

Minister for Regulation

Information Release

Regulatory Standards Act 2025 implementation

May 2026

This information release is available on the Ministry for Regulation website at:

<https://www.regulation.govt.nz/about-us/our-publications/>

Documents in this information release

The following documents are included in this information release.

Some information has been redacted consistent with the following provisions for withholding information under the Official Information Act 1982:

- Section 6(a) - the making available of the information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand
- Section 9(2)(g)(i) - to maintain the effective conduct of public affairs through the free and frank expression of opinions
- Section 9(2)(h) - to maintain legal professional privilege.

#	Reference	Title	Date	Information withheld in accordance with the OIA
1	nil	Implementation of the Regulatory Standards Act: Initial notice to exclude selected legislation from the Regulatory Standards Act 2025 [Cabinet paper with Appendix One: <i>Legislation to be excluded from the Regulatory Standards Act via notice</i>]	undated	Some parts of paragraph 36 are withheld consistent with s9(2)(g)(i) Some parts of paragraph 37 are withheld consistent with s6(a) and s9(2)(h)
2	nil	Implementation of the Regulatory Standards Act: Strengthening and streamlining processes for making and reviewing regulation [Cabinet paper]	undated	Annex 1 Draft statutory guidance under section 26 is withheld in full consistent with s9(2)(h)
3	EXP-26-MIN-0011	Cabinet Expenditure and Regulatory Review Committee – Minute of Decision Implementation of the Regulatory Standards Act: Initial Notice to Exclude Selected Legislation from the Regulatory Standards Act 2025	24/03/2026	No information withheld

#	Reference	Title	Date	Information withheld in accordance with the OIA
4	CAB-26-MIN-0093.01	Cabinet – Minute of Decision Implementation of the Regulatory Standards Act: Strengthening and Streamlining Processes for Making and Reviewing Regulation	30/03/2026	No information withheld
5	CAB-26-MIN-0093	Cabinet – Minute of Decision Report of the Cabinet Expenditure and Regulatory Review Committee: Period Ended 27 March 2026	30/03/2026	Some information marked as out of scope

Accessibility

Documents are available in PDF format only.

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Office of the Minister for Regulation

Cabinet Expenditure and Regulatory Review Committee

Implementation of the Regulatory Standards Act: Initial notice to exclude selected legislation from the Regulatory Standards Act 2025

Proposal

- 1 This paper:
 - 1.1 updates Cabinet on my intention to issue an initial notice to exclude selected legislation from the requirements set out in the Regulatory Standards Act 2025
 - 1.2 seeks agreement to an Order in Council to bring Part 2 of the Regulatory Standards Act into force as soon as practicable after the initial exclusion notice is issued

Relation to government priorities

- 2 This proposal supports implementation of the Regulatory Standards Act 2025, consistent with the New Zealand National Party–ACT New Zealand Coalition Agreement commitment to pass the Regulatory Standards Act.

Executive Summary

- 3 The Regulatory Standards Act (RSA) provides a mechanism to exclude legislation from the Act's requirements when the requirements may not be appropriate or feasible to apply.
- 4 I intend to issue a notice ahead of Part 2 of the RSA coming into force to exclude selected legislation that has been identified as appropriate for exclusion while ensuring broad coverage of the requirements for most legislation is maintained.
- 5 The RSA requires approval from the House of Representatives before a notice can be issued. Following Cabinet's consideration of this paper, I intend to follow the affirmative resolution procedure set out in Standing Order 330 to seek approval prior to issuing the notice.
- 6 I am also seeking Cabinet's agreement to issue instructions to the Parliamentary Counsel Office to draft an Order in Council to bring Part 2 of the RSA into force as soon as practicable after the initial exclusion notice is issued.
- 7 I anticipate the initial exclusion notice will be issued in May at the completion of the affirmative resolution procedure.

Background

- 8 The RSA requires, amongst other things, for proposed and existing legislation to be reviewed for consistency with the principles of responsible regulation.
- 9 The Act excludes some legislation, for example, Imprest Supply or Appropriation Bills, Private and Local Acts, and Treaty settlement legislation. However, section 7 of the RSA provides for the Minister for Regulation to issue notices for the purposes of excluding classes of Bills, Acts and secondary legislation (or parts of Bills, Acts and secondary legislation) from the requirements in the RSA, after approval by a resolution of the House of Representatives.
- 10 The ability to issue notices ensures there is flexibility for legislation to be excluded where it might not be appropriate or feasible for legislation to be subject to the requirements.
- 11 Cabinet previously agreed that the Ministry for Regulation work in consultation with agencies to develop an initial list of exclusions that could be included in a notice to be issued as soon as the RSA came into force [CAB-25-MIN-0148 refers]. Further notices can be made in the future if needed.

Legislation to be excluded from RSA requirements via notice

- 12 Officials from the Ministry for Regulation have subsequently undertaken consultation with agencies to identify legislation that could be included in this notice. Following the initial identification process I have decided a high threshold for exclusion, in the initial notice, is appropriate and consistent with the intention of having broad coverage of RSA requirements.
- 13 I therefore intend to exclude select legislation, or parts of legislation, from the pool initially identified by agencies that:
 - 13.1.1 are powers to respond to specified emergency situations
 - 13.1.2 has been identified as solely implementing existing international trade agreements
 - 13.1.3 give effect to specific agreements between the Crown and another country or countries relating to mutual assistance in criminal matters, reciprocal social security, child support, extradition treaties, and double tax agreements
 - 13.1.4 is secondary legislation that enables the text of an international agreement to be updated once New Zealand has accepted the changes
 - 13.1.5 implements agreements with iwi and hapū that are not already excluded as Treaty settlement legislation

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- 13.1.6 would be an inappropriate intrusion of the Executive into specifically identified constitutional matters or require consultation with the Judiciary
- 13.1.7 is legislation issued directly by a small number of Independent Crown Entities (ICEs) and the Reserve Bank of New Zealand for the purpose of providing exemptions from legislative requirements
- 13.1.8 relate solely to:
 - 13.1.8.1 interactions between public sector and/or state sector agencies, or that provide for how public sector agencies govern themselves with no or minimal public impact; or
 - 13.1.8.2 legislation that is administrative with negligible or no ongoing public impact
- 14 Appendix One sets out the specific legislation I intend to exclude through this notice.
- 15 To ensure consistency with the approach to exclusion set out in Schedule 2 of the RSA, the exclusions in the notice will cover:
 - 15.1 bills or parts of bills to the extent they contain amendments to Acts or secondary legislation set out in the exclusion notice
 - 15.2 secondary legislation to the extent it contains amendments to secondary legislation set out in the exclusion notice; and
 - 15.3 secondary legislation made under an excluded Act.
- 16 In addition, I have identified six areas where I consider a class exclusion would be appropriate using a self-identification approach. This means that in a small number of circumstances, makers of legislation will be able to determine whether a particular piece, or part of, legislation is excluded. These classes are:
 - 16.1 Orders in Council bringing legislation into force
 - 16.2 Secondary legislation that primarily relates to the revocation of secondary legislation identified as spent
 - 16.3 Secondary legislation to the extent it solely prescribes forms or the content of forms
 - 16.4 Legislation that is remade to improve drafting practices and comply with requirements in the Legislation Amendment Bill, where they make no substantive changes to obligations; and
 - 16.5 Secondary legislation made under the Royal prerogative

- 16.6 Secondary legislation to implement the outcomes of trade related negotiations or agreements with international counterparts including market access requirements.

Further notices

- 17 I note the approach I intend to take means there will be significant amounts of legislation subject to the requirements in the RSA, consistent with the intent of the Act. This approach reflects the significant amount of regulation currently in place that impacts on the day to day lives of New Zealanders. However, the development of guidance material, including templates, to support agencies to meet statutory requirements, is intended to ensure implementation is as streamlined and efficient as possible.
- 18 I consider this notice strikes an appropriate balance to ensure broad application of the RSA's requirements while also recognising that there is legislation where applying the requirements would not be cost-effective or appropriate.
- 19 I am aware there is additional legislation, particularly secondary, that agencies consider to be administrative or technical and therefore should be excluded from the requirements in the Act on the basis of cost effectiveness.
- 20 I note that when this view relates to existing secondary legislation the relevant secondary legislation will not initially be within scope of requirements when the relevant parts of the RSA first come into force – existing secondary legislation will only come into scope if it is amended or remade. For some agencies this will reduce administrative requirements for an initial period.
- 21 My intention is to enable the requirements to be tested in practice to confirm the appropriate balance has been struck before considering further exclusions. I therefore propose the Ministry for Regulation work with agencies to undertake a review in 12 – 24 months' time.

Next steps – exclusion notice

- 22 Section 7 of the Act requires that the notice be approved by a resolution of the House of Representatives before being issued. I intend to follow the affirmative resolution procedure under Standing Order 330 to seek approval of the House.
- 23 The procedure will involve the proposed exclusion notice being presented to the House as a parliamentary paper. A notice of motion for the House to approve the exclusion notice will then be lodged, which will be referred to a select committee for consideration under Standing Order 330.
- 24 The notice of motion can be moved in the House after the select committee reports, or after 28 days, whichever is earlier. If the select committee recommends changes to the exclusion notice, and a further version is presented that reflects those recommendations, a notice of motion to approve the amended version can

be dealt with by the House without further select committee consideration. Once the House gives its approval, the exclusion notice can be issued.

- 25 I intend to present the proposed exclusion notice and lodge the notice of motion as soon as practicable following Cabinet's consideration of this Paper. I anticipate, subject to the availability of House time, the notice could then be issued in May following the select committee's report back.

Next steps – Order in Council to bring Part 2 of the RSA into force

- 26 Section 2 of the RSA provides for Part 2 of the Act to come into force on 1 July 2026 unless an earlier date is set by Order in Council (OIC).
- 27 Part 2 of the Act contains the requirements for new legislation to be reviewed for consistency with the principles of responsible regulation, for agencies to have plans for regularly reviewing existing legislation, the power to make guidance, and the establishment and working of the Regulatory Standards Board.
- 28 I am seeking Cabinet's agreement to issue drafting instructions to the Parliamentary Counsel Office to bring Part 2 into force as soon as practicable after the initial exclusion notice is issued.
- 29 Timing the OIC for after the exclusion notice has been issued will also ensure all guidance material can be finalised and published prior to requirements coming into force. This timing is intended to ensure agencies have all available material to support preparation for the new requirements in advance of Part 2 coming into force.

Cost-of-living Implications

- 30 This paper does not have any cost-of-living implications.

Financial Implications

- 31 Cabinet has previously noted that there are financial implications for agencies with responsibility for administering primary and/or secondary legislation arising from the RSA [CAB-25-MIN-0148 refers]. Costings were undertaken on the assumption that most legislation would be subject to RSA requirements.
- 32 The decision to exclude additional legislation from RSA requirements will result in some agencies having cost savings in comparison to the overall costings of the RSA previously considered by Cabinet prior to the introduction of the Regulatory Standards Bill in 2025. Officials have not re-costed the decisions in this paper relative to previous Cabinet decisions as previous costings were not broken down by agency and changes in overall costs are unlikely to be significant.
- 33 The decision to exclude secondary legislation that is remade to comply with requirements in the Legislation Amendment Bill may reduce the financial

implications for some agencies, by ensuring large volumes of existing secondary legislation does not come within scope of RSA requirements in the next 12 – 18 months.

Legislative Implications

- 34 A notice to exclude legislation from the requirements in the RSA is secondary legislation. The initial notice will follow all applicable Legislation Act 2019 requirements.

Impact Analysis

Regulatory Impact Statement

- 35 The Ministry for Regulation has determined that this proposal is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor economic, social, or environmental impacts.

Climate Implications of Policy Assessment

- 36 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this policy proposal, as the threshold for significance is not met.

Population Implications

- 37 This paper has no population implications.

Human Rights

- 38 This paper has no human rights implications.

Use of External Resources

- 39 No external resources were used in the development of this proposal.

Consultation

- 34 The following agencies have been consulted: the Crown Law Office, the Cancer Control Agency, the Department of Conservation, the Department of Corrections, the Department of Internal Affairs, the Department of the Prime Minister and Cabinet, the Education Review Office, the Government Communications Security Bureau, Inland Revenue, Land Information New Zealand, the Ministry for Culture and Heritage, the Ministry for Pacific Peoples, the Ministry for Primary Industries, the Ministry for the Environment, the Ministry for Ethnic Communities, the Ministry for Women, the Ministry of Business, Innovation and Employment, the Ministry of Defence, the Ministry of Education, the Ministry of Foreign Affairs and Trade, the Ministry of Health, the Ministry of Housing and Urban Development, the Ministry of

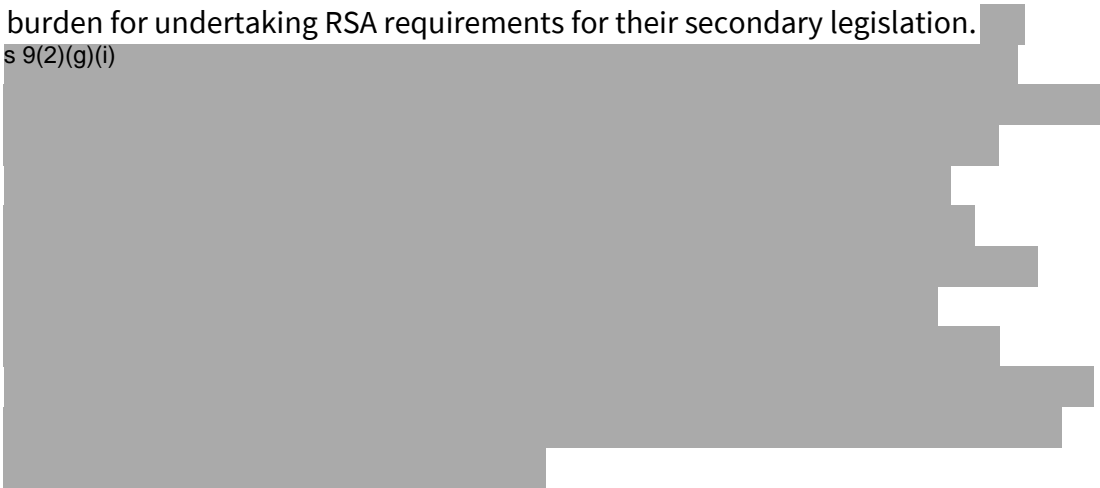
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Justice, the Ministry of Social Development, the Ministry of Transport, the National Emergency Management Agency, the New Zealand Customs Service, the New Zealand Defence Force, New Zealand Police, the New Zealand Security Intelligence Service, the Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau, Oranga Tamariki – Ministry for Children, the Public Service Commission, the Serious Fraud Office, the Social Investment Agency, Stats NZ, the Treasury, Te Puni Kōkiri, Whaikaha - the Ministry of Disabled People, the Reserve Bank of New Zealand and the Office of the Clerk of the House of Representatives.

35 In the course of consultation Public Service departments were asked to discuss the proposed exclusions with relevant Crown entities and other organisations with secondary legislation-making powers. Local Government New Zealand was also informed of the proposal.

36 The **Ministry of Business, Innovation and Employment** stated that some Crown entities raised concerns about the resourcing implications and administrative burden for undertaking RSA requirements for their secondary legislation.

s 9(2)(g)(i)



37 [Legally privileged: s 9(2)(h)



s 6(a)

s 9(2)(h)

Communications

- 38 Prior to issuing a notice, approval by a resolution of the House is required. The contents of the notice will be publicly available through the House process. I do not intend to make any public statement on the specific proposals in this paper.

Proactive Release

- 39 I intend to proactively release this paper as soon as possible following lodgement of a notice of motion to the House.

Recommendations

- 1 **note** on 5 May 2025 Cabinet [CAB-25-MIN-0148 refers]:
- 1.1 noted that notices could be used to exclude legislation from Regulatory Standards Act 2025 (RSA) consistency assessment requirements
 - 1.2 agreed the Ministry for Regulation work in consultation with agencies while the Bill was before the House to develop an initial list of exclusions that could be included in a notice as soon as the Bill came into force (on or before 1 July 2026)
- 2 **note** I intend to issue an initial exclusion notice following agreement by the House of Representatives prior to 1 July 2026
- 3 **note** the initial notice will include the legislation (or parts of) set out in Appendix One, due to being legislation that:
- 3.1 are powers to respond to specified emergency situations
 - 3.2 have been identified as solely implementing existing international trade agreements
 - 3.3 give effect to specific agreements entered between the Crown and another country or countries relating to mutual assistance in criminal matters, reciprocal social security, child support, extradition treaties, and double tax agreements
 - 3.4 are secondary legislation that enables the text of an international agreement to be updated once New Zealand has accepted the changes
 - 3.5 implement agreements with iwi and hapū that are not already excluded as Treaty settlement legislation
 - 3.6 would be an inappropriate intrusion of the Executive into specifically identified constitutional matters or require consultation with the Judiciary

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- 3.7 are issued directly by a small number of Independent Crown Entities and the Reserve Bank of New Zealand for the purpose of providing exemptions from legislative requirements
- 3.8 relate solely to:
 - 3.8.1.1 interactions between public sector and/or state sector agencies, or that provide for how public sector agencies govern themselves with no or minimal public impact; or
 - 3.8.1.2 legislation that is administrative with negligible or no ongoing public impact
- 4 **note** that consistent with the approach to exclusions set out in Schedule 2 of the RSA, the initial notice will also include:
 - 4.1 bills or parts of bills to the extent they contain amendments to Acts or secondary legislation set out in the exclusion notice
 - 4.2 secondary legislation to the extent it contains amendments to secondary legislation set out in the exclusion notice; and
 - 4.3 secondary legislation made under an excluded Act
- 5 **note** the initial notice will also include the following general classes of any legislation (or parts of) that are:
 - 5.1 Orders in Council that bring legislation into force
 - 5.2 secondary legislation that primarily relates to the revocation of secondary legislation identified as spent
 - 5.3 secondary legislation to the extent it solely prescribes forms, or the content of forms
 - 5.4 legislation that is remade to improve drafting practices and comply with requirements in the Legislation Amendment Bill, where they make no substantive changes to obligations
 - 5.5 secondary legislation made under the Royal prerogative
 - 5.6 secondary legislation to implement the outcomes of trade related negotiations or agreements with international counterparts including market access requirements
- 6 **note** following Cabinet's consideration of this paper I intend to follow the affirmative resolution procedure under Standing Order 330 to seek approval from the House of Representatives of the initial notice

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- 7 **agree** the Minister for Regulation can make minor or technical policy decisions, consistent with the approach set out in this paper
- 8 **agree** that the Ministry for Regulation work in consultation with agencies to undertake a review in 12 – 24 months' time
- 9 **authorise** the Minister for Regulation to instruct the Parliamentary Counsel Office to draft an Order in Council to bring Part 2 of the RSA into force as soon as practicable after the publication of the exclusion notice.

Authorised for lodgement

Hon David Seymour

Minister for Regulation

Appendix One: Legislation to be excluded from the Regulatory Standards Act via notice

Name
Powers to respond to specified emergency situations
Secondary legislation made under section 5(1) of the Epidemic Preparedness Act 2006
Secondary legislation made under section 7(1) of the Epidemic Preparedness Act 2006
Secondary legislation made under section 8(1) of the Epidemic Preparedness Act 2006
Secondary legislation made under section 10(1) of the Epidemic Preparedness Act 2006
Secondary legislation made under section 70 of the Health Act 1956
Secondary legislation made under section 74C(2) of the Health Act 1956
Secondary legislation made under section 4 of the International Energy Agreement Act 1976
Secondary legislation made under section 4 of the Petroleum Demand Restraint Act 1981
COVID-19 Response (Taxation and Social Assistance Urgent Measures) Act 2020
Secondary legislation made under section 99 of the Social Security Act 2018
Secondary legislation made under section 100 of the Social Security Act 2018
Secondary legislation made under section 60A of the Overseas Investment Act 2005
Secondary legislation made under sections 14 or 15 of the International Terrorism (Emergency Powers) Act 1987
Secondary legislation made under section 331AA Resource Management Act 1991
Secondary legislation made under section 145 of the Biosecurity Act 1993
Secondary legislation made under section 150 of the Biosecurity Act 1993
Secondary legislation made under section 131 of the Biosecurity Act 1993
Secondary legislation made under section 16 of the Fisheries Act 1996
Secondary legislation made under section 41 or 46 of the Animal Products Act 1999
Secondary legislation made under section 410 of the Food Act 2014
Secondary legislation made under section 132 of the Organic Products and Production Act 2023
Secondary legislation made under section 62 of the Water Services Act 2021
Secondary legislation made under section 63 of the Water Services Act 2021

Name
Secondary legislation made under section 66 of the Water Services Act 2021
Secondary legislation made under section 34(2)(a)(i) of the National Animal Identification and Traceability Act 2012
Secondary legislation made under sections 165, 167, 168 and 171 of the Customs and Excise Act 2018
Secondary legislation made under section 654 of the Education and Training Act 2020
Severe Weather Emergency Recovery Legislation Act 2023 and secondary legislation
Secondary legislation made under section 133BQ(2)(a) of the Building Act 2004
Relates to specific international trade agreements
Trans-Tasman Mutual Recognition Act 1997 and secondary legislation
Tariff (Brunei Darussalam) Order 2006 under the Tariff Act 1988
Tariff (Chile) Order 2006 under the Tariff Act 1988
Tariff (Specified ASEAN-Australia- New Zealand Parties) Orders 2019 under the Tariff Act 1988
Tariff (Specified AANZFTA Parties) Order 2009 under the Tariff Act 1988
Tariff (Specified PACER Plus Parties) Order 2020 under the Tariff Act 1988
Tariff (Specified CPTPP Parties) Order 2018 under the Tariff Act 1988
Tariff (Specified RCEP Parties) Order 2021 under the Tariff Act 1988
Secondary legislation made under section 61A of the Overseas Investment Act 2015
Secondary legislation made under section 61(1)(i) or (j) of the Overseas Investment Act 2005
Secondary legislation made under section 435 of the Customs and Excise Act 2018
Part 6 of the Customs and Excise Regulations 1996
Trade (Anti Dumping and Countervailing Duties) Act 1988 and secondary legislation
Trade (Safeguard Measures) Act 2014 and secondary legislation
Gives effect to specific agreements between the Crown and another country or countries relating to mutual assistance in criminal matters, reciprocal social security, child support, extradition treaties and double tax agreements
Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Australia) Regulations 1993 under section 65 of the Mutual Assistance in Criminal Matters Act 1992

Name
Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Fiji) Regulations 1999 under section 65 of the Mutual Assistance in Criminal Matters Act 1992
Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Hong Kong Special Administrative Region of the People's Republic of China) Regulations 1999 under section 65 of the Mutual Assistance in Criminal Matters Act 1992
Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Niue) Regulations 1996 under section 65 of the Mutual Assistance in Criminal Matters Act 1992
Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (People's Republic of China) Regulations 2007 under section 65 of the Mutual Assistance in Criminal Matters Act 1992
Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Republic of Korea) Regulations 2000 under section 65 of the Mutual Assistance in Criminal Matters Act 1992
Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (United Kingdom) Regulations 1999 under section 65 of the Mutual Assistance in Criminal Matters Act 1992
Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (United States of America) Regulations 1998 under section 65 of the Mutual Assistance in Criminal Matters Act 1992
Mutual Assistance in Criminal Matters (Section 24(3)) Order 1999 under section 65 of the Mutual Assistance in Criminal Matters Act 1992
Extradition (Exempted Country: Canada) Order 1999 under section 17 of the Extradition Act 1999
Extradition (Exempted Country: Czech Republic) Order 2003 under section 17 of the Extradition Act 1999
Extradition (Exempted Country: Tonga) Order 1999 under section 17 of the Extradition Act 1999
Extradition (Exempted Country: United States of America) Order 1999 under section 17 of the Extradition Act 1999
Extradition (Germany) Order 2025 under section 17 of the Extradition Act 1999
Extradition (Republic of Fiji) Order 1992 under section 17 of the Extradition Act 1999
Extradition (United Kingdom and Pitcairn Islands) Order 2003 under section 17 of the Extradition Act 1999
Extradition (United States of America) Order 1970 under section 17 of the Extradition Act 1999
Iceland (Extradition: New Zealand) Order in Council 1940 under section 17 of the Extradition Act 1999
Social Welfare (Reciprocity with Australia) Order 2017 under section 380 of Social Security Act 1999
Social Welfare (Reciprocity with Canada) Order 1996 under section 380 of the Social Security Act 2018
Social Welfare (Reciprocity with Denmark) Order 1997 under section 380 of the Social Security Act 2018

Name
Social Welfare (Reciprocity with Ireland) 1993 under section 380 of the Social Security Act 2018
Social Welfare (Reciprocity with Jersey and Guernsey) Order 1995 under section 380 of the Social Security Act 2018
Social Welfare (Reciprocity with Malta) Order 2013 under section 380 of the Social Security Act 2018
Social Welfare (Reciprocity with Republic of Korea) Order 2021 under section 380 of the Social Security Act 2018
Social Welfare (Reciprocity with the Hellenic Republic) Order 1993 under section 380 of the Social Security Act 2018
Social Welfare (Reciprocity with the Netherlands) Order 2003 under section 380 of the Social Security Act 2018
Social Welfare (Reciprocity with the United Kingdom) Order 1990 under section 380 of the Social Security Act 2018
Secondary legislation made under section 450 of the Social Security Act 2018
Secondary legislation made under section 215 of the Child Support Act 1991
Secondary legislation made under section BH(1)(3) of the Income Tax Act 2007
Secondary legislation made under section 226D of the Tax Administration Act 1994
Secondary legislation made under section 226E of the Tax Administration Act 1994
Secondary legislation made under section 91AAU of the Tax Administration Act 1994
Secondary legislation made under section 91AAV of the Tax Administration Act 1994
Secondary legislation made under section 91AAW of the Tax Administration Act 1994
Civil Aviation (ANZA Mutual Recognition Agreement) Order 2007 under section 407 of the Civil Aviation Act 2023
Trans-Tasman Proceedings Act 2010 and secondary legislation
Enables the text of an international agreement to be updated once New Zealand has accepted the changes
Secondary legislation made under section 10 of the International Finance Agreements Act 1961
Secondary legislation made under section 20 of the Ozone Layer Protection Act 1996
Secondary legislation made under section 226G of the Tax Administration Act 1994
Specifically identified constitutional matters or require consultation with the Judiciary
Royal Succession Act 2013 and secondary legislation
Secondary legislation made under section 3 of the Imperial Laws Application Act 1988
Secondary legislation made under section 237 of the District Court Act 2016

Name
Secondary legislation made under section 174 of the Senior Courts Act 2016
Secondary legislation made under section 35 of the Juries Act 1981
Secondary legislation made under section 19(2) of the Senior Courts Act 2016
Secondary legislation made under section 24A of the Epidemic Preparedness Act 2006
Secondary legislation made under section 6 of the Governor-General Act 2010
Secondary legislation made under section 72 of the New Zealand Superannuation and Retirement Income Act 2001
Secondary legislation made by the Remuneration Authority
Secondary legislation made under the Māori Affairs Act 1953
Secondary legislation made under section 28 of the Adoption Act 1955
Secondary legislation made under section 249(1)(b) or (1)(d) of the Family Violence Act 2018
Secondary legislation under section 71 of the Administration Act 1969
Other agreements entered into with iwi and hapū that are not already excluded as Treaty settlement legislation
Treaty of Waitangi (State Enterprises) Act 1988 and secondary legislation
Te Ture mō Ō-Rākau, Te Pae o Maumahara 2025/Ō-Rākau Remembrance Act 2025 and secondary legislation
Te Ture Haeata ki Parihaka 2019 and secondary legislation
Mokomoko (Restoration of Character, Mana, and Reputation) Act 2013 and secondary legislation
Te Ture kia Unuhia te Hara kai Runga i a Rua Kēnana 2019 and secondary legislation
Ngāi Tahu (Tutaepatu Lagoon Vesting) Act 1998 and secondary legislation
Mokomoko (Restoration of Character, Mana, and Reputation) Act 2013 and secondary legislation
Te Rohe o Rongokako Joint Redress Act 2022 and secondary legislation
Ngāti Kahu Accumulated Rentals Trust Act 2015 and secondary legislation
Hawke's Bay Regional Planning Committee Act 2015 and secondary legislation
Te Ture mō Ō-Rākau, Te Pae o Maumahara 2025/Ō-Rākau Remembrance Act 2025 and secondary legislation
Whakarewarewa and Roto-a-Tamaheke Vesting Act 2009 and secondary legislation
Urewera Lands Act 1921-22 and secondary legislation
Māori Purposes (Wi Pere Trust) Act 1991 and secondary legislation

Name
Tauranga Moana Maori Trust Board Act 1981 and secondary legislation
Tarawera Forest Act 1967 and secondary legislation
Mauao Historic Reserve Vesting Act 2008 and secondary legislation
Tutae-Ka-Wetoweto Forest Act 2001 and secondary legislation
Special provisions relating to Lake Horowhenua in section 18 of the Reserves and Other Lands Disposal Act 1956
Reserves and Other Lands Disposal Act 1970 and secondary legislation
Ngai Tahu (Pounamu Vesting) Act 1997 and secondary legislation
Haka Ka Mate Attribution Act 2014 and secondary legislation
Te Urewera Act 2014 and secondary legislation
Tutae-Ka-Wetoweto Forest Act 2001 and secondary legislation
Waitutu Block Settlement Act 1997 and secondary legislation
Secondary legislation made under section 48(1)(d) of the Conservation Act 1987
Secondary legislation made under section 48B of the Conservation Act 1987
Lake Waikaremoana Act 1971 and secondary legislation
Secondary legislation under section 14(11) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926
Maori School Sites Act Extension Act 1890 and secondary legislation
Maori Housing Act 1935 and secondary legislation
Specific legislation issued directly by some Independent Crown Entities for the purpose of providing exemptions from legislative requirements
Secondary legislation made under section 45 of the Takeovers Act 1993
Secondary legislation made under section 556 of the Financial Markets Conduct Act 2013
Secondary legislation made under section 53C(3)(d) Commerce Act 1992
Secondary legislation made under section 57U of the Commerce Act 1992
Secondary legislation made under section 53ZG of the Commerce Act 1986
Secondary legislation made under section 50 of the Grocery Industry Competition Act 2023
Secondary legislation made under section 46 of the Local Government (Water Services Preliminary Arrangements) Act 2024

Name
Secondary legislation made under section 138D of the Credit Contracts and Consumer Finance Act following the passing of the Credit Contracts and Consumer Finance Amendment Bill
Specific legislation issued directly by the Reserve Bank of New Zealand for the purpose of providing exemptions from legislative requirements
Secondary legislation made under section 70 of the Deposit Takers Act 2023
Secondary legislation made under section 232 of the Insurance (Prudential Supervision) Act 2010
Secondary legislation made under section 70 of the Non-bank Deposit Takers Act 2013
Secondary legislation made under section 153(6) of the Financial Market Infrastructures Act 2021
Secondary legislation made under section 292(4) of the Reserve Bank of New Zealand Act 2021
Relates solely to interactions between public sector and/or state sector agencies, or that provides for how public sector agencies govern themselves with no or minimal public impact; or is administrative with negligible or no ongoing public impact
Secondary legislation made under section 49 of the Official Information Act 1982
Secondary legislation made under section 32 of the Ombudsmen Act 1975
Secondary legislation made under section 46 of the Building Act 2004
Secondary legislation made under section 119 of the Building Act 2004
Secondary legislation made under section 162 of the Motor Vehicles Sales Act 2003
Secondary legislation made under section 37(1)(b) – (d) of the Children’s Commissioner Act 2022
Secondary legislation made under s 57(1)(b)-(d) of the Oversight of Oranga Tamariki System Act
Secondary legislation made under section 36 of the New Zealand Railways Corporation Act 1981
Secondary legislation made under section 37B of the Overseas Investment Act 2005
Secondary legislation made under sections 3B or 3D of the Public Finance Act 1989
Secondary legislation made under section 32 of the State-Owned Enterprises Act 1986
Secondary legislation made under section 100S of the Crown Pastoral Land Act 1998
Secondary legislation made under section 19B of the Freedom Camping Act 2011
Secondary legislation made under section 10 of the Flags, Emblems and Names Protection Act 1981

Name
Secondary legislation made under section 6 of the Auckland Airport Act 1987
Secondary legislation made under section 7 of the Wellington Airport Act 1990
Road User Charges (RUC Collector) Order under section 87 of the Road User Charges Act 2012
Riccarton Racecourse Development Enabling Act 2016 and 2017 and secondary legislation
Secondary legislation made under section 100 of the Mental Health (Compulsory Assessment and Treatment) Act 1992
Secondary legislation made under section 102 of the Policing Act 2008
Secondary legislation made under section 55 of the Data and Statistics Act 2022
Secondary legislation made under section 24 of the Walking Access Act 2008
Māori Purposes Act 1931 and secondary legislation
Māori Purposes Act 1933 and secondary legislation
Māori Purposes Act 1934 and secondary legislation
Māori Purposes Act 1936 and secondary legislation
Māori Purposes Act 1937 and secondary legislation
Māori Purposes Act 1938 and secondary legislation
Māori Purposes Act 1939 and secondary legislation
Māori Purposes Act 1941 and secondary legislation
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Māori Purposes Act 1952 and secondary legislation
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Māori Purposes Act 1954 and secondary legislation

Name
Māori Purposes Act 1956 and secondary legislation
Māori Purposes Act 1959 and secondary legislation
Māori Purposes Act 1961 and secondary legislation
Māori Purposes Act 1962 and secondary legislation
Māori Purposes Act 1963 and secondary legislation
Māori Purposes Act 1963 and secondary legislation
Māori Purposes Act 1964 and secondary legislation
Māori Purposes Act 1966 and secondary legislation
Māori Purposes Act 1967 and secondary legislation
Māori Purposes Act 1969 and secondary legislation
Māori Purposes Act 1970 and secondary legislation
Māori Purposes Act 1972 and secondary legislation
Māori Purposes Act 1973 and secondary legislation
Māori Purposes Act 1975 and secondary legislation
Māori Purposes Act 1976 and secondary legislation
Māori Purposes Act 1978 and secondary legislation
Māori Purposes Act 1979 and secondary legislation
Māori Purposes Act 1983 and secondary legislation
Māori Purposes Act 1985 and secondary legislation
Māori Purposes Act 1993 and secondary legislation
Māori Purposes Act 2011 and secondary legislation
Māori Purposes Fund Act 1934-35 and secondary legislation
Māori Purposes (Wi Pere Trust) Act 1991 and secondary legislation
Methodist Church of Australasia in New Zealand Act 1902 and secondary legislation
Land Transfer (Hawke's Bay) Act 1931 and secondary legislation
Charitable Trusts Regulations 2019 under section 62 of the Charitable Trusts Act 1957

Name
Mining Tenures Registration Regulations 1996 under section 27 of the Mining Tenures Registration Act 1962
Property Law (Mortgagees' Sales Forms) Regulations 2007 under section 363 of the Property Law Act 2007
Secondary legislation made under section 126 of the Private Security Personnel and Private Investigators Act 2010
Prostitution Reform (Form of Warrants) Regulations 2003 made under section 47 of the Prostitution Reform Act 2003
Secondary legislation made under section 163 of the Real Estate Agents Act 2008
Secondary legislation made under section 70 of the Lawyers and Conveyancers Act 2006
Secondary legislation made under section 87 of the Lawyers and Conveyancers Act 2006
Secondary legislation made under section 304 of the Sale and Supply of Alcohol Act 2012
Parts of secondary legislation made under section 300 for the purposes of section 300(3)(a) and section 310 of the Sale and Supply of Alcohol Act 2012
Secondary legislation made under section 337 of the Sale and Supply of Alcohol Act 2012
Secondary legislation made under section 344 of the Sale and Supply of Alcohol Act 2012
Secondary legislation made under section 358 of the Sale and Supply of Alcohol Act 2012
Secondary legislation made under section 69 of the Financial Markets Conduct Act 2013
Instruments made under regulation 6 of the Financial Market Conduct (fees) Regulations 2014
Secondary legislation made under section 363 of the Sale and Supply of Alcohol Act 2012
Secondary legislation made under section 389 of the Sale and Supply of Alcohol Act 2012
Secondary legislation made under section 239 or 323 of the Contract and Commercial Law Act 2017
Secondary legislation made under section 207L of the Companies Act 1993
Secondary legislation made under clause 3(2), Schedule 7 of the Companies Act 1993
Secondary legislation made under section 28 of the Copyright Act 1994
Secondary legislation made under section 204 of the Copyright Act 1994
Secondary legislation made under section 226D of the Copyright Act 1994
Secondary legislation made under section 62 of the Corporations (Investigation and Management) Act 1989
Secondary legislation made under section 20 of the Designs Act 1953
Secondary legislation made under section 37 of the Layout Designs Act 1994
Secondary legislation made under section 49 of the Financial Reporting Act 2013

Name
Secondary legislation made under section 158 of the Insolvency Act 2006
Secondary legislation made under section 164 of the Insolvency Act 2006
Secondary legislation made under section 276 of the Insolvency Act 2006
Secondary legislation made under section 343 of the Insolvency Act 2006
Secondary legislation made under section 363 of the Insolvency Act 2006
Secondary legislation made under section 246 of the Patents Act 2013
Secondary legislation made under section 157 of the Plant Variety Rights Act 2022
Secondary legislation made under section 200 of the Trademarks Act 2002
Secondary legislation made under section 13 of the Atomic Energy Act 1945
Injury Prevention, Rehabilitation, and Compensation (Applications to Determine Previous and Subsequent Injury Entitlements) Regulations 2003 made under section 333 of the Accident Compensation Act 2001
Injury Prevention, Rehabilitation, and Compensation (Indexation of Maximum Weekly Compensation) Regulations 2004 made under section 327 of the Accident Compensation Act 2001
Injury Prevention, Rehabilitation, and Compensation (Indexation) Regulations 2002 made under section 327 of the Accident Compensation Act 2001
Secondary legislation made under section 645 for the purposes of 645(6) of the Education and Training Act 2020
Secondary legislation made under section 363(5) of the Oranga Tamariki Act 1989
Secondary legislation made under section 423(1)(f) of the Social Security Act 2018
Regulation 286 of the Social Security Regulations 2018 made under section 437(1)(c) of the Social Security Act 2018
Regulation 238 of the Social Security Regulations 2018 made under section 449 of the Social Security Act 2018
Secondary legislation made under section 75 of the Residential Care and Disability Support Services Act 2018
Secondary legislation made under section 453 of the Social Security Act 2018
Secondary legislation made under section 15 of the New Zealand Superannuation and Retirement Income Act 2001
Secondary legislation made under section 37(1)(a) Children's Commissioner Act 2022
Secondary legislation made under section 226 of the Tax Administration Act 1994
Secondary legislation made under subpart HA,9 of the Income Tax Act 2007
Secondary legislation made under section IC 13(2) of the Income Tax Act 2007
Secondary legislation made under section MF7(1)(a) and 1(db) Income Tax Act 2007

Name
Secondary legislation made under section MF7(1)(b) of the Income Tax Act 2007
Secondary legislation made under section MF7(1)(d) of the Income Tax Act 2007
Secondary legislation made under section MF7(1)(cb) and (dc) of the Income Tax Act 2007
Secondary legislation made under section MF7(1)(e) of the Income Tax Act 2007
Secondary legislation made under section 13B(2) of the Tax Administration Act 1994
Secondary legislation made under section 22(6) of the Tax Administration Act 1994
Secondary legislation made under section 91AAF of the Tax Administration Act 1994
Secondary legislation made under section 19P of the Goods and Services Tax Act 1985
If the Taxation (Annual Rates for 2025-26, Compliance Simplification, and Remedial Measures) Bill (the Taxation Bill) has passed at the point of issue of the initial notice, secondary legislation made under the determination power in clause 158 of the Bill at introduction
If the Taxation (Annual Rates for 2025-26, Compliance Simplification, and Remedial Measures) Bill (the Taxation Bill) has passed at the point of issue of the initial notice, secondary legislation made under the determination power in clause 160 of the Bill at introduction
If the Taxation (Annual Rates for 2025-26, Compliance Simplification, and Remedial Measures) Bill (the Taxation Bill) has passed at the point of issue of the initial notice, secondary legislation made under the determination power in clause 163 of the Bill at introduction
Secondary legislation made under section 22 of the Land Act 1948
Secondary legislation made under section 230 of the Land Transfer Act 2017
Secondary legislation made under section 55 of the Public Works Act 1981
Secondary legislation made under section 20E of the Overseas Investment Act 2005
Secondary legislation made under section 15 of the Te Ture Whenua Maori Act 1993
Secondary legislation made under sections 55, 55A and 56 of the Māori Trust Boards Act 1955
Secondary legislation made under section 6 of Te Ture mō te Hararei Tūmatanui o te Kāhui o Matariki 2022
Secondary legislation made under section 43 of the Cultural Property (Protection in Armed Conflict) Act 2012
Secondary legislation made under section 3 of the Airport Authorities Act 1966
Secondary legislation made under section 13(1) of the Conservation Act 1987
Secondary legislation made under section 50A of the Conservation Act 1987
Secondary legislation made under section 65(2) of the Conservation Act 1987
Secondary legislation made under section 14(1) of the Kaikōura (Te Tai o Marokura) Marine Management Act 2014

Name
Residential Tenancies (Infringement Notices) Regulations 2021 made under section 140(1)(a) of the Residential Tenancies Act 1986
Civil Defence Emergency Management Regulations 2003 made under section 115 of the Civil Defence Emergency Management Act 2002
Secondary legislation made under section 54 of the Health Practitioners Competence Assurance Act 2003
Secondary legislation made under section 5A of the Misuse of Drugs Act 1975
Secondary legislation made under section 31 of the Misuse of Drugs Act 1975
Secondary legislation made under section 265(1) of the Veterans' Support Act 2014 for the purposes of sections 22 and 23
Secondary legislation under section 170 of the Veterans' Support Act 2014
Secondary legislation made under section 15 of the Burial and Cremation Act 1964
Secondary legislation made under section 31 of the Walking Access Act 2008
Secondary legislation made under section 40 of the Walking Access Act 2008
Māori Education Foundation (Abolition) Act 1993 and secondary legislation
Kitchener Memorial Scholarship Trust Act 1941 and secondary legislation
Ngarimu VC and 28th (Māori) Battalion Memorial Scholarship Fund Act 1945 and secondary legislation
Otaki and Porirua Trusts Act 1943 and secondary legislation
Queen Elizabeth the Second Postgraduate Fellowship of New Zealand Act 1963 and secondary legislation
Queen Elizabeth the Second Technicians' Study Award Act 1970 and secondary legislation
Taranaki Scholarships Trust Board Act 1957 and secondary legislation
Education Lands Act 1949 and secondary legislation
New Zealand Council for Educational Research Act 1972 and secondary legislation
Secondary legislation made under section 572 of the Education and Training Act 2020
Secondary legislation made under Schedule 1, Clause 44(1)(b) of the Education and Training Act 2020
Secondary legislation made under Schedule 1, Clause 47 of the Education and Training Act 2020
Secondary legislation made under Schedule 1, Clause 55(1) of the Education and Training Act 2020
United World Colleges Scholarships Regulations 1980
Secondary legislation made under Schedule 1, Clause 94(2) of the Education and Training Act 2020
Secondary legislation made under section 66(1) of the Education and Training Act 2020

Name
Secondary legislation made under section 237(3) of the Education and Training Act 2020
Secondary legislation made under section 237A(3) of the Education and Training Act 2020
Secondary legislation made under section 529 of the Education and Training Act 2020
Secondary legislation made under section 357 of the Education and Training Act 2020
Secondary legislation made under Schedule 18, clause 24 of the Education and Training Act 2020
Ministry of Works and Development Abolition Act 1988 and secondary legislation
Secondary legislation made under Schedule 3, clause 21 of the Customs and Excise Act 2018
Secondary legislation made under 9 of the Tariff Act 1988
Secondary legislation made under Schedule 1, clause 37 of the Customs and Excise Act 2018
Secondary legislation made under Schedule 3, clause 16 of the Customs and Excise Act 2018
Secondary legislation made under Schedule 3, clauses 25 of the Customs and Excise Act 2018
Secondary legislation made under section 67B of the Hazardous Substances and New Organisms Act 1996
Secondary legislation made under section 141D of the Hazardous Substances and New Organisms Act 1996
Secondary legislation made under section 165 of the Soil Conservation and Rivers Control Act
Seal of New Zealand Act 1977 and secondary legislation
Royal Titles Act 1974 and secondary legislation
The Seal of New Zealand Proclamation Act 1977 and secondary legislation
Secondary legislation made under section 3, 17 or 19 of the Agricultural and Pastoral Societies Act 1908
Secondary legislation made under Schedule 3, Part 2 of the Telford Farm Training Institute Act 1963
Secondary legislation made under section 35 of the Wool Industry Restructuring Act 2003
Secondary legislation made under section 443 of the Social Security Act 2018
Secondary legislation made under section 183ABA of the Tax Administration Act 1994
Secondary legislation made under section 6J of the Tax Administration Act 1994
Secondary legislation made under section 6H or 6I of the Tax Administration Act 1994
Secondary legislation made under section 7AA of the Tax Administration Act 1994
Secondary legislation made under section 115(a) or (b) of the Civil Defence Emergency Management Act 2002

Name
Callaghan Innovation Act 2012 and secondary legislation
Crown Research Institutes Act 1992 and secondary legislation
Invest New Zealand Act 2025 and secondary legislation
New Zealand Trade and Enterprise Act 2003 and secondary legislation
WorkSafe New Zealand Act 2012 and secondary legislation
Secondary legislation made under section 232 of the Copyright Act 1994
Secondary legislation made under sections 129(3) of the Electoral Act 1993
Secondary legislation made under section 267(1)(ca) of the Electoral Act 1993
Secondary legislation made under sections 22(2), 22AA(7) and 22AB(8) of the Citizens Initiated Referenda Act 1993
Secondary legislation made under sections 5(1), 6(1), 21(2), 30(2) and 30(3) of the Referenda (Postal Voting) Act 2000
Secondary legislation made under section 26 of the Joint Family Homes Act 1964
Secondary legislation made under sections 10(1) and 10(2) of the of the Tarriff Act 1988
Secondary legislation made under section 435 of the Customs and Excise Act 2018
Secondary legislation made under section 421 of the Social Security Act 2018
Secondary legislation made under section 437(1) of the Social Security Act 2018 providing for matters set out in section 437(4)
Secondary legislation made under section 452 of the Social Security Act 2018
Secondary legislation made relying on section 424(2)(c) of the Social Security Act 2018
Secondary legislation made under section 427(1) of the Social Security Act 2018
Secondary legislation made under section 428(2)(c) of the Social Security Act 2018
Secondary legislation made under section 102(1)(g) of the Pae Ora (Healthy Futures) Act 2022
Secondary legislation made under section 437(1)(b) of the Social Security Act 2018
Secondary legislation made under sections 7 and 101 of the Social Security Act 2018
Secondary legislation made under section 74(1)(c), (e), (j) and (h) of the Residential Care and Disability Support Services Act 2018
Gas Operator (AGL New Zealand Energy Limited and TMU Services Limited) Order 1999
Gas Operator (Nova Gas Limited) Order 1998
Gas Operator (Rockgas Limited) Order 1996

Name
Gas Operator (Southpark Utilities Limited) Order 2002
Gas Operator (UnitedNetworks Limited) Order 2000
Secondary legislation made under section 372 of the Social Security Act 2018
Secondary legislation made under section 37A of the Overseas Investment Act 2005
Corrections (Immigration Information Disclosure) Regulations made under sections 181(2)(ab) and (b) and 200(1)(g) of the Corrections Act 2004
Public and Community Housing Management (Appointment of Agency and Regulatory Authority Order 2018 made under section 159 of the Public Community and Housing Management Act 1992
Infrastructure Funding and Financing (Monitor and Recommender) Order 2020 made under section 118 and 155 of the Infrastructure Funding and Financing Act 2020
Housing Assets Transfer Act 1993
Secondary legislation made under sections 7(2), 23(1), 26(1), 33(1), 51(3), 94(1) or 105(1) of the Public Service Act 2020
Secondary legislation made under sections 9(1), 173, 174, or 199 of the Crown Entities Act 2004
Secondary legislation made under section 26(1) of the Protected Disclosures (Protection of Whistleblowers) Act 2022
New Zealand Library Association Act 1939
Secondary legislation made under section 162(3) of the Education and Training Act 2020
Secondary legislation made under section 163(4) of the Education and Training Act 2020
Lincoln University Act 1961
Massey University Act 1963
University of Auckland Act 1961
University of Canterbury Act 1961
Victoria University of Wellington Act 1961
University of Otago Amendment Act 1961
Secondary legislation made under section 310(6) of the Customs and Excise Act 2018
Secondary legislation made under section 19 of the Environmental Reporting Act 2015
Secondary legislation made section 44 of the Resource Management Act 1991
Official Appointments and Documents Act 1919 and secondary legislation
Secondary legislation made under section 180 of the Animal Welfare Act 1999

Name
Secondary legislation made under section 9 of the Irrigation Schemes Act 1990
Secondary legislation made under section 146 of the Water Services Act 2021
Secondary legislation made under section 204 of the Water Services Act 2021
Secondary legislation made under section 272HA of the Building Act 2004
Secondary legislation made under section 272E of the Building Act 2004
Secondary legislation made under section 272ZG of the Building Act
Secondary legislation made under section 38 of the Electricity Industry Act 2010

In Confidence

Office of the Minister for Regulation

Cabinet Expenditure and Regulatory Review Committee

Implementation of the Regulatory Standards Act: Strengthening and streamlining processes for making and reviewing regulation

Proposal

- 1 The Regulatory Standards Act 2025 (the Act) sets a new benchmark for responsible regulation.
- 2 This paper seeks agreement to:
 - 2.1 adopt a strengthened and streamlined approach to regulatory analysis that delivers clearer advice, reduces administrative burden, and improves regulatory quality; and
 - 2.2 make it mandatory for agencies that are subject to Cabinet direction to follow the statutory guidance issued under section 26 of the Act.
- 3 These proposals will be implemented through a Cabinet circular that replaces *Impact Analysis Requirements* [CO (24) 7] and *Disclosure Requirements for Government Legislation* [CO (13) 3].
- 4 This paper also seeks agreement to revoke Cabinet circular *Climate Implications of Policy Assessment Requirements* [CO (20) 3].

Relation to government priorities

- 5 This proposal supports the implementation of the New Zealand National Party–ACT New Zealand Coalition Agreement commitment to pass the Regulatory Standards Act.

Executive Summary

- 6 The key changes to be included in the new circular fall in three broad areas:

Changes to the policy approval process

 - 6.1 a new, streamlined Regulatory Analysis Summary (RAS) (max 20 pages) to replace the existing Regulatory Impact Statement (RIS)
 - 6.2 the removal of unnecessary supplementary analysis, removal of quality assurance for regulatory discussion documents, and streamlining exemption grounds for when RASs are not required

6.3 a requirement to provide advance notice of major regulatory proposals that agencies or the government reasonably expect to give effect to in the near term

Changes to the legislative approval process

6.4 mandatory adherence to the section 26 statutory guidance that the Attorney-General and I will issue under the Act

6.5 standardised templates for the Consistency Accountability Statements (CASs) required under the Act and other supporting material

6.6 requirements to provide CASs and a short summary of the supporting analysis for consideration at the Cabinet Legislation Committee (LEG) stage

Changes relating to regulatory stewardship and review of legislation

6.7 a coordinated, system-wide approach to planning and reviewing regulatory stock

6.8 consistent application of CAS and supporting document requirements to reviewed legislation.

7 These changes will improve the quality, clarity, and efficiency of advice to Ministers and help agencies meet statutory obligations. They will also support New Zealand to meet relevant international obligations. The table below summaries the key changes and their benefits:

Area	Counterfactual	Proposed Change	Benefit
Impact Analysis	RIS (avg. 40 pages)	RAS (max 20 pages)	Shorter, clearer advice
Consistency Accountability Statements (CASs)	Varied formats	Standard template	Consistency, efficiency
Supporting analysis for CASs	Not provided	Provided in standard format	Transparency, consistency
Supplementary Analysis	Required in some cases	Removed	Reduced admin burden
Review Planning	Agency-by-agency	System-wide, holistic planning	Better coordination
Advance notice	Overlap, duplication	Single reporting process	Compliance, reduced workload

8 Although not binding on Crown entities or local government, the new circular will provide a best-practice framework for consistent implementation across the system.

Revoking the Climate Implications of Policy Assessment (CIPA) Cabinet circular

9 This paper also seeks agreement to revoke Cabinet circular *Climate Implications of Policy Assessment Requirements* [CO (20) 3].

Background

- 10 The Act sets a new benchmark for responsible regulation. It requires agencies to assess legislation for consistency with responsible regulation principles and disclose inconsistencies through CASs. Ministers or other makers of the legislation must then provide a statement of the reasons for the inconsistency and, when reviewing existing legislation, what (if anything) will be done to resolve that inconsistency.
- 11 This paper proposes, as part of implementing the Act, streamlined processes to deliver sharper advice, reduce red tape and ensure laws remain fit for purpose.

Streamlining and strengthening requirements

- 12 Implementing the Act provides an opportunity to significantly reset the Regulatory Management System to simplify and, where appropriate, further strengthen some aspects. This reset of existing processes will ensure that Ministers receive sharper and better impact analysis at the right time, stakeholders are better informed and can participate more meaningfully, and the costs in the public service can be minimised.
- 13 In this context, this paper proposes content for a new Cabinet circular to implement the requirements of the Act. My aim is to maximise effectiveness while minimising compliance costs for agencies and Ministers, and ensuring New Zealand is meeting its international obligations. This will involve establishing:
 - 13.1 policy approval processes that help to embed the principles of responsible regulation. This should result in more helpful, digestible information being provided to Ministers to support their decision-making
 - 13.2 processes for encouraging consistency with the principles of responsible regulation at the introduction or making of legislation (at LEG stage), and the transparent disclosure and explanation of any inconsistencies
 - 13.3 legislative review processes that, over time, will identify inconsistencies with the principles across the stock of legislation, while also considering the broader operation of regulatory systems.
- 14 The Cabinet circular requirements would apply to those agencies subject to Cabinet direction and can act as best practice for agencies that are not (e.g. local government).
- 15 These requirements overlap with the current requirements set out in Cabinet circulars (*Impact Analysis Requirements* [CO (24) 7] and *Disclosure Requirements for Government Legislation* [CO (13) 3]). Cabinet therefore noted in May 2025 that the Minister for Regulation would report back to Cabinet to ensure alignment with the Act [CAB-25-MIN-0148].
- 16 There is also overlap between requirements in the Act and obligations set out in New Zealand's international free trade agreements, including the New Zealand-

United Kingdom Free Trade Agreement (UK–NZ FTA) and the New Zealand-European Union Free Trade Agreement (EU–NZ FTA).

Changes to the policy approval process

Introducing streamlined Regulatory Analysis Summaries to replace existing RIS documents

- 17 The Act requires transparency in relation to drafted legislation. Consistent with that transparency objective, we need to retain a system for providing Cabinet with officials' analysis of the impacts of regulatory proposals at the policy decision stage. The current impact analysis process requires officials to prepare Regulatory Impact Statements (RISs) – which are owned by the agency not the Minister – to support Cabinet consideration of proposals for regulatory change. I propose to address key weaknesses in the current system, including that RISs are too long and inaccessible, cost-benefit analysis is generally done poorly, and the system as a whole is administratively burdensome.
- 18 As part of this approach, I recommend introducing a new Regulatory Analysis Summary (RAS) template to replace the current RIS template. The RAS will contain much of the analysis required to prepare a CAS which comes later at the LEG stage. In designing the RAS template, the Ministry for Regulation has sought to:
 - 18.1 align it with the principles (which will enable a smoother transition to the CAS)
 - 18.2 cut the template down to the bare essentials
 - 18.3 reframe it as a summary only, moving away from the currently comprehensive and overly lengthy format
 - 18.4 strengthen the cost-benefit analysis section.
- 19 The Ministry for Regulation will also set an expectation that RASs will be no longer than 20 pages, significantly shorter than the recent average size of 40 pages. Agencies will be expected to have a strong justification for a departure from this expectation.

Reducing administrative burden

- 20 In addition, I recommend that changes be made to reduce the administrative burden involved in the current impact analysis process, including:
 - 20.1 removing quality assurance obligations for discussion documents (where they do not narrow the regulatory options under consideration)
 - 20.2 removing requirements for a Supplementary Analysis Report or Post Implementation Review where Cabinet agrees to a regulatory proposal without impact analysis or where the impact analysis received a 'does not meet' quality assurance rating
 - 20.3 providing streamlined and simplified exemption grounds for proposals that do not require a RAS to be prepared.

- 21 In summary, these changes will focus the system on producing shorter, more accessible documents, which focus on key information for decision-makers. They will also significantly reduce the administrative burden of the system for agencies, particularly those producing a large volume of discussion documents on regulatory proposals.

Providing advance notice of regulatory proposals

- 22 I propose that the Cabinet circular formalise existing expectations for major regulatory agencies¹ to provide stakeholders with advance notice of major regulatory proposals reasonably expected to be given effect to in the near term.
- 23 This will support New Zealand to meet its obligations under the EU–NZ FTA to provide, at least annually, public notice of major regulations (made by Order in Council) it reasonably expects to adopt within a year, concerning any matter covered by the Agreement. It will also codify and support existing government expectations for reporting on planned regulatory system changes by the major regulatory agencies which were last reaffirmed by Cabinet in 2023 [GOV-23-MIN-0028 refers].
- 24 These international obligations only apply to regulations made by Order in Council that affect matters within the broad scope of the EU–NZ FTA. However, there are domestic benefits from also including other planned major regulatory measures for the affected regulatory systems, such as key administrative changes and any planned primary legislation already publicly announced. Advance notice of regulatory proposals enhances the ability of stakeholders to engage with government policy changes and will help support consistency with the consultation principle in the Regulatory Standards Act.
- 25 Further detail on the practical implementation of the advance notice requirements will be set out in guidelines published by the Ministry for Regulation. To the extent possible, this will provide flexibility to accommodate the circumstances and needs of different agencies, including any current advance notice arrangements they may already have in place. Agencies will not be expected to have their initial advance plans ready for publication on the day the Regulatory Standards Act requirements come into effect.

Revoking the Climate Implications of Policy Assessment Requirements

- 26 I am also proposing to revoke the Climate Implications of Policy Assessment (CIPA) Requirements Cabinet circular [CO (20) 3)]. This circular sets out the requirements for central government agencies to estimate and disclose the greenhouse gas emission implications when certain types of policy proposals are presented to Cabinet.

¹ There are 15 major regulatory agencies that administer almost all the significant regulatory systems, and legislation covered by New Zealand’s international commitments and obligations: Department of Conservation, Department of Internal Affairs, Inland Revenue, Land Information New Zealand, Ministry for Primary Industries, Ministry for the Environment, Ministry of Business, Innovation and Employment, Ministry of Education, Ministry of Health, Ministry of Housing and Urban Development, Ministry of Justice, Ministry of Transport, New Zealand Customs Service, Reserve Bank of New Zealand, and the Treasury.

- 27 RAS and CAS analysis may consider climate implications if significant. Separate CIPA analysis is therefore redundant and imposes needless bureaucratic cost.

Changes to the legislation approval process

Mandatory adherence to statutory guidance

- 28 Section 26 of the Act provides for statutory guidance to be issued jointly by the Minister for Regulation and the Attorney-General, covering:
- 28.1 how to apply the principles of responsible regulation;
 - 28.2 how to review proposed and existing legislation;
 - 28.3 how to prepare and present CASs; and
 - 28.4 how to develop and report on review plans.
- 29 Draft statutory guidance under section 26 has now been developed and is attached as **Annex 1**.
- 30 The draft guidance has been tested with agencies to ensure that it will best support agencies to meet their requirements under the Act. While the draft is largely final, there will likely be further minor or technical changes made to it before it is finalised and issued.
- 31 The statutory guidance is not binding under the Act. However, I propose that the circular require those agencies subject to Cabinet direction to apply it to promote consistent application of the Act's principles.

New, standardised templates for CASs and supporting material

- 32 When an agency is preparing a CAS for proposed legislation and identifies any inconsistencies with the principles of responsible regulation, the Act requires the responsible Minister/maker of legislation to make a statement of reasons.
- 33 I propose that the Cabinet circular requires that agencies that are subject to Cabinet direction follow the otherwise non-binding guidance issued under section 26 of the Act, including using a template for CASs provided as part of the guidance. This will help ensure that consistent material, including a consistent format for CASs, is presented to the House and published.
- 34 I also propose that completed CASs and Ministerial/maker statements of reasons be accompanied by a short summary of the underpinning analysis, to 'show their workings' and explain why a proposal has been assessed as consistent or inconsistent. Agencies must use Ministry for Regulation-issued templates for CASs, supporting analysis, and a Ministers' statements of reasons template will also be made available for use.
- 35 The table below summarises what each of the documents relating to proposed legislation would cover.

Note that **Annex 1** is withheld consistent with section 9(2)(h) of the Official Information Act 1982 to maintain legal professional privilege

	Consistency Accountability Statement (CAS)	Summary of underpinning analysis	Statement of reasons
Description	Concise agency document which confirms it has assessed the legislation against the principles in the Act and summarises any inconsistencies	Summarises the agency’s analysis of the legislation against each of the principles, and agency reports whether the legislation is consistent or inconsistent with each principle, or if a principle is not applicable.	Where an agency identifies an inconsistency in the CAS, the Minister or maker of the legislation responds with the reason(s) for the inconsistency
Source of requirement	Required by the Act	Proposed in this paper to be required under a Cabinet circular	Required by the Act

Integration with Cabinet Legislation Committee (LEG) processes

- 36 I propose that the circular requires:
- 36.1 draft CASs and underpinning analysis to be provided during Ministerial consultation on LEG papers
 - 36.2 CASs, underpinning analysis, and any statement of reasons to accompany papers seeking LEG approval
 - 36.3 LEG papers to include whether the responsible agency has determined the legislation to be consistent or inconsistent with the Act’s principles, or whether the legislation is excluded from CAS requirements
 - 36.4 the explanatory notes of Bills and secondary legislation to include, or link to, the underpinning analysis
 - 36.5 agencies to publish CASs, underpinning analysis, and statements of reasons on their websites when legislation is introduced or made.
- 37 As a consequence of these changes:
- 37.1 requirements to provide LEG with agency Disclosure Statements under Cabinet circular [CO(13)3] *Disclosure Requirements for Government Legislation* would be replaced with requirements to provide a completed CAS (and related documents).
 - 37.2 these requirements would extend beyond primary legislation to also include proposed secondary legislation that goes through Cabinet.
- 38 I note that disclosure statements currently require, among other things, disclosure about consistency with New Zealand’s international obligations, the Crown’s Treaty of Waitangi obligations, and the New Zealand Bill of Rights Act 1990. CASs are not intended to provide for disclosure of consistency with requirements or principles outside those provided in the Act. Responsible agencies will need to give further consideration to how consistency with these other matters can be provided for, to avoid any loss of transparency. For example, disclosure may occur through

other documentation such the summary of underpinning analysis or separately on agency websites after decision-making is concluded.

Changes relating to regulatory system stewardship and review of legislation

- 39 In relation to reviews of legislation, the Act requires:
- 39.1 public service agencies to proactively engage in the stewardship of regulatory systems
 - 39.2 agencies responsible for legislation to develop and publish plans for regularly reviewing legislation, report on progress carrying out the plans, and prepare CASs for the legislation that has been reviewed.
- 40 Over time, responsible agencies should review the entire stock of non-exempt legislation for consistency with the principles and prepare and publish CASs (summarising any inconsistencies identified). Responsible Ministers would then be required to present CASs to the House (where the CAS relates to primary legislation), along with a statement that explains the reasons for any inconsistency and sets out proposed actions (if any) to resolve that inconsistency.
- 41 Reviews should identify opportunities to modernise outdated regulation and reduce compliance costs. When carrying out these reviews, agencies will need to consider whether legislation is still the most effective, efficient and proportionate response to the issue concerned.

Developing and publishing plans for the review of legislation

- 42 The circular will create a single reporting system meeting both the Act's requirements and international commitments.² The reporting requirements would be set out in the proposed Cabinet circular, with more detailed guidelines to be issued by the Ministry for Regulation.
- 43 Plans are expected to:
- 43.1 cover all relevant reviews, including any required by other legislation
 - 43.2 include assessment against the Act's principles if relevant and practicable
 - 43.3 be organised by regulatory system for major regulatory agencies where practicable, with smaller agencies contributing information to these system plans (if they have a role in that system)³
 - 43.4 cover at least two years of planned reviews and be updated regularly.

² For example, the CPTPP, UK–NZ and EU–NZ Free Trade Agreements. The EU–NZ FTA requires each party to “maintain processes or mechanisms to promote periodic review of regulatory measures in effect”. These reviews should consider, where possible, “whether there are opportunities to achieve its public policy objectives more effectively and efficiently” and “whether the regulatory measures under review are likely to remain fit for purpose”. To the extent possible, the EU–NZ FTA requires “any plans for, and the results of, periodic review of regulatory measures in effect” should be made publicly available.] In 2023, Cabinet agreed that major regulatory agencies should be required to regularly report on their regulatory systems to fulfil these commitments [GOV-23-MIN-0028 refers].

³ Any remaining legislation that does not fit into a system-wide plan could be integrated into a single plan published by the administering agency.

Consistent application of CAS requirements to both new and reviewed legislation

- 44 When a responsible agency reviews legislation for consistency with the principles of responsible regulation, a CAS and Minister/maker statement of reasons must be prepared (where applicable).
- 45 For a review of primary legislation, the Minister must present to the House of Representatives the CAS, a Minister/maker statement of reasons, and any proposed actions. For a review of secondary legislation, the responsible agency must publish on an internet site, the CAS, a Minister/maker reasons statement and any proposed actions.
- 46 I propose that, in line with the recommendations in this paper for regulatory proposals, agencies subject to Cabinet direction should also be required to:
- 46.1 follow the guidance issued under section 26 of the Act, and
 - 46.2 prepare a summary of underlying analysis to accompany CASs for existing legislation, using Ministry for Regulation-provided templates, and
 - 46.3 publish CAS, summaries of underpinning analysis and statements of reasons/actions on the agency's website, in line with guidelines set by the Ministry for Regulation.

Implementation

- 47 Subject to Cabinet agreement, I propose the requirements in the new Cabinet circular should be operational from the time that the CAS requirements come into force (noting that the consistency assessment and review requirements in the Act will come into force on 1 July or by Order-in-Council at an earlier date) and that this timing is aligned with the discontinuation of the Cabinet circulars: *Impact Analysis Requirements* [CO (24) 7] and *Disclosure Requirements for Government Legislation* [CO (13) 3].
- 48 To aid with a smooth transition to the new RAS template, I am proposing that, if agencies confirm the arrangements for their impact analysis with the Ministry for Regulation before the circular comes into force, they can use the existing RIS template for proposals being taken to Cabinet until 30 June.

Cost-of-living Implications

- 49 This paper does not have any cost-of-living implications.

Financial Implications

- 50 Cabinet has previously noted that there are financial implications for agencies with responsibility for administering primary and/or secondary legislation arising from the Regulatory Standards Act system [CAB-25-MIN 0148]. Cabinet also noted that these costs could be offset to the degree that agencies are already undertaking some of the work, and there would be savings over time from increased consistency of the flow of proposals and stock of regulation over time, as well as

the potential effect of reducing the quantity of poor quality or unnecessary regulation.

- 51 This paper contains a mix of proposals which streamline existing requirements and introduce new ones. Officials have not re-costed the decisions in this paper relative to previous Cabinet decisions, but any additional resources to implement the requirements will be absorbed within agency baselines.

Legislative Implications

- 52 This paper does not have legislative implications.

Impact Analysis

Regulatory Impact Statement

- 53 There are no regulatory proposals in this paper, and therefore Cabinet's impact analysis requirements do not apply.

Climate Implications of Policy Assessment

- 54 This paper has no climate implications.
- 55 As part of this paper, I am proposing to revoke the Climate Implications of Policy Assessment circular.

Population Implications

- 56 This paper has no population implications.

Human Rights

- 57 This paper has no human rights implications.

Use of external Resources

- 58 No external resources were used in the development of this proposal.

Consultation

- 59 The following agencies were consulted on the Cabinet paper: Cancer Control Agency, Crown Law Office, Department of Conservation, Department of Corrections, Department of Internal Affairs, Department of the Prime Minister and Cabinet, Education Review Office, Government Communications Security Bureau, Independent Children's Monitor, Inland Revenue Department, Land Information New Zealand, Ministry of Business, Innovation and Employment, Ministry of Culture and Heritage, Ministry for Ethnic Communities, Ministry for the Environment, Ministry of Foreign Affairs and Trade, Ministry for Pacific Peoples, Ministry for Primary Industries, Ministry for Women, Ministry of Defence, Ministry of Education, Ministry of Health, Ministry of Housing and Urban Development, Ministry of Justice, Ministry of Social Development, Ministry of Transport, National

Emergency Management Agency, New Zealand Customs Service, New Zealand Police, New Zealand Security Intelligence Service, Office of the Clerk of the House of Representatives, Oranga Tamariki — Ministry for Children, Parliamentary Counsel Office, Public Service Commission, Serious Fraud Office, Social Investment Agency, Statistics New Zealand, Te Puni Kōkiri — Ministry of Māori Development, Te Tari Whakataua, The Treasury.

60 The Ministry of Justice provided the following comment:

60.1 The Ministry of Justice notes the statement at paragraph 38 that several important topics that must be addressed in current disclosure statements are not reflected in the new disclosure requirements. This includes information intended to support good decision-making and maintain the quality of legislation. The Ministry recommends including a small number of matters from the current disclosure statement in the summary of underpinning analysis, such as offences and penalties, courts jurisdiction, and privacy issues. The relevant information is the result of analysis agencies must undertake already as part of providing quality advice to Ministers. Including it in the underpinning analysis will support the objectives of strengthening and streamlining regulatory analysis, delivering clearer advice, reducing administrative burden, and improving regulatory quality. Decision-makers and the public have a right to access relevant information in an efficient and transparent way, and this can best be done by placing it in one easily accessible place. The Ministry of Justice recommends that officials work together to ensure the template for the underpinning analysis prompts government agencies to include all relevant information.

Communications

61 I propose to publicly announce these decisions once Cabinet decisions have been made.

Proactive Release

62 I intend to proactively release this paper (subject to redactions) once the new circular has been published. Although the draft section 26 guidance attached is legally privileged and will not be proactively released, the final section 26 guidance will be published.

Recommendations

The Minister for Regulation recommends that the Committee:

1 **note** the Regulatory Standards Act 2025 (the Act) overlaps with the current Cabinet circulars: *Impact Analysis Requirements* [CO (24) 7] and *Disclosure Requirements for Government Legislation* [CO (13) 3], and this paper reports back to Cabinet on how to ensure alignment between these respective requirements [CAB-25-MIN-01448];

Changes to the policy approval process

- 2 **note** the Ministry for Regulation has developed a streamlined new Regulatory Analysis Summary (RAS) template to replace the current Regulatory Impact Statement template that will align with the Act's principles of responsible regulation and ensure the analysis is shorter and more accessible;
- 3 **note** the Ministry for Regulation will set an expectation that RASs are no longer than 20 pages, substantially shorter than the current average of 40 pages for RISs;
- 4 **agree** to reduce the administrative burden of the current impact analysis process for agencies by streamlining it in the following ways:
 - 4.1 removing quality assurance obligations for discussion documents that do not narrow the regulatory options under consideration, and
 - 4.2 removing requirements for a Supplementary Analysis Report or Post Implementation Review where Cabinet agrees to a regulatory proposal without impact analysis, or where the impact analysis received a 'does not meet' quality assurance rating, and
 - 4.3 streamlining and simplifying the exemption grounds;
- 5 **agree** to formalise existing expectations for major regulatory agencies to provide advance public notice of major regulatory proposals they or the government reasonably expect to give effect to in the near term, in line with any guidelines set by the Ministry for Regulation to support the practical implementation of this requirement;

Changes to the legislation approval process

- 6 **agree** that where the Act requires Consistency Accountability Statements (CASs), agencies subject to Cabinet direction should be required to:
 - 6.1 follow guidance issued under section 26 of the Act, including the use of the Ministry for Regulation's standardised template for CASs, and
 - 6.2 prepare a summary of underpinning analysis to accompany CASs for new proposals, whether or not the proposal goes to Cabinet for approval;
- 7 **note** that a draft of this guidance is attached at **Annex 1**;
- 8 **note** that the Attorney-General and the Minister for Regulation may make further minor or technical changes to this guidance prior to it being finalised;
- 9 **agree** that in relation to the summaries of underpinning analysis:
 - 9.1 agencies subject to Cabinet direction should be required to use the Ministry for Regulation-provided templates, and

- 9.2 the Bill, Government amendment, or new secondary legislation’s explanatory note will contain a link to the agency’s underpinning analysis (where the agency is subject to Cabinet direction);
- 10 **agree** that for regulatory proposals requiring Cabinet approval and which require CASs:
- 10.1 draft CASs and summaries of underpinning analysis will be circulated during ministerial consultation on the draft Cabinet Legislation Committee (LEG) paper, and
- 10.2 LEG will be provided with CASs and a summary of the underpinning analysis, and
- 10.3 LEG will also be provided with the statement of reasons in cases of inconsistency, and
- 10.4 the LEG paper will include a statement about any inconsistencies with the Act’s principles;
- 11 **agree** to amend the Cabinet paper templates for seeking decisions from LEG to include the responsible agency’s determination of consistency or inconsistency with the Act’s principles;
- 12 **agree** that each CAS, summary of underpinning analysis, and statement of reasons must be published on the agency’s website (where they are subject to Cabinet direction), in line with guidelines set by the Ministry for Regulation, to ensure accessibility and consistency;

Changes to regulatory system stewardship and review of legislation

- 13 **note** that the Act’s requirements relating to regulatory stewardship and for agencies to produce plans for regularly reviewing existing legislation for consistency with the Act’s principles overlap with New Zealand’s “good regulatory practice” obligations in free trade agreements, and there is an opportunity to provide for a single set of reporting requirements which deliver on the Act’s requirements and our international obligations in an efficient and effective way;
- 14 **agree** that agencies subject to Cabinet direction will be expected to:
- 14.1 include in their plans all anticipated reviews of existing legislation, including those initiated for the purposes of the Act and those initiated for other reasons (e.g. due to statutory requirements for review), and
- 14.2 where reviews are initiated for reasons outside the Act, include an assessment against the principles of responsible regulation at the same time if relevant and practicable, and

I N C O N F I D E N C E

- 14.3 organise plans by regulatory system (rather than by agency) where practicable for major regulatory agencies⁴, and
 - 14.4 cover two years of planned reviews in their plans, and update them regularly, and
 - 14.5 follow any guidelines set by the Ministry for Regulation to support the practical implementation of these requirements;
- 15 **agree** that for CASs produced following reviews of qualifying existing legislation, and in line with recommendations 6, 9, 10 and 12 above, agencies subject to Cabinet direction should also be required to:
- 15.1 follow the guidance issued under section 26 of the Act, and
 - 15.2 prepare a summary of underlying analysis to accompany CASs for existing legislation, using Ministry for Regulation-provided templates, and
 - 15.3 publish CASs, summaries of underpinning analysis and statements of reasons on the agency's website, in line with guidelines set by the Ministry for Regulation;

New circular to implement decisions above

- 16 **agree** that a new Cabinet circular will be issued including the above decisions in recs 4 to 15, to come into effect at the same time as Part 2 of the Regulatory Standards Act come into force;
- 17 **authorise** the Minister for Regulation to make:
- 17.1 all necessary decisions to prepare and issue a circular, in line with the decisions above, and
 - 17.2 additional minor and technical changes; and

Revoking climate implications of policy assessment circular

- 18 **agree** to revoke the Climate Implications of Policy Assessment (CIPA) Cabinet circular [CO (20) 3].

Authorised for lodgement

Hon David Seymour
Minister for Regulation

⁴ The 15 major regulatory agencies are the Department of Conservation, Department of Internal Affairs, Inland Revenue Department, Land Information New Zealand, Ministry for the Environment, Ministry for Primary Industries, Ministry of Business, Innovation and Employment, Ministry of Education, Ministry of Health, Ministry of Housing and Urban Development, Ministry of Justice, Ministry of Transport, New Zealand Customs Service, Reserve Bank of New Zealand, and The Treasury.



Cabinet Expenditure and Regulatory Review Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Implementation of the Regulatory Standards Act: Initial Notice to Exclude Selected Legislation from the Regulatory Standards Act 2025

Portfolio **Regulation**

On 24 March 2026, the Cabinet Expenditure and Regulatory Review Committee:

- 1 **noted** that in May 2025 Cabinet:
 - 1.1 noted that notices could be used to exclude legislation from Regulatory Standards Act 2025 (RSA) consistency assessment requirements;
 - 1.2 agreed that the Ministry for Regulation work in consultation with agencies while the Bill was before the House to develop an initial list of exclusions that could be included in a notice as soon as the Bill came into force (on or before 1 July 2026);

[CAB-25-MIN-0148]
- 2 **noted** that the Minister for Regulation (the Minister) intends to issue an initial exclusion notice following agreement by the House of Representatives prior to 1 July 2026;
- 3 **noted** that the initial notice will include the legislation (or parts of) set out in Appendix One to the submission under EXP-26-SUB-0011, due to these being legislation that:
 - 3.1 are powers to respond to specified emergency situations;
 - 3.2 have been identified as solely implementing existing international trade agreements;
 - 3.3 give effect to specific agreements entered between the Crown and another country or countries relating to mutual assistance in criminal matters, reciprocal social security, child support, extradition treaties, and double tax agreements;
 - 3.4 are secondary legislation that enables the text of an international agreement to be updated once New Zealand has accepted the changes;
 - 3.5 implement agreements with iwi and hapū that are not already excluded as Treaty of Waitangi settlement legislation;
 - 3.6 if included, would be an inappropriate intrusion of the Executive into specifically identified constitutional matters or require consultation with the Judiciary;

- 3.7 are issued directly by a small number of Independent Crown Entities and the Reserve Bank of New Zealand for the purpose of providing exemptions from legislative requirements; and/or
- 3.8 relate solely to:
- 3.8.1 interactions between public sector and/or state sector agencies, or that provide for how public sector agencies govern themselves with no or minimal public impact; or
 - 3.8.2 legislation that is administrative with negligible or no ongoing public impact;
- 4 **noted** that, consistent with the approach to exclusions set out in Schedule 2 of the RSA, the initial notice will also include:
- 4.1 bills or parts of bills to the extent they contain amendments to Acts or secondary legislation set out in the exclusion notice;
 - 4.2 secondary legislation to the extent it contains amendments to secondary legislation set out in the exclusion notice; and
 - 4.3 secondary legislation made under an excluded Act;
- 5 **noted** that the initial notice will also include the following general classes of any legislation (or parts of) that are:
- 5.1 Orders in Council that bring legislation into force;
 - 5.2 secondary legislation that primarily relates to the revocation of secondary legislation identified as spent;
 - 5.3 secondary legislation to the extent it solely prescribes forms, or the content of forms;
 - 5.4 legislation that is remade to improve drafting practices and comply with requirements in the Legislation Amendment Bill, where they make no substantive changes to obligations;
 - 5.5 secondary legislation made under the Royal prerogative;
 - 5.6 secondary legislation to implement the outcomes of trade-related negotiations or agreements with international counterparts, including market access requirements;
- 6 **noted** that, following Cabinet's consideration of the paper under EXP-26-SUB-0011, the Minister intends to follow the affirmative resolution procedure under Standing Order 330 to seek approval from the House of Representatives of the initial notice;
- 7 **authorised** the Minister to make minor or technical policy decisions, consistent with the approach set out in the paper under EXP-26-SUB-0011;
- 8 **agreed** that the Ministry for Regulation will work in consultation with agencies to undertake a review in 12 to 24 months' time;

- 9 **authorised** the Minister to instruct the Parliamentary Counsel Office to draft an Order in Council to bring Part 2 of the RSA into force as soon as practicable after the publication of the exclusion notice.

Sam Moffett
Committee Secretary

Present:

Hon David Seymour (Chair)
Rt Hon Winston Peters|
Hon Chris Bishop
Hon Simeon Brown
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston
Hon Judith Collins KC
Hon Mark Mitchell
Hon Brooke van Velden
Hon Casey Costello
Hon Chris Penk
Hon Andrew Hoggard
Hon Karen Chhour
Hon Mark Patterson

Officials present from:

Office of the Chair
Office of Hon Erica Stanford
Ministry for Regulation
Ministry of Foreign Affairs
Officials Committee for EXP



Cabinet

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Implementation of the Regulatory Standards Act: Strengthening and Streamlining Processes for Making and Reviewing Regulation

Portfolio **Regulation**

On 30 March 2026, following reference from the Cabinet Expenditure and Regulatory Review Committee, Cabinet:

Background

- 1 **noted** that the Regulatory Standards Act 2025 (the Act) overlaps with the current Cabinet circulars: *Impact Analysis Requirements* [CO (24) 7] and *Disclosure Requirements for Government Legislation* [CO (13) 3], and that the paper under EXP-26-SUB-0014 reports back on how to ensure alignment between these respective requirements [CAB-25-MIN-0148];

Changes to the policy approval process

- 2 **noted** that the Ministry for Regulation (MfR) has developed a streamlined new Regulatory Analysis Summary (RAS) template to replace the current Regulatory Impact Statement (RIS) template that will align with the Act's principles of responsible regulation and ensure the analysis is shorter and more accessible;
- 3 **noted** that MfR will set an expectation that RASs are no longer than 20 pages, substantially shorter than the current average of 40 pages for RISs;
- 4 **agreed** to reduce the administrative burden of the current impact analysis process for agencies by streamlining it in the following ways:
- 4.1 removing quality assurance obligations for discussion documents that do not narrow the regulatory options under consideration;
- 4.2 removing requirements for a Supplementary Analysis Report or Post Implementation Review where Cabinet agrees to a regulatory proposal without impact analysis, or where the impact analysis receives a 'does not meet' quality assurance rating; and
- 4.3 streamlining and simplifying the exemption grounds;
- 5 **agreed** to formalise existing expectations for major regulatory agencies to provide advance public notice of major regulatory proposals that they or the government reasonably expect to give effect to in the near term, in line with any guidelines set by MfR to support the practical implementation of this requirement;

Changes to the legislation approval process

- 6 **agreed** that where the Act requires Consistency Accountability Statements (CASs), agencies subject to Cabinet direction should be required to:
- 6.1 follow guidance issued under section 26 of the Act, including the use of MfR's standardised template for CASs, and
 - 6.2 prepare a summary of underpinning analysis to accompany CASs for new proposals, whether or not the proposal goes to Cabinet for approval;
- 7 **noted** that a draft of this guidance is attached as Annex 1 to the submission under EXP-26-SUB-0014;
- 8 **authorised** the Attorney-General and the Minister for Regulation to make further minor or technical changes to this guidance prior to it being finalised, in line with the decisions under CAB-26-MIN-0093.01;
- 9 **agreed** that in relation to the summaries of underpinning analysis:
- 9.1 agencies subject to Cabinet direction should be required to use the MfR-provided templates; and
 - 9.2 the Bill, Government amendment, or new secondary legislation's explanatory note will contain a link to the agency's underpinning analysis (where the agency is subject to Cabinet direction);
- 10 **agreed** that for regulatory proposals requiring Cabinet approval and which require CASs:
- 10.1 draft CASs and summaries of underpinning analysis will be circulated during ministerial consultation on the draft Cabinet Legislation Committee (LEG) paper;
 - 10.2 LEG will be provided with CASs and a summary of the underpinning analysis;
 - 10.3 LEG will also be provided with the statement of reasons in cases of inconsistency; and
 - 10.4 the LEG paper will include a statement about any inconsistencies with the Act's principles;
- 11 **agreed** to amend the Cabinet paper templates for seeking decisions from LEG to include the responsible agency's determination of consistency or inconsistency with the Act's principles;
- 12 **agreed** that each CAS, summary of underpinning analysis, and statement of reasons must be published on the agency's website (where they are subject to Cabinet direction), in line with guidelines set by MfR, to ensure accessibility and consistency;

Changes to regulatory system stewardship and review of legislation

- 13 **noted** that the Act's requirements relating to regulatory stewardship and for agencies to produce plans for regularly reviewing existing legislation for consistency with the Act's principles overlap with New Zealand's "good regulatory practice" obligations in free trade agreements, and there is an opportunity to provide for a single set of reporting requirements which deliver on the Act's requirements and New Zealand's international obligations in an efficient and effective way;

- 14 **agreed** that agencies subject to Cabinet direction will be expected to:
- 14.1 include in their plans all anticipated reviews of existing legislation, including those initiated for the purposes of the Act and those initiated for other reasons (e.g. due to statutory requirements for review);
 - 14.2 where reviews are initiated for reasons outside the Act, include an assessment against the principles of responsible regulation at the same time if relevant and practicable;
 - 14.3 organise plans by regulatory system (rather than by agency) where practicable for major regulatory agencies;
 - 14.4 cover two years of planned reviews in their plans, and update them regularly; and
 - 14.5 follow any guidelines set by MfR to support the practical implementation of these requirements;
- 15 **agreed** that for CASs produced following reviews of qualifying existing legislation, and in line with paragraphs 6, 9, 10 and 12 above, agencies subject to Cabinet direction should also be required to:
- 15.1 follow the guidance issued under section 26 of the Act;
 - 15.2 prepare a summary of underlying analysis to accompany CASs for existing legislation, using MfR-provided templates; and
 - 15.3 publish CASs, summaries of underpinning analysis and statements of reasons on the agency's website, in line with guidelines set by the MfR;

New circular to implement decisions above

- 16 **agreed** that a new Cabinet Office circular will be issued outlining the above decisions in paragraphs 4 to 15, which will be published at the same time as Part 2 of the Act comes into force;
- 17 **authorised** the Minister for Regulation to make:
- 17.1 all necessary decisions to prepare and issue a circular, in line with the decisions above, and
 - 17.2 additional minor and technical changes in line with the decisions in CAB-26-MIN-0093.01;
- 18 **agreed** that the operation of the new circular referred to in paragraph 16 above would be reviewed 12 months after the circular is issued.

Rachel Hayward
Secretary of the Cabinet

Secretary's Note: This minute replaces EXP-26-MIN-0014. Following Cabinet the Prime Minister approved the removal of paragraph 19.



Cabinet

Minute of Decision

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Report of the Cabinet Expenditure and Regulatory Review Committee: Period Ended 27 March 2026

On 30 March 2026, Cabinet made the following decisions on the work of the Cabinet Expenditure and Regulatory Review Committee for the period ended 27 March 2026:

Out of scope		CONFIRMED
Out of scope		CONFIRMED
Out of scope		CONFIRMED
EXP-26-MIN-0011	Implementation of the Regulatory Standards Act: Initial Notice to Exclude Selected Legislation from the Regulatory Standards Act 2025 Portfolio: Regulation	CONFIRMED
EXP-26-MIN-0014	Implementation of the Regulatory Standards Act: Strengthening and Streamlining Processes for Making and Reviewing Regulation Portfolio: Regulation	Separate minute: CAB-26-MIN-0093.01
Out of scope		CONFIRMED
Out of scope		CONFIRMED

Out of scope

CONFIRMED

Out of scope

CONFIRMED

Rachel Hayward
Secretary of the Cabinet