



3 July 2025

s 9(2)(a)

Official information request

Our ref: R001036

Tēnā koe s 9(2)(a)

Thank you for your Official Information Act 1982 (OIA) request received on 6 June 2025.

You requested:

Could I please have copies of briefings or advice produced by the Ministry to the Minister which summarise or comment on the 23,000 submissions made on the Regulatory Standards Bill as part of external consultation. In particular I seek copies of briefings which indicate that the submissions were made by bots.

The Ministry for Regulation did not produce any briefings indicating that submissions on the discussion document for the proposed Regulatory Standards Bill were made by bots. Your request for this information is refused under section 18(e) of the OIA as the information does not exist.

The Ministry for Regulation undertook a robust process to analyse all of the almost 23,000 submissions received. Our approach was carefully designed to reflect all submissions in the final analysis, noting there were many similar points made across most of the submissions.

It was acknowledged that a large number of submissions were identified as ‘template’ submissions – i.e., submissions based wholly or largely on shared templates. This advice was included in briefing paper to the Minister [MFR2025-026 Regulatory Standards Bill: Initial findings from public consultation](#)¹ which has been proactively released on the Ministry’s website. Examples of templates that were identified during the submission analysis process is included in **Appendix A**.

¹ <https://www.regulation.govt.nz/about-us/our-publications/mfr2025-026-regulatory-standards-bill-initial-findings-from-public-consultation/>

For more information about how submissions were triaged (including duplicate submissions), please refer to Appendix 1: Methodology (page 42) in the [Summary of Submissions](#)² document which is available on our website. You may also be interested in the [frequently asked questions about the Regulatory Standards Bill](#)³ document which is also available on the Ministry website.

Right of review

If you wish to discuss this decision with us, please contact hello@regulation.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we may publish this response (with your details removed) on the Ministry for Regulation website.

Ngā mihi

s 9(2)(a)



Aisling Risdon

Head of Ministerial Services
Ministry for Regulation

² <https://www.regulation.govt.nz/about-us/our-publications/information-release-summary-of-submissions-for-proposed-regulatory-standards-bill/>

³ <https://www.regulation.govt.nz/about-us/our-publications/frequently-asked-questions-about-the-regulatory-standards-bill/>

Appendix A – Templates used for RSB submissions

Template 1:

[Regulatory bill submission by Emeritus Professor Jonathan Boston, ONZM](#)

“I oppose to the proposed Regulatory Standards bill. It prioritizes big business over people and the environment. Instead, we need regulations that protect New Zealand’s resources, our whanau and future generations”

See link for further information -

https://docs.google.com/document/d/1XxP4NnxLwHitgBBPCBxWF0go14Uy5oUHdeOlWJ_ZQFE/mobilebasic#h.4w5gn16jn42a

Template 2:

https://www.labour.org.nz/news-rule_czar_bill_a_right_wing_power_grab

“It seeks to limit what Parliament can do – for example by giving priority to property rights over things like environmental standards.

“Good regulation is essential for a safe and thriving New Zealand. What this legislation would do is limit government’s right to make rules in the interests of all New Zealanders on anything from building rules to environmental protections.

“This legislation places property rights at the heart of our constitution – but it is silent on community wellbeing, climate and environmental protection. It makes no mention of Te Tiriti o Waitangi.

“The focus on property rights, individual freedoms, limiting government, and restricting taxes is straight out of the far-right playbook and does nothing for addressing inequity, lifting people out of poverty, ensuring health and education is available to all, and creating a safe community.

“The Bill is an unnecessary power grab and would make David Seymour the Rule-Czar, limiting the ability of other ministers to effectively operate and requiring them to certify compliance with his demands before they can make rules or laws.

Template 3:

See link: <https://melanienelson.substack.com/p/jane-kelsey-submission-on-the-proposed>

Template 4:

100 submission sentences opposing the Regulatory Standards Bill based on Te Tiriti.

1. The Regulatory Standards Bill fails to honor the Treaty of Waitangi by not ensuring

Māori participation in decisions affecting their land and resources.

2. By disregarding Māori perspectives, the bill undermines the Treaty's principle of partnership.

3. The bill threatens Māori tino rangatiratanga, or self-determination, by centralizing decision-making power in the Crown.

4. Without meaningful consultation with Māori, the bill violates the Treaty's promise of active protection of Māori rights.

5. The bill could further marginalize Māori communities by imposing one-size-fits-all regulations without accounting for their unique cultural values and needs.

6. The Regulatory Standards Bill risks undermining Māori authority over their lands, fisheries, and natural resources, contrary to the Treaty's guarantee of protection.

7. The bill's lack of consideration for Māori governance structures weakens the Treaty's guarantee of Māori self-management.

8. The bill could lead to the erosion of Māori cultural practices and environmental stewardship, violating the Treaty's commitment to safeguard Māori heritage.

9. The Regulatory Standards Bill fails to recognize the unique relationship Māori have with their taonga, or treasures, thus breaching the Treaty.

10. By failing to recognize Māori as Treaty partners, the bill perpetuates colonial attitudes that the Treaty was meant to address.

11. The bill's sweeping regulations may infringe on Māori customary rights, ignoring the Treaty's commitment to protect these rights.

12. The lack of specific provisions for Māori involvement in decision-making undermines the Treaty's principle of equity.

13. The bill's focus on efficiency over cultural values risks disregarding the Treaty's principle of protecting Māori ways of life.

14. *The Regulatory Standards Bill risks centralizing control over resources that are vital to Māori communities, contrary to the Treaty's principles.*
15. *The bill does not provide adequate mechanisms for Māori to assert their Treaty rights, violating the principle of participation.*
16. *The Regulatory Standards Bill ignores the Treaty's promise to protect Māori interests in the face of state power.*
17. *By excluding Māori from key regulatory decisions, the bill breaches the Treaty's commitment to consultation and cooperation.*
18. *The Regulatory Standards Bill risks exacerbating environmental degradation in Māori communities by imposing regulations without Māori input.*
19. *The bill's focus on uniformity ignores the diverse needs and values of Māori communities, contravening the Treaty's principles.*
20. *The bill centralizes power with the state, infringing on Māori control over their own lands and resources as guaranteed by the Treaty.*
21. *Without Māori-led frameworks, the bill risks imposing policies that disregard Māori spiritual and cultural connections to land.*
22. *The Regulatory Standards Bill fails to safeguard Māori land rights, putting them at risk of unjustified state intervention.*
23. *The lack of tailored regulations for Māori communities violates the Treaty's principle of equity and fairness.*
24. *The bill's failure to recognize Māori sovereignty and customary rights contradicts the Treaty's intent to uphold Māori autonomy.*
25. *The bill's regulatory framework does not adequately protect Māori collective rights, undermining the Treaty's principles.*
26. *The absence of specific consultation processes with Māori in the bill breaches the Treaty's promise of participation.*
27. *The Regulatory Standards Bill risks reinforcing historical injustices by excluding Māori from decisions that directly affect their communities.*
28. *The bill's imposition of broad regulatory standards without consultation ignores Māori authority over their own affairs.*
29. *The bill undermines the Treaty's intent to ensure that Māori have a central role in governance matters.*

30. *The Regulatory Standards Bill fails to acknowledge the inherent rights of Māori to maintain and develop their communities as guaranteed by the Treaty.*

31. *The bill's potential to override local Māori governance structures violates the Treaty's commitment to Māori self-governance.*

32. *The Regulatory Standards Bill lacks the necessary provisions to safeguard Māori interests in environmental decision-making.* 33. *By failing to account for Māori values and traditional knowledge, the bill overlooks the Treaty's commitment to cultural preservation.*

34. *The bill threatens to undermine Māori leadership in key regulatory areas, thus breaching the Treaty's principles of partnership and protection.*

35. *The Regulatory Standards Bill could harm Māori land and water rights by centralizing regulatory control without Māori consent.*

36. *The bill does not offer Māori communities sufficient safeguards against potential exploitation of their natural resources.*

37. *The Regulatory Standards Bill fails to address the Treaty's promise to protect Māori from the harmful effects of state-driven policies.*

38. *The bill's broad regulatory framework disregards the specific needs of Māori and undermines their Treaty rights.*

39. *The lack of explicit Māori representation in the bill's regulatory framework violates the Treaty's guarantee of Māori participation.*

40. *The bill's failure to address the Crown's obligations to Māori under the Treaty risks further marginalizing Māori communities.*

41. *The Regulatory Standards Bill risks imposing policies that conflict with Māori customs, disregarding the Treaty's protection of Māori cultural practices.*

42. *By not explicitly incorporating Māori interests, the bill undermines the Treaty's commitment to ensuring Māori are treated equitably.*

43. *The bill's lack of mechanisms for Māori involvement in regulatory processes is inconsistent with the Treaty's promise of partnership.*

44. *The Regulatory Standards Bill could violate the Treaty's principle of protection by failing to consider Māori interests in regulatory decision-making.*

45. *The bill fails to acknowledge the unique relationship between Māori and the environment, which is guaranteed under the Treaty.*

46. *The Regulatory Standards Bill centralizes power in the Crown, limiting Māori control over their own natural resources and land.*

47. *The bill's failure to adequately safeguard Māori intellectual property and cultural knowledge breaches the Treaty's protections for Māori heritage.*
48. *The Regulatory Standards Bill risks undermining Māori rights to manage their resources in accordance with tikanga Māori (customary practices).*
49. *The bill's failure to incorporate Māori governance structures into regulatory decision-making conflicts with the Treaty's principle of mutual respect.*
50. *The Regulatory Standards Bill could undermine Māori customary land use and resource management, breaching the Treaty's protection clauses.*
51. *The bill's broad approach to regulation does not provide sufficient consideration for Māori needs and priorities, violating the Treaty's commitment to equity.*
52. *The Regulatory Standards Bill risks further alienating Māori from the regulatory processes that directly affect them.*
53. *The bill's failure to establish specific consultation pathways for Māori communities violates the Treaty's principle of participation.*
54. *By not including Māori in the regulatory decision-making process, the bill ignores the Treaty's promise of full Māori partnership.*
55. *The Regulatory Standards Bill fails to provide Māori with sufficient protections against adverse regulatory outcomes for their communities.*
56. *The bill's emphasis on state-driven regulatory solutions contradicts the Treaty's commitment to shared governance between Māori and the Crown.*
57. *The Regulatory Standards Bill risks undermining the tino rangatiratanga of Māori by limiting their ability to assert control over their traditional lands.*
58. *By not considering Māori cultural perspectives, the bill undermines the Treaty's guarantee to protect Māori cultural practices and traditions.*
59. *The Regulatory Standards Bill fails to reflect the Treaty's commitment to restoring and preserving Māori rights in a post-colonial society.*
60. *The bill's failure to respect Māori decision-making undermines the Treaty's principle of partnership in governance.*
61. *The Regulatory Standards Bill could exacerbate disparities between Māori and non-Māori communities, breaching the Treaty's promise of equality.*
62. *The bill's one-size-fits-all approach to regulation overlooks the specific needs and rights of Māori communities, violating the Treaty's promise of fairness.*

63. *By imposing regulations without consultation, the bill disregards the Treaty's principles of protection and partnership with Māori.*

64. *The Regulatory Standards Bill fails to respect Māori autonomy, undermining their right to self-governance over their lands and resources.* 65. *The bill's broad scope of authority could lead to the infringement of Māori resource management rights, contrary to the Treaty's protections.*

66. *The lack of recognition for Māori as Treaty partners in the bill undermines the intent of the Treaty to ensure Māori have a meaningful voice in governance.*

67. *The Regulatory Standards Bill disregards the Treaty's principle of equity by failing to ensure Māori communities receive fair treatment in regulatory matters.*

68. *The bill's imposition of regulations without Māori consultation may result in policies that conflict with Māori customary law, violating the Treaty.*

69. *The Regulatory Standards Bill could lead to the unjust loss of Māori land and resource rights, violating the Treaty's guarantees of protection.*

70. *By not recognizing the Treaty's significance, the bill undermines Māori aspirations for economic independence and cultural revival.*

71. *The Regulatory Standards Bill risks marginalizing Māori in future decision-making processes, further entrenching inequality.*

72. *The bill's broad regulatory powers could erode Māori rights to use and control their traditional resources without consultation.*

73. *The Regulatory Standards Bill does not adequately consider Māori treaty rights, leading to potential adverse impacts on Māori communities.*

74. *The bill's disregard for Māori self-governance violates the Treaty's guarantees of autonomy and decision-making.*

75. *The Regulatory Standards Bill fails to align with the Treaty's commitment to ensuring Māori have full control over their taonga and lands.*

76. *The bill's imposition of broad regulations without Māori input undermines the Treaty's commitment to partnership and equity.*

77. *By not addressing the Treaty's obligations to Māori, the bill risks perpetuating the historical marginalization of indigenous communities.*

78. *The Regulatory Standards Bill risks undermining the Treaty's protections by control and ignoring Māori perspectives.*

79. *The bill's failure to honor Māori governance structures and customary rights undermines the Treaty's promise of protection and respect.*

80. *The Regulatory Standards Bill risks perpetuating a colonial approach to governance by disregarding Māori sovereignty.*

81. *The bill's failure to include Māori perspectives and knowledge systems risks the alienation of Māori from vital regulatory processes.*

82. *The Regulatory Standards Bill contradicts the Treaty's principle of cooperation by failing to foster genuine partnership between Māori and the Crown.*

83. *The bill risks undermining Māori rights to control and manage their traditional resources, breaching the Treaty's protections.*

84. *The Regulatory Standards Bill could be seen as a breach of the Crown's duty to protect Māori from exploitation, as required by the Treaty.*

85. *The bill's lack of regard for Māori decision-making undermines the Treaty's core promise of Māori self-governance.*

86. *The Regulatory Standards Bill fails to ensure Māori have adequate input in shaping regulations that affect their communities.*

87. *The bill's centralization of power risks diminishing Māori influence over the resources and environments they hold dear, contrary to the Treaty's spirit.*

88. *The Regulatory Standards Bill risks further disempowering Māori by failing to recognise their inherent rights under the Treaty.*

89. *The bill's failure to implement a clear framework for Māori involvement contradicts the Treaty's commitment to equity and justice.*

90. *The Regulatory Standards Bill threatens to diminish the ability of Māori to control and manage their taonga, breaching the Treaty's protections.*

91. *The bill's lack of specific provisions to protect Māori cultural heritage violates the Treaty's promise to safeguard Māori identity.*

92. *The Regulatory Standards Bill risks continuing historical injustices by disregarding Māori sovereignty in regulatory matters.*

93. *The bill's lack of consultation with Māori stakeholders is inconsistent with the Treaty's expectation of genuine collaboration.*

94. *The Regulatory Standards Bill could erode Māori land rights, as it does not adequately protect their interests in regulatory decisions.*

95. *The bill's potential to override local Māori governance structures contradicts the Treaty's commitment to respecting Māori autonomy.*

96. *The Regulatory Standards Bill fails to ensure that Māori communities receive protections that reflect their unique cultural and social contexts.* 97. *The bill could further exacerbate disparities between Māori and other communities, breaching the Treaty's promise of fairness.*

98. *By not accounting for the impact on Māori, the Regulatory Standards Bill risks infringing on the Treaty's guarantee of Māori rights and protections.*

99. *The bill's failure to incorporate Māori knowledge into regulatory standards risks undermining their authority in environmental and resource management.*

100. *The Regulatory Standards Bill lacks specific provisions to ensure Māori have a voice in shaping the policies that affect their lives*

Template 5:

Sourced from: <https://emilywrites.substack.com/p/ok-fine-what-submissions-do-i-have>

I oppose the proposed Regulatory Standards Bill It prioritises big business over people and the environment. Instead, we need regulations that protect New Zealand's resources, our whānau, and future generations.

It gives far too much power to its architect, Minister for Regulation David Seymour.

This bill has been rejected three times already.

Taxpayers are put at risk of having to pay the losses of a corporate's profits resulting from legislation even if that legislation protects workers or the environment or the public.

Please abandon the Regulatory Standards Bill 2021 and its proposed updates. There is no need for this bill and it should not go to an expensive and unnecessary referendum.

Template 6:

Sourced from <https://www.facebook.com/JordanRiversNZ/posts/summary-this-bill-makes-corporations-and-land-owners-more-powerful-than-any-futu/1124141879155298/>

This bill makes corporations and landowners more powerful than any future GOVT from now on.

It makes it easier for businesses and landowners to exploit people, resources and animals but also destroy the environment and pollute water sources.

This is an American style bill that would turn our democracy into a corporation that prioritizes financial gain for the top 1%

The bill is designed to protect the ability of landowners and corporations to exploit land, law resources and people.

Template 7:

Headings:

1. *Violation of Te Tiriti o Waitangi*
2. *Breach of He Whakaputanga o te Rangatiratanga o Nu Tireni, the Declaration of Independence*
3. *Contravention of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*
4. *Undemocratic concentration of power*
5. *Risk of abuse of power*
6. *Weakening of environmental protections*
7. *Facilitating corporate exploitation*
8. *Prioritising profit over human rights*
9. *Impact on the New Zealand judicial system*
10. *Impact on Waimaori, Takutai Moana, Human Health and social impact on Māori*

Template 8:

Sourced from: Pages 11-12 [RSB \(Regulatory Standards Bill\) - Explainer and Submission Guide - Google Docs](#)

1. **More individuals and less unity:** *New Zealand values of fairness and decency get displaced with libertarian individualistic, corporate and economic values.*
2. **Less equality:** *The interests of the “haves” get protected, actions to increase equality for the “have nots” become increasingly difficult - the unequal status quo is continued unchallenged and worsens.*

3. **Higher taxes:** Taxpayers might bear the cost of "compensating" corporations for regulations meant to protect public health, the environment, or community wellbeing. Tax rates could increase to pay for this compensation.
4. **Weaker protections:** Governments could hesitate to introduce new rules if faced with expensive lawsuits from corporations. This could lead to weaker safeguards for clean water, safe housing, safe work environments and fair wages.
5. **Loss of democratic power:** Large corporations or powerful people, through the Regulatory Standards Board, could challenge or override popular laws designed to balance public and private interests, diminishing the role of elected representatives in parliament.
6. **Less effective scrutiny of government actions:** Courts are cut off from the full role of helping people to hold government to account - corporations can take claims about government decisions they think breach the RSB principles straight to the (less independent and less transparent) Regulatory Standards Board.
7. **Environmental and public health risks:** Companies could block or seek the overturn of rules targeting climate change, pollution, or public health issues, prioritising short-term profits over long-term societal needs.
8. **Less public services:** Restrictions could be imposed on the government being able to get money to fund public services (e.g. preventing the government from setting higher tax rates for the rich).

Template 9:

Why the Regulatory Standards Bill matters to me:

- I care about collective wellbeing and the environment
- We need strong leaders to imagine a future where big business operates not only for profit, but also provides for collective wellbeing and the environment
- I want a future that honours all of us, while safeguarding our environment for all New Zealanders
- I want law-making processes that encourage open dialogue and informed decision-making
- I want to harness all of New Zealand's strengths to build a better country for all
- Māori and non-Māori share a profound love for this land. We all want to see it thrive for generations to come. I reject your divisive rhetoric, and I choose unity over division

I strongly oppose the Regulatory Standards Bill in its entirety for the following reasons:

- *I am deeply concerned about the rushed consultation process. Starting consultation on a significant day of Māori advocacy (Toitū te Tiriti), and over the Christmas holiday makes it hard for people to be properly involved. You need to be more transparent and accountable.*
- *In your consultation document you say that “feedback is not being sought on other proposed or current Government policies relating to regulation”. You need to make connections between this bill and the Treaty Principles Bill to show how destructive they are together.*
- *I won’t support a bill that undermines Māori rights. By excluding Treaty principles from the list of “guiding principles for good law-making, this bill further marginalises Māori voices in decision-making. This sets a dangerous precedent for our united way forward as a nation.*
- *You are not being transparent about Treaty concerns. Why are several parts of your official documents discussing the Treaty blacked out?*
- *I’ve noticed deceptive flyers claiming that Māori are trying to take over this country. The strategic timing of this is suspicious, and I would like to know what link they have to the laws you are pushing through right now.*
- *I advocate for incorporating Treaty principles and kaitiakitanga into regulatory processes. Recognising Māori principles of environmental stewardship is vital for sustainable resource management that benefits all New Zealanders and future generations.*
- *I oppose any efforts to reduce environmental protections. Recent pollution in our rivers and lakes show the dangers of allowing industries to operate without adequate oversight. Like contamination in the Hauraki Gulf, that threatens marine life and local communities.*
- *I reject prioritising corporate interests over public welfare. The Leaky Homes crisis shows us that ordinary New Zealanders can suffer when businesses focus solely on profit. We cannot allow this trend to continue.*
- *I stand firmly against deregulation reducing worker safety. The Pike River Mine disaster is a tragic reminder of what happens when inadequate safety regulations are in place, leading to the loss of lives. We must learn from this devastating event.*
- *I cannot accept the establishment of an unelected Regulatory Standards Board to oversee our nation’s law-making. This board is not accountable, and won’t have diverse representation, risking decisions that favour corporate interests over community needs.*

- *I see potential public health risks in this bill. We cannot ignore how weaker regulations could lead to increased exposure to hazardous materials in our communities, putting lives at risk.*
- *I believe this bill will make our society more unequal. Past policies focusing on profit have a bigger effect on low-income communities, and this bill will make it even worse.*
- *I want to point out international examples of deregulation failures, like the Grenfell Tower fire in the UK. This tragedy shows how weakened safety regulations can end in catastrophe, and should serve as a warning for all of us.*
- *I want my voice heard on public participation. Genuine engagement is essential for effective governance of a nation, and silencing community input undermines democracy.*

Recommendations:

The Regulatory Standards Bill is set to have significant negative impacts on many aspects in the lives of ordinary New Zealanders. To safeguard our shared future, I strongly recommend the following actions:

Immediate Actions on the Bill

- 1. Reject the Bill Entirely: The Regulatory Standards Bill must be rejected in its entirety. This is ACT's fourth attempt to pass similar legislation, despite multiple rejections. Its persistence highlights the ongoing threat to New Zealand's constitutional framework and democratic processes. If you do not reject the Bill in its entirety, I recommend you:*
- 2. Extend Consultation Significantly: Demand an extensive consultation period well beyond the current deadline. Consultation started 19 November, the same day as the Toitu te Tiriti hikoi, even though the Ministry recognised in its own documentation that there would likely be significant Maori interest in the bill. The Ministry for Regulation was closed 25 December to 6 January 2025, and consultation finished 13 January 2025. This rushed timeline to consider such a complex and significant bill, coinciding with public holidays, and using such a complicated submission form, is a clear attempt to limit public engagement and scrutiny.*
- 3. Conduct In-Depth Constitutional Review: Mandate a thorough, independent constitutional review before any further consideration. This bill threatens to fundamentally alter New Zealand's governance structure and Treaty relationships.*
- 4. Eliminate Regulatory Takings Provision: Remove any 'regulatory takings' provision entirely. This could lead to massive damages claims, placing*

significant financial burdens on the government and hindering its ability to regulate in the public interest.

II. Safeguard Treaty Principles and Māori Participation

- 5. Safeguard Treaty Principles Explicitly: Enshrine and strengthen Treaty principles in all regulatory processes. Reject any attempts to weaken or remove existing Treaty protections, recognising them as fundamental to New Zealand's constitutional framework.*
- 6. Ensure Meaningful Māori Participation: Establish legally binding mechanisms for Māori participation at all levels of regulatory decision-making, including veto power on issues directly affecting Māori rights and interests.*
- 7. Enshrine Kaitiakitanga in Law: Legally recognise and incorporate the principle of kaitiakitanga (Māori environmental stewardship) as a fundamental aspect of New Zealand's regulatory approach.*
- 8. Enhance Treaty Education Comprehensively: Mandate comprehensive Treaty education for all parliamentarians and integrate it into the legislative process. This is crucial for informed decision-making on bills with significant Treaty implications.*

III. Strengthen Democratic Processes and Accountability

- 9. Strengthen Democratic Oversight: Implement robust safeguards against transferring power to unelected bodies. Ensure all regulatory decisions remain under democratic control, preventing corporate capture of regulatory processes.*
- 10. Implement Stringent Public Accountability: Establish rigorous public accountability mechanisms for the proposed Ministry for Regulation, including regular public audits and parliamentary oversight. Ensure full transparency of all analyses and decision-making processes.*
- 11. Monitor Implementation: Establish mechanisms to monitor the implementation of any new regulations to ensure they align with public interest and environmental protection goals. This oversight is crucial for maintaining accountability and ensuring that regulatory changes do not compromise the well-being of New Zealanders or the integrity of our natural environment.*
- 12. Strengthen Parliamentary Code of Conduct: Revise standing orders to ensure accurate representation of constitutional matters and Treaty principles in parliamentary debates. Prevent misrepresentation of the bill's impacts.*
- 13. Ensure Diverse and Representative Oversight: Require that any regulatory board or oversight body include substantial Māori representation and diverse perspectives from civil society, not just business interests.*

IV. Prioritise Public Interest and Environmental Protection

14. *Prioritise Public Interest Explicitly: Mandate that all regulatory decisions prioritise public health, safety, environmental protection, and social equity over corporate interests. This is crucial given the bill's clear neoliberal agenda.*
15. *Strengthen Environmental Safeguards: Enhance, rather than weaken, environmental protections within the regulatory framework. Prioritise long-term sustainability over short-term economic gains, rejecting the bill's pro business bias.*
16. *Elevate Social Equity as a Primary Consideration: Ensure that social equity and public welfare are primary considerations in all regulatory decision-making processes, countering the bill's neoliberal focus.*

V. Comprehensive Analysis and Transparency

17. *Conduct Comprehensive Impact Analysis: Commission an independent, comprehensive analysis of the bill's potential economic, social, and environmental costs. This should include an assessment of how it could force the rewrite or reinterpretation of many existing laws and regulations.*
18. *Assess Cumulative Legislative Impact: Conduct a thorough review of the cumulative impact of recent and proposed legislative changes on Crown-Māori relationships, environmental protections, and democratic processes. This bill is part of a broader neoliberal agenda reshaping New Zealand's governance.*
19. *Examine Historical Context Thoroughly: Analyse the Regulatory Standards Bill within the broader historical context of neoliberal reforms in New Zealand, dating back to Rogernomics in the 1980s and 1990s.*
20. *Consider Global Precedents Critically: Evaluate international experiences with similar deregulation efforts, focusing on their long-term negative consequences. Use examples like the Grenfell Tower fire in the UK to illustrate the dangers of weakened regulations.*
21. *Demand Full Transparency: Release the full, unredacted Treaty Impact Analysis for public scrutiny. Question why crucial information is being withheld from the public.*

VI. Exploring Alternatives and Public Engagement

22. *Explore Non-Legislative Alternatives: Investigate non-legislative options for improving regulatory quality that don't compromise democratic processes or public welfare. Avoid the risks associated with this bill's approach to regulatory reform.*

23. *Public Awareness Campaigns: Encourage public awareness campaigns to inform citizens about their rights under existing laws and how proposed changes might affect them. Such initiatives are essential for empowering communities to engage meaningfully in the legislative process and advocate for their interests.*

Template 10:

Sourced from: [Regulatory Standards Bill Submission](#)

Ko wai au?

Overview of submission

2. *I oppose the introduction, further development, and implementation of the Regulatory Standards Bill, because it attempts to:*

(a) constrain the public good aspects of government in Aotearoa by constitutionally defining ‘good regulation’ in terms of the primacy of individual rights and private property;

(b) remove enduring Māori rights by explicitly excluding Te Tiriti o Waitangi from required consideration in regulation;

(c) open up Aotearoa further to increased inequality and its associated harms by incentivising individual and corporate self-interest; and

(d) inhibit the possibility of creating a transformative, visionary, and responsive regulatory system that is fit for purpose in an era of multiple complex and interdependent global crises of which we are a microcosm.

3. *The proposed Bill is based on a narrow and exclusionary view of what the purpose and role of government is, and who it should serve (grounded in the libertarian philosophy of the ACT party). It is almost exclusively centered around the upholding and strengthening of the (existing) private property rights (which is another way of saying ‘wealth’) of individuals and corporations. It not only does not include references to Te Tiriti o Waitangi, but it expressly excludes them. It also expressly does not include references to the BORA (though it says there is “some overlap”), and the discussion paper gives no justification for either of these exclusions. It will reduce the protections guaranteed to Māori under Te Tiriti, and at the same time rebuild the very class system that British settlers were trying to escape when they migrated here to what they hoped would be a more egalitarian society than the oligarchy they had left behind. It is lose-lose.*

4. *It is difficult to go through the discussion paper and comment on each part, because I object to the entire premise of the proposed Bill. It is not being*

introduced to ensure better regulation per se, but to ensure a specific kind of regulatory emphasis that reflects a narrow and societally harmful value system. This value system has nothing to say about the responsibilities of living as part of a society; of our duties towards each other. Rather it is myopically focused on the way that individual rights might be asserted. It prioritises individual self-interest over collective good, under the incorrect assumption that they are separate, and that individuals acting in purely self-interested ways will aggregate to collective good. It individualises collective problems, ignores the contributions others have made to an individual's position, and absolves people of responsibilities towards others. There is no 'both sides' to this; we need to be able to recognise and call out that the logic underpinning this proposal is harmful to our collective good.

5. If enacted based on the intent and principles in this discussion document, we would see a rise in inequality, the breakdown of social cohesion, the further degradation of our public services and environment, and the result would be a much poorer Aotearoa for everyone (including those who would benefit from the material advantages this proposal would confer on them personally).

6. The proposal would also confer increased costs on the very public institutions that the current government instructs to be more 'fiscally responsible', effectively increasing red tape and decreasing what can be invested in improving services. Strengthening the existing regulatory stewardship regime would be a far better (and more efficient!) use of the resources being spent on developing this harmful proposal.

The problem of inequality is a problem for everyone, even those who we think of as 'winning'.

7. This proposed bill would exacerbate inequality further and in doing so reduce the quality of life for most New Zealanders, accelerate the breakdown of social cohesion, and degrade public good. A degraded environment (natural, infrastructural, and social) equals poor quality of life for all who live in it.

8. The proposed Bill protects those who already have private wealth (both individuals and corporations), and prioritises them over the shared public realm and the rights of those without wealth. It is designed to legislate out considerations of equity and any rebalancing of systemic advantage.

9. The proposal exemplifies the dynamic of a 'success to the successful' systems archetype, whereby those who are already successful receive the means to 'stack the deck' in their favour for how the system works into the future, thus cementing their dominance over others. This is explicitly stated in the discussion document that the principles would "focus primarily on the effect of legislation

on existing interests and liberties and good law-making process.” [emphasis mine].

10. *This dynamic is the driver of inequality, which is harmful to everyone in society (including the so-called ‘winners’). See The Spirit Level, by Kate Pickett and Richard Wilkinson, for a peer-reviewed and evidence-based discussion of the role of inequality in contributing to significant societal problems[1]. As they state in a Guardian article[2] in 2024, “[w]hen economic inequality gets worse, so does our health and wellbeing. Inequality can affect a society’s death rates, its levels of chronic disease, and the amount of violence (including murders) it experiences.” This Bill would exacerbate inequality because it reduces the purpose of regulation to protecting (existing) private property rights, and ensures that these rights have primacy over all other rights, such as human rights, cultural rights, Te Tiriti rights, collective rights, and citizen’s rights to benefit from sharing in common ‘property’ (tangible such as air, water and land and public infrastructure, and intangible such as health, education, wellbeing, and culture).*

11. *Essentially this proposed legislation would effect a wholesale and radical conversion of Aotearoa New Zealand to a marketplace of individual competing interests where people are licensed to consider their own self-interest over the interests of anybody and everybody else. The more property (ie wealth) you have, the greater power you would have to influence the ongoing design of regulation (of all kinds) to advantage you. And the more access you would have to the means of ensuring your individual interests prevail over the interests of those with fewer resources. Through a systems lens it is easy to see how this Bill would constitutionally entrench inequality into our society, while stating on paper the fiction that everyone is equal.*

12. *It will result in the game theoretical concept of ‘Moloch’—where everyone is incentivised to act self-interestedly in the immediate term, resulting in the degradation of the shared environment and society in the long term. Everybody loses in this scenario because the collective natural, physical, and societal infrastructures on which we rely have been destroyed.*

13. *Recommendation 1: stop this bill from going ahead. Apply 3 strikes rule to it.*

Discussion area one: “a benchmark for good regulation through a set of principles of responsible regulation.”

14. *In the Minister’s foreword to this proposal, he states, “[m]ost of New Zealand’s problems can be traced to poor productivity, and poor productivity can be traced to poor regulations.” There is no justification or evidence given for this statement; it is the opinion of those for whom a country is essentially a profit-making venture for the economic elite. And the proposed principles reflect this*

highly partisan opinion. Aotearoa is not a profit-making venture for its shareholders; it is our home. These are quite different things with entirely different orientations that require different regulatory emphases.

15. The Minister is myopic in his view of the world if he thinks productivity is our biggest issue, when the world is literally burning around us, when there is a genocide happening in front of our eyes, when authoritarianism and fascism are on the rise, when huge numbers of people in Aotearoa have insufficient food or a decent home, when mental health issues are exploding, and when on our own shores we are experiencing extreme hatred and abuse of those who have the least power. I would ask the Minister to wake up and look around, and listen to those who are experiencing the consequences of the actual poor regulation of the past. Here in Aotearoa we are not separate and immune from these massive global issues: global connectivity, supply chains, media, trade, international agreements, global politics, and just existing in our shared biosphere link us inexorably to these crises and systems failures. We need regulatory architecture that can cope with our interdependence and the complexity of what we are collectively facing.

16. "Good regulation" should address our collective problems, not those of the individuals who are causing them.

17. The cabinet paper states: "the Regulatory Standards Bill aims to reduce the amount of unnecessary and poor regulation by increasing transparency and making it clearer where regulation does not meet standards." [emphasis mine]. There is no definition given for what might be deemed "unnecessary" or "poor" regulation, and we are left with the tautological conclusion that it would be anything that does not conform to the principles outlined in this bill. This bill is trying to ensure that for all regulation, value judgements like "poor", "unnecessary", "good" and "responsible," are even more skewed than they already are towards self-interest. And that these interpretations are effectively constitutionally entrenched. The principles do not appear to even address what the discussion document itself states "good" regulation is there to do[3].

18. The principles in the discussion document prioritise libertarian concepts of individual rights and idealised (abstract) equality over collective rights and substantive equality (equity). New Zealand's constitutional and legal framework should not be politically straightjacketed in this way.

19. The proposed principles depart considerably from the LDAC legislation guidelines, and there is no evidenced justification offered for this in the discussion document. The advice in the LDAC manual balances rights and responsibilities, appropriately looks at both individual and collective good, and

stresses the importance of the fundamental constitutional principles and values of New Zealand law. The proposed principles are cherry-picked from a broader matrix of mutually supporting principles, and in the process of extraction and decontextualization from that broader matrix they take on quite a different orientation. The emphasis on rights and liberties here is not balanced by responsibilities towards others and responsibilities towards the whole (of which individuals are also a part). And the emphasis on property rights crowds out all the other kinds of rights that are necessary for a flourishing society.

20. I request that the architect(s) of the Bill justify their deviation from the LDAC manual. I would like to see a rationale for each omission, and a clear articulation of the overall consequences of such a radical departure from an holistic view of regulation where individual and collective rights and responsibilities are appropriately balanced for societal good. Full transparency is needed so that citizens are able to understand the implications for their present and future lives under such a regime. Why, for example, is the 'principle of legality' from the LDAC manual not included? Why is there no principle about constitutional fidelity? How can regulation that is not based on our constitution be seen as "responsible"?

21. Recommendation 2: If such a bill is to be introduced:

—Māori are thoroughly consulted before the drafting of the bill on appropriate principles, rather than basing the principles on the three previous attempts to pass this bill. A good place to start for consultation would be the constitutional values outlined in Matike Mai.

—The principles are completely rewritten to take account of that consultation, the full purpose of government, and the established legislative design guidelines from the LDAC manual.

—Regulation of all kind should uphold our constitution, so the bill should include principles that address adherence to Te Tiriti o Waitangi and all BORA.

—The principles should reflect that government is for the good of the people, individually and collectively, not their property. Public good, collective good and long term good should feature in the principles.

—Recognition of the need for substantive equality (equity) should be made explicit.

Commentary on specific proposed principles

22. There are some specific principles included in the proposal I would like to comment on, and also some noticeable gaps. These are emblematic of the wider

problems with the bill that I have discussed above. They are not an exhaustive list of all the problems.

23. The rule of law

The principles under this section differ from the rule of law as outlined by the Law Society and LDAC. In particular the statement “every person is equal before the law” is taken out of the broader context of how this principle is framed by the LDAC guidelines. This narrowing changes the emphasis away from ensuring power is exerted within legal limits to a statement about persons being equal. This is the way it is stated in the LDAC guidelines: “[e]veryone is subject to the law, including the Government—People and institutions that wield power must do so within legal limits, and be accountable for their actions; everybody is equal before the law and is subject to it.” This is another example of the ACT party attempting to ensure that equity measures are not supported, and the fiction of everyone being equal is enforced.

24. Liberties. The emphasis in this principle is on the impact of potential legislation on the existing (whether or not legitimately acquired) liberties, freedoms and (property) rights of individuals and corporations. Once again it prioritises individual property rights over public good and collective or shared rights. The accepted reasons for impacting individual property rights are given as “except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person.” Person is given in the singular, and no mention of the myriad other public policy reasons as to why we might need legislation. Regulation here is seen as imposition, not enabler. Nowhere is there an acknowledgement of the very real catastrophic consequences of deregulation or inadequate regulation (such as the leaky homes saga, or the GFC, or social media).

25. Taking of property

This focus on the impact of regulation on private property rights, centralises and elevates the protection of personal and corporate wealth to a level of radical primacy for the role of government. “Property” can have extremely broad definition beyond simply land and goods. This principle has enormous implications for law-making, for the raising of taxes, and for the regulation of harmful activities. The idea that someone should be compensated if their property rights are adversely impacted by regulation, opens the door to a government having to pay someone compensation when, for example, their business profits have been reduced because of new regulation that prevents harm. Or it could stop governments being able to tax for the benefit of wider societal and environmental good. If a person or corporation is acting in a harmful

way towards people or planet, and that harmful activity needs to be regulated, there should be no need to compensate the person or corporation who is doing the harm. Additionally, this wording seems to imply that redressing wrongs through this principle should be at the cost of those who have been wronged. Is this the intent? If property has been acquired in a way that has exploited or harmed others, does this principle still apply, and if so why? It appears to legitimise the idea that property acquisition, once achieved by whatever means, is above the law.

26. Good law-making

There does not seem to be a principle that speaks to excellence in law-making in terms of intended outcomes; rather this principle seems to be about doing it quickly and cheaply. See my comments in discussion area two, below, about what both the MfR RIS and the LDAC briefing to the Attorney General say about the biggest challenges to good regulation.

27. The first principle in this section is as follows: “[t]he importance of consulting, to the extent practicable, the persons or representatives of the persons that the Government considers will be substantially affected by the legislation.” The second part of this principle should be edited to read “...the persons or representatives of the persons that the Government considers will be substantially affected by the legislation.” This is taking a citizen-centric approach, rather than the paternalistic one of the principle as written.

28. In the second principle here, the evaluative criterion “who is likely to benefit, and who is likely to suffer a detriment, from the legislation” (page 23) is a simplistic binary understanding of the complexity of benefits and detriments. One might benefit from the legislation as an individual while also suffering a detriment as a member of a group or indeed as a citizen of Aotearoa. None of us are individuals alone; we are all also members of groups and the nation as a whole.

29 I note that there is no principle that relates to long term consequences (intended or unintended) of regulation. This is a stark oversight, as a systems awareness (of nth order effects) should be essential for any regulatory proposal. Any regulation should be evaluated in terms of its broad consequences across multiple domains, not only the one that is the apparent focus of the regulation. Real-life systems do not operate in a vacuum—there is ongoing interdependence and interconnected feedback loops that cause emergent phenomena to develop, and impacts are rarely (if ever!) experienced in a single domain only. Systems dynamics need to be understood, including the feedback loops created by human psychology and behaviour at individual and collective levels.

Discussion area two: “mechanisms to transparently assess the consistency of new legislative proposals and existing regulation with the principles.”

30. There are already processes to assess quality of legislation—through RIS’s and disclosure statements—and strengthening these would be the best way to proceed. When part of The Legislation Act 2019 comes into force, there will be enhanced requirements for disclosure statements. I note the Ministry of Regulation itself recommends this approach. Why is this not being considered as a much more efficient and cost effective way to ensure quality?

31. I note from the Interim RIS provided by the Ministry of Regulation that international benchmarking indicates that New Zealand’s regulation performs well in relation to the OECD (contradicting the Minister’s opening remark about poor regulation), and that many of the challenges identified are due to such underlying factors as high-speed reform design and implementation (without enough time to robustly assess impacts or focus on good implementation), and capacity constraints in the public sector. These are both within the government’s control. It seems to me that it is the executive itself that is causing the problems with our regulatory management systems, and this proposed bill is another example of poor regulation design. In particular, it seems to fall into the category that the Ministry of Regulation identifies as a key issue: “[a] historical and ongoing over-use of legislation... where existing legislation could be adapted to achieve the intended objectives, or the objectives could be achieved without use of legislation. This can lead to unintended consequences or, more broadly, increasing complexity and incoherence in regulatory systems.” [4]

32. The Briefing for the Incoming Attorney-General 11 December 2023 provided by LDAC, backs this up. It seems clear that an ongoing intention to fast track regulatory reform (and in fact fast track as much as possible), while at the same time cutting the budgets of public sector agencies, is the primary cause of poor regulation. The way to ensure good regulation is to resource it.

33 Recommendation 3: strengthen existing mechanisms for quality assurance of legislation, avoid fast tracking regulation design and operation, and provide proper resource (time and financial) to ensure that it is done properly.

Discussion area three: “a mechanism for independent consideration of the consistency of existing regulation, primarily in response to stakeholder concerns.”

34. The proposed Regulatory Standards Board is an additional body that replicates the mechanisms already in place for a member of the public to make a complaint. It is not a truly ‘independent’ body in the form that this bill currently proposes as it is appointed by the Minister, who could stack it with political

appointees. The balancing of interests and scrutiny over regulation should remain with elected representatives—the Parliamentary branch—not the executive branch who would effectively be self-regulating. This is the proper role of that branch of our legislature. This proposal, while reducing an overbalance towards the judiciary, instead skews the balance towards the executive (who are themselves the ones being scrutinised).

35. The ability for anyone to complain about an aspect of regulation to the RSB, coupled with the extra power the RSB is given here, would result in the likelihood of powerful interests having outsized influence on our regulatory systems. It would enable those with power and resources (such as lobbyists and corporate interests) to challenge laws that protect people and the environment, and insert a lot of grit into the wheels of government. The (unintended?) consequences of this would be detrimental to ordinary New Zealanders and introduce a lot of extra costs. While on paper anyone could make a complaint to the RSB, we all know in reality that those with the most resources are most likely to do so and often it is a case of who is prepared to be the squeakiest wheel (see OIA requests for an example of how this dynamic works).

36. The fact that the RSB can only look at complaints about regulations in terms of their adherence to the proposed principles is why a systems lens is so crucial to be applied to all regulation. This one decision—the definition of these principles—leads to a cascade of other downstream effects that would lock us permanently into law-making based around a libertarian philosophy and neoliberal economics, no matter who was in government. And that is the very philosophy and economic doctrine that has caused such pain worldwide and is continuing to drive the global metacrisis. It is the last thing we need if we want a liveable future.

37. Recommendation 4: do not implement a Regulatory Standards Board. Instead continue to make existing mechanisms more visible and robust. Scrutiny Week in Parliament, for example, should be extensively covered and broadcast on public media. It is one of the places for exactly the transparency that is needed, but if it takes place under the cover of a media blackout, then it is very difficult for the public to be informed.

Discussion area four: “provisions to support the Ministry for Regulation in its work to improve the quality of regulation.”

38. This bill proposes too much overarching power is invested in one Minister, who would have the power to intervene across all areas of government under the aegis of regulatory stewardship. The power to make rules is a significant power, but even greater than that is the power to make rules about making rules.

It is always a huge risk concentrating power in the hands of a single individual, because if they do not act in good faith there is no power to prevent them from doing harm.

39. The bill (ironically, given the Minister's belief in cutting red tape) increases the costs on government agencies and will require more 'back office' staff to deal with the work it generates. It is an exemplar of poor regulation.

40. The Ministry can be supported in its work to improve the quality of regulation by strengthening the existing mechanisms and ensuring that RIS's, disclosure statements, and the evidence-based advice of public servants are paid attention to. Rather than a legislative change, the way to ensure higher quality regulation is to resource it properly by allowing appropriate timeframes and ensuring that government agencies have the capacity and resource to do their job. The principles in this Bill are not the way to improve regulation; they will make them worse.

41. Recommendation 5: strengthen existing mechanisms, ensure the executive observes the existing guidelines and receives the genuine free and frank evidence-based advice from public servants. Allocate sufficient time and resources to ensure good regulation.

The big issue with regulation that this bill is silent on.

42. While this bill is worried about how regulation might impact the wealth and property of those who have wealth and property, there are enormous issues affecting all of us that our current regulatory systems are unable to deal with. These are the large, entangled complex problems that bridge multiple domains, that cannot be addressed within the silos of conventional government agencies (or even groups of agencies), that require community activation, and that need a different orientation to that geared towards predictability. These problems need a new regulatory architecture that can operate holistically, can attend to (constantly evolving) interdependencies, can respond to emergence and shock, and can be oriented to how people respond to change. The big issues in our present and future cannot be faced in an every-man-for-himself paradigm. They are too big and too complex. We need each other.

43. In Aotearoa, we have great models for sophisticated, holistic, systemic, collective, relational, responsive approaches to complexity in te ao Māori. Now would be a great time to recognise that a true Te Tiriti-led approach to our constitutional arrangements could give all of us a much better future.

44. Recommendation 6: reframe this bill around our future needs for good and responsible regulation, for all our sakes. Reroute the resources from outdated

ideas on regulation that are well past their use-by date, into future-focused ideas that will equip us for the accelerating change in Aotearoa and the world, drawing on the blueprint of Te Tiriti.

Conclusion

1. This proposal does not meet the standards of good and responsible regulation and its enactment would reduce the quality of regulation and undermine the government's ability to achieve policy objectives. A focus on self-interest, through the primacy of individual rights and private property, will further incentivise behaviours that take little account of the impact on the wider environment (natural, infrastructural, and social), deepen inequality, and perpetuate harm. It is not appropriate for ACT party ideology to form the basis of constitutional arrangements. The proposal deliberately excludes Te Tiriti o Waitangi from the principles of good regulation, and this is a blatant breach of Te Tiriti that should not be allowed to stand. It will further marginalise Māori rights and values, leading to increased inequity and racism. The bill will add considerable costs to the public sector, including the risk of compensation payouts to corporations if regulations affect their property rights. And the bill is not fit for the future we all have ahead of us

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