



Minister and Portfolio	Hon David Seymour, Minister for Regulation		
Title	Regulatory Standards Bill - revised process for developing advice on exemptions	Number	MFR2025-252
Date	11 September 2025	Security level	IN CONFIDENCE

Following your decisions on Briefing MfR2025-235 *Regulatory Standards Bill - Proposed framework for considering exemptions*, we have revised our proposed approach to the identification of legislation to be considered for exemption from the Regulatory Standards Bill (the Bill) by Notice.

This approach will:

- support your intention to seek necessary Cabinet agreements following the passing of the Bill and avoid unnecessary Cabinet engagement on matters relating to the Bill before that time
- ensure officials have sufficient time to work with relevant agencies to identify and evaluate legislation that may be suitable for exemption, using the proposed framework
- ensure a consistent approach is taken when considering what legislation should be proposed for exemption via the initial Notice
- give effect to Cabinet’s agreement that *the Ministry for Regulation work in consultation with agencies while the Regulatory Standards Bill is before the House to develop an initial list of exemptions that could be included in a Notice to be issued as soon as the Bill comes into force* (CAB25-MIN-0148 refers).

Purpose

Summary of proposed approach

At a high level, this approach will involve the Ministry for Regulation (the Ministry) engaging with agencies over the next two months to identify candidate legislation for exemption. This work will then inform a Cabinet decision, which will be sought once the Bill is passed. We will use the exemptions framework we agreed with you as the basis for our engagement with agencies. A detailed outline is attached as **Appendix One**.



This approach will:

- make more efficient use of Cabinet time by seeking a single approval, once the Bill is passed
- provide agencies with time to undertake a review of all legislation for which they are responsible, and identify potential candidates for exemption using a consistent framework, within the timeframe agreed by Cabinet
- provide the Ministry with sufficient time to assess information provided by agencies and provide you with advice.

We propose that the framework be provided to Cabinet as background information to support understanding of the rationale for identified exemptions in the final Notice.

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Appendix One: Details of revised proposed approach	
<p>September /Early October</p>	<p>Undertake direct engagement with agencies who hold responsibility for primary legislation (both core crown and the small number of other responsible agencies, for example the Reserve Bank) to:</p> <ul style="list-style-type: none"> • Identify if any adjustments are needed to the framework to support consideration of possible exemptions. We anticipate our communications to agencies will note that the framework has been developed by the Ministry to assist in developing future advice and does not preclude final decisions • Ask them to identify legislation (as precisely as possible, including specific empowering provisions for making secondary legislation where appropriate) they administer that they consider may be suitable candidates for exemption, with reference to the proposed framework <ul style="list-style-type: none"> ○ If they identify legislation they consider should be exempted that does not have a corresponding ground in the framework, agencies would be expected to provide a clear alternative logic for why they should be excluded. <p>This should include legislation where they administer the primary legislation and other non-core-crown agencies are the makers of secondary legislation.</p> <p>We do not intend to provide agencies detailed feedback on candidate legislation identified at this stage. We'd instead seek to do this as part of the process of developing the Notice for Cabinet consideration later in 2025 following passage of the Bill.</p> <p>Note that although we intend to engage directly with agencies which hold responsibility for primary legislation, we expect them to in turn engage with makers of secondary legislation outside the core crown as part of this process in order to gather information.</p>
<p>October</p>	<p>The Ministry considers candidate legislation, seeks clarification from agencies on any areas of uncertainty, and develops advice to you.</p>
<p>November</p>	<p>The Ministry provides you a draft Cabinet paper identifying exemptions for your consideration.</p>

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Late November, following passage of the Bill	Draft Cabinet paper and Notice is circulated to agencies and Ministers for comment and any further advice you may require is developed and provided.
December, or early 2026, following passage of the Bill	Cabinet consideration of draft Notice.
First quarter 2026, following entry into force	Notice is presented to the House for affirmative resolution procedure ahead of entry into force of Part 2 of the Bill.
<i>Note our timing for Ministerial consultation makes some assumptions on when the Bill may progress through the remaining stages of the legislative process. Our timing will be adjusted to align with the Bill's progression as necessary.</i>	