



To	<b>Hon David Seymour, Minister for Regulation</b>		
Title	<b>Regulatory Standards Bill: Material to support discussions with Ministers prior to Cabinet decisions</b>	Number	<b>MFR2025-094</b>
Date	<b>14 April 2025</b>	Priority	<b>High</b>
Action Sought	<b>Note the contents of this briefing</b>	Due Date	<b>15 April 2025</b>
Contact Person	<b>Pip van der Scheer, Manager, Regulatory Management System</b>	Phone	s 9(2)(a)
Contact Person	<b>Silvie Zantza, Principal Advisor, Policy</b>	Phone	s 9(2)(a)
Attachments	<b>Yes – Annex 1</b>	Security Level	<b>IN CONFIDENCE</b>

Annex 1 is withheld consistent with s9(2)(g)(i) of the Official Information Act 1982

## Executive Summary

1. This briefing provides you with material you have requested to support your discussions on the proposed Regulatory Standards Bill with Hon Nicola Willis, Hon Judith Collins KC, and Hon Shane Jones.



## Recommended Action

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We recommend that you:

- a **note** the contents of this briefing *Noted*
- b **agree** that the Ministry for Regulation release this briefing following Cabinet decisions being taken, with any information needing to be withheld done so in line with the provisions of the Official Information Act 1982. *Agree / Disagree*

s 9(2)(a)

**Pip Van der Scheer**

Manager, Regulatory Management  
System

Ministry for Regulation

Date: 14 April 2025

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**Hon David Seymour**

Minister for Regulation

Date:



### Purpose of briefing

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2. This briefing accompanies material you have requested from the Ministry for Regulation, to facilitate your discussions with Hon Nicola Willis, Hon Judith Collins KC, and Hon Shane Jones.
3. This material can also be used to inform wider discussion with other interested Ministers.

### Background

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4. Following the meeting of 7 April 2025 Cabinet deferred consideration of the submission Progressing a Regulatory Standards Bill: Policy Approvals [CAB-25-SUB-0110] until 28 April 2025 and invited you to work together with Hon Nicola Willis, Hon Judith Collins KC and Hon Shane Jones to return to Cabinet with additional advice (CAB-25-MIN-0110 refers).
5. To facilitate your discussions with your colleagues you have asked for:
  - a. a high-level depiction of how the new processes could fit within Regulatory Management System processes, alongside a description of how the consistency assessment process might look like for agencies
  - b. worked examples of consistency assessments.
6. **Annex 1** of this cover briefing includes:
  - a. a set of slides setting out an indicative process for consistency assessments
  - b. a draft framework setting out how the principles could be applied to proposed and existing legislation, and some considerations that would need to be made in doing so
  - c. worked examples showing how this framework could potentially apply to different types of legislation.

### Approach to examples and indicative consistency assessment process

7. The legislation that has been assessed for consistency with the principles as part of the worked examples covers existing primary legislation introduced for the first time, amendments to secondary legislation and lastly a form of secondary legislation that does not require an Order in Council. The examples were chosen because:
  - a. they cover a variety of primary and secondary legislation
  - b. we could easily access readily available information to assess the examples as we are working under time constraints.



8. The worked examples and indicative process for consistency assessments are an initial attempt to practically apply the principles and processes proposed in the Bill. To ensure this is clear to the audience, relevant caveats are included in the annex.