- Confirm where additional information is required.
- Describe the implications of our recommendations, including risks and trade-offs.
- Discuss the cost and time required for implementation.

To date, we have held seven testing workshops covering regulatory monitoring, regulatory capability and performance, licencing criteria (multiple workshops), regulatory tools and curriculum, qualifications and ratios. Our initial findings on licencing criteria will be provided to you by the end of October.

On 11 October we will provide you with a report summarising the themes from all engagement and a briefing that outlines our lines of inquiry. We are currently analysing the themes to:

- Confirm which themes are in scope of the Terms of Reference for the Review
- Align our current areas of analysis and identify any gaps
- Use as evidence for our current areas of analysis.

We reported to you last week that visits to Te Kōhanga Reo centres were scheduled for 2 and 3 October. We have received a late notice request from Te Kōhanga Reo to move the Waikato visits to the following week starting 7 October. The visits to two Pacific Peoples childcare centres in the Wellington region on 4 October remain unchanged, along with the Puna Reo visit scheduled in the Manawatu on 9 October.

This week we have provided you with the monthly update of the Early Childhood Education Sector Regulatory review.

Contact: Justine Fitzmaurice, Project Manager, Early Childhood Education Review. Ph: s9(2)(a)

# Draft Cabinet paper consultations

Draft Cabinet papers that we have been consulted on will appear here. Only new papers or papers with updated commentary will be included in this table.

s9(2)(f)(iv)

