



Weekly Report

Week ending:	13 December 2024	Priority:	Medium
Security classification:	In confidence	Tracking number:	MFR2024-184
Recipient	Action sought		
Hon David Seymour MINISTER FOR REGULATION	Note the contents of this report		

Aisling Risdon
Contact: S 9(2)(a)
Ministry for Regulation

Minister's comments:

Actions

Action	Due date	Status update	
A2024-046	S 9(2)(f)(iv)		
A2024-051	Provide an overview/timeline of the next steps for the ECE review	6 December 2024	Complete. See MFR2024-173
A2024-050	Provide more detailed reporting on the red tape portal	10 December 2024	Complete. Quarterly updates will be provided going forward.
A2024-053	Provide information to support engagement with Ministers regarding the updated Cabinet circular	Mid-late January 2025	In progress.

Briefings & Aides-mémoire

Papers delivered to the Minister for Regulation	Date Delivered	
MFR2024-175	S 9(2)(f)(iv)	11 December 2024
MFR2024-109	Draft report for the Agricultural and Horticultural Products Regulatory Review	12 December 2024
MFR2024-167	Early Childhood Education Sector Regulatory Review Draft Report	12 December 2024
MFR2024-177	S 9(2)(f)(iv)	12 December 2024
MFR2024-178	Proposed approach for reporting on portfolios' compliance with Cabinet's impact analysis requirements	12 December 2024
MFR2024-185	Sector engagement approach for the Hairdressing and Barbering Regulatory Review	12 December 2024

Papers under development	Due date	
MFR2024-165	S 9(2)(f)(iv)	23 January 2025
MFR2024-169	S 9(2)(f)(iv)	23 January 2025

Upcoming events/announcements

Date	Location	Event	Opportunity
Monday 16 December 2024	Wellington	ECE short and long form reports received by Minister and published on Ministry website	PR and supporting communications products
13 January 2025	Wellington	TBC - public consultation on RSB closes	TBC – potential PR and supporting communications products
15 January 2025	Wellington	TBC – hairdressing and barbering regulatory review online portal open for submissions	TBC – potential PR and supporting communications products
January 2025	Wellington	TBC – Joint Ministers receive AgHort review report – release of summary of submissions	TBC – potential join Ministers PR and supporting communications products

Contact: Denise Mackay, Head of Engagement. **S 9(2)(a)**

Updates

Regulatory Policy

For information

Regulatory Management System

The consultation process is underway for the Regulatory Standards Bill, closing on 13 January. We have received a small number (14) of early submissions, and we are expecting more substantial and anticipate some high-quality submissions before Christmas or at the close of the period. We have had early indications of interest in submitting from the banking sector and academics that we are in contact with, especially from Victoria University. We are continuing to engage with sector groups to encourage participation, such as a presentation to the Law Association last week.

Policy work to support your decisions following that submission process also continues, for example developing options for the required certification by Ministers against the Principles and developing the scope of the Board further.

Regulatory Policy Design

We are now promulgating the new Impact Assessment Cabinet Circular, a key step which will strongly contribute to better Regulatory Design, Stewardship and Practice. We have established portals for agencies to comply with the new obligation to engage with us early on any regulatory proposal. Our specific focus is on assessing those that impact on the use and exchange of private property.

We are also implementing the new RIS guidance to ensure agencies are producing fewer, higher quality RISs and making the information more accessible to Ministers through the new 4-page coversheets. Combined with our new involvement in the 2025 legislation bid process and our ongoing Cabinet paper review, this will improve our ability to intervene with agencies in proposals and/or advise you to assist conversations with your Ministerial colleagues. Communications with agencies on the combined effect of these changes is a key focus for us until Christmas and early in the new year.

We are actively exploring the pool of potential reviews that we can undertake and improving our economic model for recommending reviews to you. s 9(2)(f)(iv)

[Redacted]

[Redacted]

[Redacted] We are also looking at the feedback received through the RRT portal for themes of regulatory burden, as well as developing specific pieces of work for regulatory relief. s 9(2)(f)(iv) to brief you on in the new year.

Contact: Andrew Royle, Deputy Chief Executive Policy. s 9(2)(a)

Improving the existing stock of legislation through Regulatory Systems Amendment Bills

For information

The Regulatory Stewardship team is progressing work to improve the existing stock of legislation through Regulatory Systems Amendment Bills (RSABs). Sometimes called ‘cleanup’ legislation, RSABs are maintenance and repair omnibus bills which agencies use to fix known problems to ensure legislation is up-to-date and fit-for-purpose. RSABs can also reduce compliance costs on regulated parties by simplifying and/or standardising requirements across multiple regulatory systems.

RSABs are ‘creatures of convention’ because they are not specified by any standing orders or Cabinet circular. This ambiguity about their process and content has resulted in sporadic uptake of RSABs by agencies (or none, for some smaller agencies). s 9(2)(f)(iv)

We consider that increasing the uptake of RSABs across government will contribute significantly to improving the quality of the existing stock of legislation and we are in the final stages of scoping the most impactful ways to support agencies in this space. We will keep you updated as this workstream progresses through 2025.

Contact: Erin King, Manager, Regulatory Stewardship, s 9(2)(a)

s 9(2)(f)(iv)

Contact: Andrew Royle, Deputy Chief Executive Policy, s 9(2)(a)

Agricultural and Horticultural Products Regulatory Review

For information

This week we provided you with both the draft long-form and summary reports on the Agricultural and Horticultural Products Regulatory Review following the launch of the review on 1 August. The review has worked through a variety of stages, including: broad engagement; verifying issues; developing options; testing findings and recommendations with stakeholders; and report writing.

S 9(2)(f)(iv)

We will be providing the final report and draft Cabinet paper to Joint Ministers in January 2025 to seek Cabinet agreement to action.

Contact: Peter Clark, Manager Regulatory Reviews, S 9(2)(a)

Early Childhood Education Regulatory Review

For information

This week we provided you with both the long-form and short-form reports on the Early Childhood Education Sector Regulatory Review following Cabinet approval to start this work in June 2024. The review has worked through the stages of: discovery engagement, analysis, testing initial findings and recommendations, and report writing.

During this period, we conducted 22 engagements with key sector stakeholders and visited nine ECE settings [MFR2024-121]. We held 13 testing workshops with eight key regulatory agencies [MFR2024-153] and tested our final content with five providers during November [MFR2024-176].

A highlight from the review was receiving a tremendous amount of feedback (over 2,300 submissions) during the discovery engagement phase. The volume of feedback provided assurance to the Steering Group on the breadth and depth of business owners, parents, whānau, teachers and ECE sector workers that the Ministry for Regulation listened to during engagement.

The recommendations presented in the reports chart a strategy for reforming regulatory design, leadership, capability practices and requirements. They provide directions for how to:

- modernise the ECE regulatory approach and its tools
- simplify the ECE regulatory requirements, and
- improve support for the ECE sector.

Contact: Justine Fitzmaurice, Project Manager, Early Childhood Education Review, S 9(2)(a)

Regulatory Response

For information

RRT #	Issue	Status update
RRT2024-024	Issues raised on the kina fishery regulations	S 9(2)(f)(iv)
RRT2024-026	Gift cards under the AML regime	S 9(2)(f)(iv)
RRT2024 issues: 030, 048, 051, 052, 198, 199	Property transactions and the AML regime	S 9(2)(f)(iv)
RRT2024-007	S 9(2)(f)(iv)	

RRT #	Issue	Status update
RRT2024-269	S 9(2)(f)(iv)	
RRT2024-033	Dairy Operations & Nitrogen Reporting	S 9(2)(f)(iv)

Contact: Tony Clark, Manager, Regulatory Reviews S 9(2)(a)

Red Tape Portal

For information

November saw the launch of the Red Tape Tipline. We have to date received 396 submissions through the Tipline and prior to launch we were already working through about 50 issues that had been raised with us through various channels. We have provided you with a number of issues briefings this year relating to a wide range of issues including S 9(2)(f)(iv) S 9(2)(f)(iv) Buy Now Pay Later and the Workplace Exposure Standard for Flour Dust. We are about to close off the year with two further briefings on S 9(2)(f)(iv)

We have S 9(2)(g)(i) for the broader AML review led by Justice, worked directly with a broad variety of submitters on issues they have raised and helped you set expectations with your ministerial colleagues about regulatory action that needs to be taken.

Some of our submitters have been pleasantly surprised by their experience with the Ministry:

“You have no idea how much your reply is appreciated. Thank you. Being honest, I was thinking, yip, just another Govt dept that ignores the scruffy public. The fact you actually read my email and responded with specifics is terrific.” – AML Property Transactions

“but it’s the first law change I’ve managed to get in all my years of slog AND I won’t have to do the audit stuff...!!! I’m thrilled. I’m not finished yet but I’m taking the time to celebrate this win 😊” – Protection of Personal & Property Rights Act

“the most productive meeting I’ve had with a government department” - iHemp

The issues we are seeing through the Tipline tell us that New Zealanders are keen to use this to raise issues and have their voices heard. We have already heard a considerable amount from the construction, food services and transport sectors.

To date we have agreed to progress about 56% of the submissions received through the Tipline. We look forward to working through these and effecting positive change.

Contact: Tony Clark, Manager, Regulatory Reviews S 9(2)(a)

Regulatory and System Capability

For information

Resources for Regulators library now online

The full MfR website goes live on 13 December and with it the Resources for Regulators library is available online. This is for regulatory agencies to share their policies, practices, strategies, and decision-making tools. Through this we are accelerating the broad adoption of good practice, and the preservation of good practice despite organisational change.

We have targeted existing material on several matters including:

- articles that have advanced influential analysis of regulatory practice and theory
- case study of regulating an emerging area
- description of personal capabilities needed for people who do regulatory work.

To be a one stop shop, the library also holds MfR’s own guidance, expectations and supporting resources, including for:

- regulatory impact assessment
- regulatory stewardship
- Regulatory Institutions and Practices report archived material from the Treasury website.

Regulatory Practice Essentials Quick Guides and modules

External content is assessed by Ministry staff before being shared, so maintaining the library will be a BAU activity. There will be a peak of activity in the first half of next year as we drive growth in material included.

Six Regulatory Practice Essentials guides are online and being embraced by users

The Regulatory Practice Essentials guides standardise core principles and definitions of regulatory good practice. Since the guides were launched in November, we have had positive feedback from large numbers of New Zealand agencies, several international organisations, and some of the content has been used in the ECE regulatory review. With the launch of the full MfR website on 13 December we will be able to track future uptake.

This is a key intervention in the regulatory sector to overcome barriers to the improvement of practice, and to agencies delivering appropriate development to staff. The Quick Guides (QG) and modules cover the following topics, which we believe to be both fundamental and well-aligned to priorities for good practice as emerging from reviews. Further benefits are that agencies can use it to integrate the modules into their staff development programmes.

The Quick Guides and modules available as of December 2025 are:

- *Regulation in New Zealand*
- *Communicating with Regulated Parties*
- *Engaging as a Regulator*
- *Professional Conduct*
- *Regulatory Compliance Activities,*
- *Regulatory Systems and Stewardship.*

The following Quick Guides and training modules are under development, and we will release in the first half of next year:

- *Investigations and Managing Evidence*
- *Regulatory Approaches and Tools*
- *The Judiciary and Interpreting Legislation*
- *Intelligence.*

Contact: Alex McMinn, Head of Regulatory System Capability. S 9(2)(a)

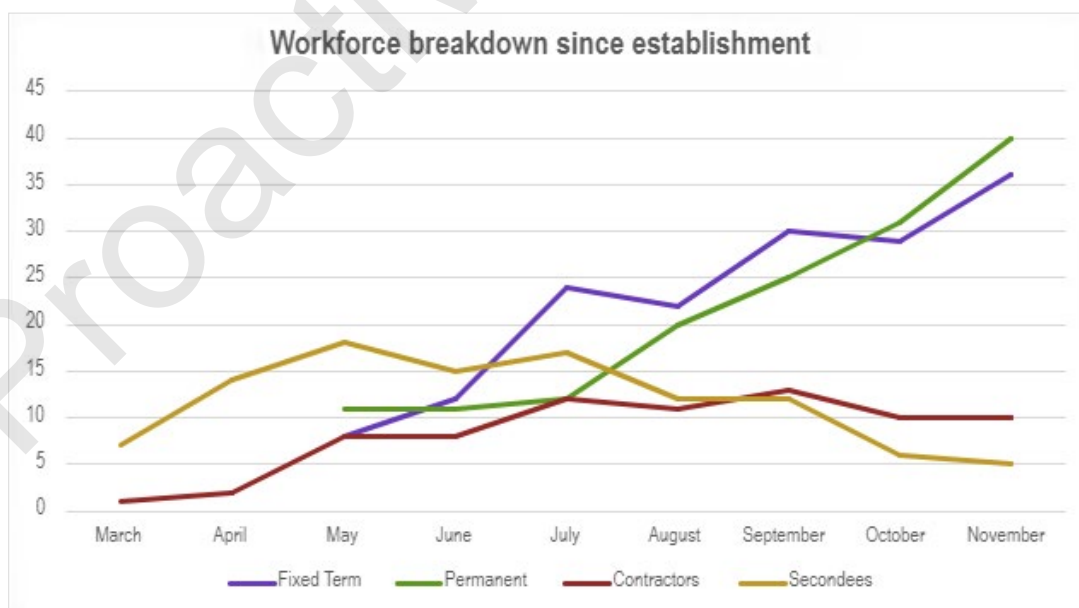
Recruitment and Workforce

For information

The Ministry has permanently appointed 54 positions (59%) with up to another 12 roles expected to be appointed this side of Christmas (commencing in role in 2025).

Our recruitment efforts have been successful, with an average time to hire of 31 days (compared with a global average of around 44 days). This metric includes lengthier processes such as the Chief Economist recruitment. Our conversion rate has stayed high at 9% - this is the number of advertisement views that turned into an application.

The below diagram represents the makeup of our changing workforce since establishment. Fixed-term employees and contractors are expected to decline further as we appoint to our permanent positions.



Contact: Abbey Macalister, Head of People and Operations. S 9(2)(a)

Engagement

For information

The Ministry's Engagement team has three key objectives: raising awareness, establishing meaningful relationships, and building trust and confidence in the Ministry's role as the central steward of the regulatory management system. In the past nine months, the foundations to achieve these objectives have been laid.

We have established and continually improved our staff intranet, developed and ran an interim website, and successfully released the permanent website with much more content and better analytical capability on 13 December. We have grown our LinkedIn followers to over 6,500 and redeveloped a Ministry newsletter that goes to over 4,000 subscribers.

We also established our engagement hub, on which we've hosted two review consultations, opened public consultation on the proposed Regulatory Standards Bill, and where the portal for red tape issues is housed. Almost 2,400 written submissions have been received as part of the engagement around the early childhood education and the agricultural and horticultural products regulatory reviews, alongside many face-to-face meetings and workshops with stakeholders.

The team has helped engage and make connections with a wide range of people, peak bodies, industry and sector groups, and business – including participating in the BusinessNZ roundtable on regulatory burden, participating in an insurance sector workshop, and presenting to many groups and organisations about the Ministry's role and purpose.

Contact: Denise Mackay, Head of Engagement. **S 9(2)(a)**

Ministerial Services

For information

The Ministerial Services team manages a wide variety of correspondence and Official Information Act requests on behalf of the Ministry, provides direct support to your Office and other parts of the Ministry on ministerial matters and machinery of government, and has responsibility for the Ministry's planning and performance reporting functions, including accountability documents such as the Annual Report and Strategic Intentions.

The team manages an average of 130 emails (internal and external) through its inbox each working day. Since 1 March 2024, Ministerial Services has responded to:

- 44 agency OIA requests
- 47 ministerial OIA requests
- 20 pieces of general correspondence received by the Ministry
- 69 pieces of ministerial correspondence
- 371 written parliamentary questions.

The team is responsible for proactive release of Cabinet papers, briefings and weekly reports. We have proactively released all Weekly Reports since May and notably, we recently completed the proactive release of 25 papers (approximately 433 pages) relating to the Regulatory Standards Bill to support the release of the discussion document.

We anticipate that there will be continued interest in the Ministry's work and expect that OIA requests and WPQs will continue to increase in 2025.

The team is also responsible for tracking all papers sent to your office. The Ministry has delivered approximately 159 ministerial papers to your office to date.

Contact: Aisling Risdon, Head of Ministerial Services. **S 9(2)(a)**