



Cabinet Expenditure and Regulatory Review Committee

Minute of Decision

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Improving the Quality of New Zealand's Regulation: Report Back on a New Regulatory Standards Bill

Portfolio **Regulation**

On 27 February 2024, the Cabinet Expenditure and Regulatory Review Committee:

- 1 **noted** that the Coalition Agreement between the New Zealand National Party and ACT New Zealand includes a commitment to legislate to improve the quality of regulation by passing a Regulatory Standards Act as soon as practicable;
- 2 **noted** that options that the Minister for Regulation (the Minister) is exploring for the Regulatory Standards Bill (the Bill) include providing:
 - 2.1 a benchmark for good regulation through a set of regulatory principles that all regulations should comply with;
 - 2.2 transparency by requiring those proposing and creating regulations to certify whether the regulations are compatible with the principles;
 - 2.3 accountability through new roles for the courts to make declarations of incompatibility with the principles, and to prefer interpretations of legislation that are compatible with the principles;
- 3 **noted** that using legislation to promote regulatory quality represents a significant change from the status quo;
- 4 **noted** that officials are currently working with relevant subject matter experts to mitigate any unintended impacts of the proposed Bill;
- 5 **noted** that the Minister is considering whether the Bill should include additional provisions, including to support the functions of the new Ministry for Regulation, and reinforce some expectations on agencies regarding good regulatory practice;
- 6 **noted** that the Minister has asked officials to consider ways in which any impacts of these proposals on other agencies can be managed, by streamlining requirements or better integrating them with other public sector management tools;

7 **noted** that the Minister's aim is to have the Bill enacted by the end of 2024, subject to ongoing Ministerial consultation;

8 **noted** 9(2)(h) [REDACTED]

9 **invited** the Minister to report back to the Cabinet Expenditure and Regulatory Review Committee in May 2024 9(2)(h) [REDACTED]

Sam Moffett
Committee Secretary

Present:

Rt Hon Christopher Luxon
Rt Hon Winston Peters
Hon David Seymour (Chair)
Hon Nicola Willis
Hon Dr Shane Reti
Hon Simeon Brown
Hon Erica Stanford
Hon Paul Goldsmith
Hon Judith Collins
Hon Melissa Lee
Hon Brooke van Velden
Hon Shane Jones
Hon Casey Costello
Hon Simon Watts
Hon Andrew Bayly
Hon Andrew Hoggard
Hon Mark Patterson

Officials present from:

Office of the Prime Minister
Officials Committee for EXP
Office of the Minister for Regulation
The Treasury