



To	Hon David Seymour, Minister for Regulation		
Title	Regulatory Standards Bill: draft templates to support implementation of the RSB	Number	MFR2025-268
Date	30 October 2025	Priority:	Medium
Action Sought	Agree to the recommendations	Due Date	4 November 2025
Contact Person	Harry Chapman, Lead Advisor, Regulatory Policy Design	Phone	§ 9(2)(a)
Contact Person	Charlotte Temple-Camp, Senior Advisor, Regulatory Management System	Phone	§ 9(2)(a)
Contact Person	Pip van der Scheer, Manager, Regulatory Management System	Phone	§ 9(2)(a)
Attachments	Yes	Security Level	IN CONFIDENCE

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by events |
| <input type="checkbox"/> See Minister's notes | <input type="checkbox"/> Withdrawn |

Comments



Executive Summary

This briefing provides draft templates to support the objectives of the Regulatory Standards Bill (RSB). In particular, they aim to support embedding the principles of responsible regulation into the policy and legislation development process, in a proportionate manner, and to support scrutiny of Consistency Accountability Statements (CASs). It follows your decisions on briefing MFR2025-246.

The first template is for a summary of analysis at Cabinet policy decisions stage, focussed on exposing problem definition, options analysis and cost-benefit analysis for regulatory proposals, as well as any other inconsistencies with the principles of responsible regulation that are identified at this stage. This would replace the current Regulatory Impact Statement (RIS) template.

The remainder of the templates are for:

- CAS and supporting analysis for regulatory proposals,
- CAS and supporting analysis for existing legislation.

We also recommend that a requirement is set for CAS and supporting analysis to be published on agencies websites, in line with guidelines set by the Ministry for Regulation (the Ministry) to ensure accessibility and consistency.

This briefing also provides a suite of A3s illustrating the current system in comparison to the proposed system (once the Regulatory Standards Bill is passed, and additional requirements are set through a new Cabinet Circular). We would like to use these A3s to discuss the broad approach we are proposing for the new system, at our meeting with you on Tuesday 4th November.

We have considered an alternative approach for the new system – one where the provisions of the RSB standalone (i.e., there are no Cabinet circulars setting additional requirements). We set out in this briefing the primary reasons why we do not recommend this alternative approach.

Recommended Action

We recommend that you:

Template for analysis at the Cabinet policy decisions stage

- | | | |
|--|---|--------------|
| a | note you have agreed for analysis to be submitted to Cabinet when it makes policy decisions, to embed the RSB's principles in the policy making process and support the later production of CASs | <i>Noted</i> |
| b note we have developed a streamlined Regulatory Analysis Summary (RAS) template to replace the current RIS template, and we have focussed on: | | |
| i) | Cutting the template down as much as possible, so agencies focus on the essential components only | <i>Noted</i> |
| ii) | Shifting the template to providing a <i>summary</i> of analysis only | |



- iii) Incorporating the good law-making principles of the Bill and including other prompts relating to the other principles
 - iv) Improving the cost-benefit analysis section to make it clearer and encourage the monetisation of impacts
- c **note** the Ministry will set expectations that completed RAS should be no longer than 20 pages, a substantial reduction from an average size of 40 pages for RISs (in 2024) *Noted*
- d **agree** to provide feedback on the attached draft RAS template – see Appendix 1. *Agree / Disagree*
- Templates for Consistency Accountability Statements**
- e **note** that the RSB requires CASs to be produced for qualifying new regulatory proposals and existing legislation, certifying that the legislation has been assessed for consistency with the principles of responsible regulation, and identifying any inconsistencies *Noted*
- f **note** you agreed in principle [MFR2025-246] for a Cabinet circular to set a requirement that CASs for new regulatory proposals which go to Cabinet are accompanied by a short summary of the consistency analysis ('CAS supporting analysis') to enable scrutiny of CAS. *Noted*
- g **agree** that, similarly, CASs for new regulatory proposals which do not go to Cabinet and CASs for existing legislation should be accompanied by CAS supporting analysis *Agree / Disagree*
- h **agree** that agencies should use a Ministry-provided template for the CAS supporting analysis *Agree / Disagree*
- i **agree** to provide feedback on the attached draft CAS templates and CAS supporting analysis templates for new regulatory proposals and existing legislation – see Appendix 2 and 3 *Agree / Disagree*
- j **agree** that the Cabinet circular should set a requirement that CAS and CAS supporting analysis are to be published on agencies websites, in line with guidelines set by the Ministry for Regulation. *Agree / Disagree*
- k **discuss** with officials the broad approach for the new system at your meeting on 4 November 2025, with reference to the attached A3s – see Appendix 4 *Agree / Disagree*



- I **agree** that the Ministry for Regulation release this briefing in full once Cabinet decisions have been made and the circular published. *Agree / Disagree*

s 9(2)(a)

Pip van der Scheer
Manager, Regulatory Management System
Ministry for Regulation
Date: 30 October 2025

Hon David Seymour
Minister for Regulation

Date:



Purpose of Report

1. This briefing provides the following for your feedback:
 - a draft template of the new Regulatory Analysis Summary (RAS) (to replace the Regulatory Impact Statement (RIS) template) – **Appendix 1**.
 - draft templates for Consistency Accountability Statements (CASs) and supporting analysis, for proposed and existing legislation – **Appendices 2 and 3**.
2. This briefing also attaches a suite of A3s on the current system versus the proposed new system, to support a discussion with you on Tuesday 4th November on the broad approach – **Appendix 4**.

Background

3. In briefing [MFR2025-246] you agreed that, to support effective implementation of the RSB, analysis should continue to be required at the Cabinet policy decisions stage. This would aim to embed the principles of responsible regulation into the policy system and increase the likelihood that the principles will influence the design of policy and legislation as it is developed. It would also capture analysis that is already contemplated by the RSB principles – particularly in relation to problem definition, options analysis, and cost-benefit analysis.
4. You also agreed that, at legislation approval stage, LEG Committee should be provided with CASs accompanied by a short summary of the underpinning analysis.
5. We expect that much of the analysis provided at Cabinet policy decision stage will flow through to the CAS supporting analysis at the legislation approval stage. For example, to demonstrate consistency with the good law-making principles, we would expect the CAS supporting analysis to provide a link to the earlier material provided to Cabinet, which should set out a compelling case for change and justification for regulatory intervention.

Template for analysis at the Cabinet policy decisions stage

6. We have developed a draft template for analysis at the Cabinet policy decisions stage. This is attached at **Appendix 1**. In developing the draft RAS template, we have:
 - **Aligned the template with the RSB's principles**, primarily the good law-making principles but we have also included a prompting question regarding any inconsistencies identified with the wider principles of the RSB.
 - **Cut the template down as much as possible**, so agencies focus on the essential components only.
 - **Reframed the RAS as a summary only**, in order to support concise final products.
 - **Improved the section on cost-benefit analysis (CBA) to address common shortcomings**, such as frequently including vague 'high', 'medium' and 'low' impacts in the absence of monetisation or even quantification, the conflation of CBA and distributional analysis, and 'double counting' of impacts.



7. We have drawn on the expertise of the Ministry's economics team to develop the template's CBA section, where we now have a separate CBA table and distributional effects table, and a clearer expectation for monetised (or at least quantified) impacts.
8. Despite recent changes to the RIS template, which introduced the coversheet, RISs are still too long and not accessible for Ministers. To reinforce the need to shorten analysis, the Ministry will set an expectation that RASs are no longer than 20 pages, a substantial reduction from the current average of 40 pages for RISs (in 2024) and, in some cases, RISs exceeding 100 pages.

Templates for CASs and supporting analysis

9. Clause 5 of the RSB defines a CAS as a statement from the chief executive of the responsible agency that:
 - confirms that the agency has reviewed the Bill, Government amendment, or proposed secondary legislation – and (for proposed legislation only) its process for developing it – for consistency with the principles, and
 - summarises any inconsistency with the principles that is identified in the review.
10. You agreed in principle that CASs for proposed legislation that are approved by Cabinet be accompanied by a summary of agencies' consistency assessment (MFR2025-246). This will mean that agencies need to 'show their working' – and enable easier scrutiny of the robustness of agencies' assessments – including by the Regulatory Standards Board, the Ministry, and regulated parties. We would expect agencies to already be undertaking and recording the basis of their assessment of consistency for internal purposes, and therefore the additional cost to agencies of this proposed requirement should be minimal.
11. We recommend that this agreement is extended to the following types of legislation, for the same reasons:
 - CAS for existing legislation
 - CAS for regulatory proposals that do not go to Cabinet.
12. We also recommend that the Ministry provides a template for the summary of consistency analysis – to lower the costs of the new regime, and support ease of access and improved transparency of the analysis.
13. Draft templates for CAS and supporting analysis, for proposed and existing legislation, are attached as **Appendices 2 and 3**. We will continue to refine these, including to incorporate any feedback that you have.
14. We have developed separate templates for proposed and existing legislation as the RSB sets out different requirements for each when being reviewed for consistency with the principles. Clause 20 modifies the good law-making principles for a review of existing legislation by:
 - clarifying that the consultation and implementation principles do not apply, and
 - modifying the language of other good law-making principles to allow the responsible agency to consider matters based on the events that have occurred since the legislation came into force.



15. The draft CAS templates cover the statutory requirements of the RSB only and are intended to be included as part of the clause 27 guidance issued by you and the Attorney-General. We intend for the draft templates for the CAS supporting analysis to be issued through the proposed Cabinet Office circular.
16. Although we do not intend on providing a template for the Ministerial/Maker Reasons Statement, we consider that the Reasons Statement should be packaged with the CAS and the CAS supporting analysis when these documents are provided to decision-makers and subsequently published. This could be achieved through a combination of the new Cabinet circular and Ministry-produced guidance.

Enabling proportionate analysis

17. We have designed the templates so that analysis can be proportionate to the complexity of the proposal (and can further support this through guidance). We think that this approach will be more efficient and effective than one which involves a larger range of templates to account for differing complexity or nature of regulatory proposals.
18. For proposals that intend to simplify or remove unnecessary compliance costs from regulatory systems, CAS supporting analysis should be particularly straightforward to complete. This is because we would anticipate that consistency with the bulk of the principles would be high, or the principles would not apply, and the templates enable limited information to be included where that is the case. Our guidance can also support agencies to report lightly in those cases, reducing the overall burden.
19. As we are proposing that the vehicle to require the RAS and CAS supporting analysis templates is a new Cabinet Circular, these would only apply to those agencies subject to Cabinet direction (e.g. Public service departments). The templates (and any associated expectations) could act as best practice for agencies that are not subject to Cabinet direction (e.g. local government), which would also enable them to adopt more streamlined practices where appropriate.

Publication of CAS and supporting analysis

20. We recommend setting a requirement in the Cabinet circular that CASs, Reasons Statements, and CAS supporting analysis be published on the responsible agency's website, in accordance with guidelines set by the Ministry.
21. The RSB sets some requirements for the publication of CASs and Reasons Statements, but these vary depending on the type of legislation the CAS relates to. Given these differing requirements, we consider it would be useful to standardise publication through a non-statutory mechanism. This would bring together the publication of relevant material, making the information more accessible to the Ministry, the Regulatory Standards Board, and the public.
22. The specific guidelines set by the Ministry are to be developed, but may include (for example):
 - publication of CASs, Reasons Statements and summary of consistency assessment analysis on one agency website page dedicated to the material, to create a register



- accessibility requirements, including to facilitate future use of technology to collate relevant legislative material in one place
 - notifying the Ministry when the material is published.
23. We would seek to align guidelines where applicable with standards set or used by Parliamentary Counsel Office (PCO). This proposed approach is intended to support PCO's intended use of technology – subject to funding availability – to automatically draw together material related to legislation.

Alternative approach

24. We considered an alternative approach from that proposed in this Briefing, where the provisions in the Regulatory Standards Act are standalone (i.e., there are no Cabinet circulars setting additional requirements, including for analysis as Cabinet policy decisions stage). We do not recommend this approach, primarily on the basis that:
- this approach would not support a focus on problem definitions, options analysis (including deregulatory options) and cost-benefit analysis at the point in the system where the analysis can influence policy and legislation design
 - the RSB requires that this type of analysis is undertaken, if legislation is to be assessed as consistent with principles of responsible regulation. Therefore, without Ministry-established templates, we expect the proliferation of varying templates/documents across agencies as they seek to establish their own systems and processes to support compliance with the Bill. We see efficiency gains from having templates established at the central agency level, and well as these ensuring specific analysis occurs (for example, that the options analysis includes an option where all regulation is removed, i.e. a 'deregulatory option').
 - a lack of transparent analysis at policy decisions stage and legislation approval stage would impact on the Ministry's ability to:
 - monitor compliance with the good law-making principles;
 - provide second-opinion advice on regulatory proposals; and
 - support the Regulatory Standards Board in a cost-effective manner.

Risks

25. There is likely to be a heightened level of public interest in changes to the RIA system in light of the connection to the RSB.
26. We have not yet been able to undertake consultation with other government agencies. We intend to consult agencies later in the process once a draft Cabinet paper has been prepared.

Next Steps

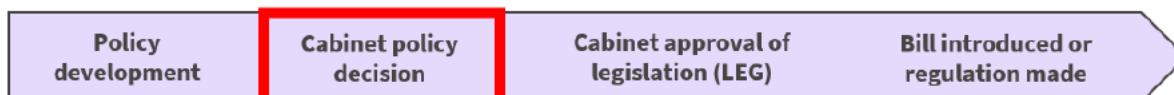
27. Subject to your feedback on the draft templates, we will provide advice on the scope of the requirements for RAS (i.e. the exemption grounds), and other decisions needed for a draft



Cabinet paper. We will then draft a Cabinet paper seeking approval to the policy decisions for a new Cabinet circular.

28. Cabinet decisions in 2025 would be preferable to support implementation of the RSB and to give agencies as much notice as possible. However, the ultimate timing of the Cabinet proposal is subject to the passage of the RSB through the House.
29. We will engage with the Cabinet Office on how best to incorporate the requirements proposed for the new Cabinet circular into the Cabinet and Cabinet Legislation Committee paper templates and other Cabinet Office material.

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Regulatory Analysis Summary: [Proposal title]

Decision sought	[eg, analysis produced for the purpose of informing: final/in-principle Cabinet decisions, the release of a discussion document, etc.]
Agency responsible	[Insert name of responsible agency]
Portfolio Minister(s)	[Insert Ministerial Portfolio]
Date finalised	[Insert date finalised]
Ministry for Regulation tracking number	

Brief description of the Minister's regulatory proposal	
Summary of the policy problem or problem definition	
Summary of the main benefits of the Minister's proposal	
Summary of the main costs of the Minister's proposal	
In relation to the Minister's proposal:	
• Does the RAS indicate that the benefits are likely to outweigh the costs?	Yes / no

• Is it the same as the preferred option in this RAS?	Yes / no
• Have any potential inconsistencies with the principles of responsible regulation in the Regulatory Standards Act been identified?	Yes / no [if yes, specify which principle(s)]

I am satisfied that, given the available evidence, this RAS represents a reasonable view of the likely costs, benefits and impact of the preferred option.

Responsible Manager(s) signature: _____

[Insert Manager's name]

[Insert Manager's title]

[Insert date]

Quality Assurance Statement	
Reviewing [Agency/Agencies]:	QA rating: [Meets, partially meets, does not meet]
Panel Comment:	

Section 1: Diagnosing the policy problem or issue

Refer to the principle in 8(j)(i)-(iii) in the Regulatory Standards Act

What is the policy problem or opportunity?

1. *Identify the market failure and explain why government intervention is required.*
2. *Include within this section analysis on the effectiveness of any relevant existing legislation and common law, and whether the public interest requires that the issue be addressed.*
3. [enter text here – use the ‘Numbered paragraph’ style]

What objectives are sought in relation to the policy problem?

4. [enter text here – use the ‘Numbered paragraph’ style]

Refer to the principle in 8(i) in the Regulatory Standards Act

What external consultation has been undertaken?

5. *Have you consulted, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation?*

Section 2: Assessing options to address the policy problem

Refer to the principle in 8(j)(iv) in the Regulatory Standards Act

What criteria will be used to compare options with the status quo?

6. [enter text here – use the ‘Numbered paragraph’ style]

What scope will options be considered within?

7. [enter text here – use the ‘Numbered paragraph’ style]
- 8.

What options are being considered?

9. *Indicate clearly which is being proposed by the Minister.*

Option One – [Status Quo / Counterfactual]

10. Include information on how the status quo is expected to develop (the counterfactual).

Option Two – Deregulatory option

11. Where there is existing regulation, analyse the impacts of removing it.

Option Three – [*Option title*]

12. [enter text here – use the ‘Numbered paragraph’ style]

Option # - [*Option title*]

13. [enter text here – use the ‘Numbered paragraph’ style]

How do the options compare with the status quo/counterfactual?

Indicate clearly which option is being proposed by the Minister in the Cabinet paper.

	Option One – [Status Quo / Counterfactual]	Option Two – Deregulatory option [where there is existing regulation]	Option Three – [Option title]	Option # - [Option title]
Effectiveness	0			
Efficiency	0			
Proportionality	0			
[Criterion title]	0			
Overall assessment	0			

Refer to the principle in 8(l) in the Regulatory Standards Act

What option is the most effective, efficient, and proportionate response to the problem?

14. Is the Minister's preferred option in the Cabinet paper the same as the agency's preferred option?
15. [enter text here – use the 'Numbered paragraph' style]

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Section 3: Cost-benefit analysis

Refer to the principle in 8(k) in the Regulatory Standards Act

What are the additional costs and benefits of the preferred option in the Cabinet paper?

16. *Note: if the agency’s preferred option differs from the proposal in the Cabinet paper then duplicate the cost-benefit analysis for the agency’s preferred option too.*
17. *These additional impacts should be assessed compared with a clearly identified counterfactual (i.e. your best guess of what would happen if no action was taken).*
18. *It is important to avoid double counting in your CBA. E.g., it is double counting to include as benefits both the money a government department receives and what it spends its money on.*
19. *In addition, where one of the impacts of the proposal is a ‘transfer’ where benefits received by one party also appears as a cost for another party, then the transfer should be removed from this table (but should be included in the distributional table).*

Nature of the benefit/cost to New Zealand	Dollar value of impact (or quantified impact)	Unquantifiable impact	Nature of impact – one-off or ongoing	Source of evidence
Additional benefits of the preferred option compared with taking no action				
Benefit 1				
Benefit 2				
Benefit 3				
<i>Insert additional benefit rows as necessary</i>				
Total annual benefits				

Total one-off benefits				
Additional costs of the preferred option compared with taking no action				
Cost 1				
Cost 2				
Cost 3				
Implementation costs				
Ongoing administrative costs				
<i>Insert additional benefit rows as necessary</i>				
Total annual costs				
Total one-off costs				
Net impacts compared with taking no action				
Total annual benefits minus costs				
Total one-off benefits minus costs				

Are the benefits of the preferred option in the Cabinet paper expected to exceed the costs?
20. In this section, you will need to compare the net monetised benefits with the unquantifiable benefits and costs, and draw a conclusion as to whether benefits exceed costs (with reasoning).

Refer to the principle in 8(j)(v) in the Regulatory Standards Act

What are the impacts on different groups compared with taking no action?

Affected groups	Dollar value of impact (or quantified impact)	Unquantified impact	Source of evidence

What (if any) potential inconsistencies with the principles of responsible regulation in the Regulatory Standards Act been identified in relation to the Minister’s proposal?

21.

Section 4: Delivering an option

Refer to the principle in 8(ja) in the Regulatory Standards Act

What arrangements are there for implementing the legislation?

22. [enter text here – use the ‘Numbered paragraph’ style]

How will the proposal be monitored, evaluated, and reviewed?

23.

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Consistency Accountability Statement: [Title of proposal]

Issued under section 27 Regulatory Standards Act 2025

Legislative proposal	[Insert title of Bill, Government amendment, or proposed secondary legislation]
Agency responsible	[Insert name of responsible agency]
Portfolio Minister(s)	[Insert Ministerial Portfolio]
Date finalised	[Insert date finalised]
Ministry for Regulation tracking number	

Statement of Review

I confirm that [agency name] has assessed the above legislation, and the process for developing it, for consistency with the principles of responsible regulation as set out in section 8 of the Regulatory Standards Act 2025.

[DELETE ONE: This assessment identified no inconsistencies with the principles of responsible regulation (*delete the following table*) OR

This assessment identified the following inconsistencies with the principles of responsible regulation: (*add/delete rows as required*)

Principle	Relevant provisions
Summary of inconsistency	
Summary of inconsistency	
Summary of inconsistency	
Summary of inconsistency	

[Empty rectangular box]

[Signature block]

[Name]

[Job title of the chief executive or approved delegate]

[Agency name]

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Consistency Accountability Statement: [Title of legislation reviewed]

Issued under section 27 Regulatory Standards Act 2025

Legislation assessed	[Insert title of Act or secondary legislation and version]
Agency Name	[Insert name of responsible agency]
Date	[Insert date finalised]
Portfolio	[Insert Ministerial Portfolio]
MFR Tracking number	

Statement of Review

I confirm that [agency name] has assessed the above legislation for consistency with the principles of responsible regulation as set out in section 8, and modified by section 20, of the Regulatory Standards Act 2025.

[DELETE ONE: This assessment identified no inconsistencies with the principles of responsible regulation (*delete the following table*) OR

This assessment identified the following inconsistencies with the principles of responsible regulation: (*add/delete rows as required*)

Principle	Relevant provisions
Summary of inconsistency	
Principle	Relevant provisions
Summary of inconsistency	

[Signature block]

[Name]

[Job title of the chief executive or approved delegate]

[Agency name]

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Summary of Consistency Assessment: [Title of proposal]

Legislation assessed	[Insert title of legislation]
Agency responsible	[Insert name of responsible agency]
Portfolio Minister(s)	[Insert Ministerial Portfolio]
Date finalised	[Insert date finalised]

Good law-making: 8(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Good law-making: 8(j)

The importance of carefully evaluating— <ul style="list-style-type: none"> • the issue concerned; and • the effectiveness of any relevant existing legislation and common law; and • whether the public interest requires that the issue be addressed; and • any options (including non-legislative options) that are reasonably available for addressing the issue; and • who is likely to benefit, and who is likely to suffer a detriment, from the legislation [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

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Good law-making: 8(ja)

The importance of the responsible agency identifying and developing effective arrangements for implementing the legislation [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Good law-making: 8(k)

Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	
[Link to guidance]	

Good law-making: 8(l)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Rule of Law: 8(a)(i)

The law should be clear and accessible [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Rule of Law: 8(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Rule of Law: 8(a)(iii)

Every person is equal before the law [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Rule of Law: 8(a)(iv)

There should be an independent impartial judiciary [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Rule of Law: 8(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Liberties: 8(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person [Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]

Summary of agency analysis

Taking of property: 8(c)

<p>Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless-</p> <ul style="list-style-type: none"> • there is a good justification for the taking or severe impairment; and • fair compensation for the taking or severe impairment is provided to the owner; and • the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment <p>[Link to guidance]</p>	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Taxes, fees and levies: 8(d)

<p>The importance of maintaining consistency with section 22(a) of the Constitution Act 1986 (Parliamentary control of taxation)</p> <p>[Link to guidance]</p>	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Taxes, fees and levies: 8(e)

<p>Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates</p> <p>[Link to guidance]</p>	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Taxes, fees and levies: 8(f)

<p>Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both—</p>	
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<ul style="list-style-type: none"> the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and the costs of efficiently achieving the objective or providing the function 	
[Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Role of courts: 8(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation	
[Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Role of courts: 8(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review	
[Link to guidance]	
Inconsistency identified?	[YES/NO/NOT APPLICABLE]
Summary of agency analysis	

Additional information

Relevant publicly available inquiry, review, or evaluation reports
<i>[Provide links to any published reviews or evaluation reports informing the policy]</i>

Relevant international treaties, standards and obligations
<i>[Identify any relevant international treaties, standards or obligations the legislation needs to give effect to or comply with and provide links]</i>

Departures from the Legislation Guidelines
<i>[Provide information on departures from principles set out in Legislation Guidelines not captured by the RSB principles above]</i>

Other unusual provisions or features

[Provide information on any other provisions regarded as unusual or which call for specific comment. Identify provisions, explain the nature and purpose and why provisions are necessary]

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Summary of Consistency Assessment: [Title of legislation reviewed]

Legislation assessed	[Insert title of legislation]
Agency responsible	[Insert name of responsible agency]
Portfolio Minister(s)	[Insert Ministerial Portfolio]
Date finalised	[Insert date finalised]

Good law-making: 8(j)

The importance of carefully evaluating—

- the issue concerned; and
- the effectiveness of any relevant existing legislation and common law; and
- whether the public interest requires that the issue be addressed; and
- any options (including non-legislative options) that are reasonably available for addressing the issue; and
- who is likely to have benefited, and who is likely to have suffered a detriment, from the legislation

[\[Link to guidance\]](#)

Inconsistency identified? [YES/NO/NOT APPLICABLE]

Summary of agency analysis

Good law-making: 8(k)

The legislation has produced benefits that exceed the costs of the legislation to the public or persons

[\[Link to guidance\]](#)

Inconsistency identified? [YES/NO/NOT APPLICABLE]

Summary of agency analysis

Good law-making: 8(l)

Legislation is still the most effective, efficient, and proportionate response to the issue concerned that is available

[\[Link to guidance\]](#)

Inconsistency identified? [YES/NO/NOT APPLICABLE]

Summary of agency analysis

Rule of Law: 8(a)(i)

The law should be clear and accessible

[Link to guidance]

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Rule of Law: 8(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively

[Link to guidance]

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Rule of Law: 8(a)(iii)

Every person is equal before the law

[Link to guidance]

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Rule of Law: 8(a)(iv)

There should be an independent impartial judiciary

[Link to guidance]

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Rule of Law: 8(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion
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[Link to guidance]

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

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Liberties: 8(b)

Legislation should not unduly diminish a person’s liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person

[\[Link to guidance\]](#)

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Taking of property: 8(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless-

- there is a good justification for the taking or severe impairment; and
- fair compensation for the taking or severe impairment is provided to the owner; and
- the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment

[\[Link to guidance\]](#)

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Taxes, fees and levies: 8(d)

The importance of maintaining consistency with section 22(a) of the Constitution Act 1986 (Parliamentary control of taxation)

[\[Link to guidance\]](#)

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Taxes, fees and levies: 8(e)

Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates

[\[Link to guidance\]](#)

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Taxes, fees and levies: 8(f)

Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both—

- the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and
- the costs of efficiently achieving the objective or providing the function

[\[Link to guidance\]](#)

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Role of courts: 8(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation

[\[Link to guidance\]](#)

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Role of courts: 8(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review

[\[Link to guidance\]](#)

Inconsistency identified?	[YES/NO/NOT APPLICABLE]
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Summary of agency analysis

Additional information

Relevant publicly available inquiry, review, or evaluation reports

[Provide links to any published reviews or evaluation reports informing the policy]

Relevant international treaties, standards and obligations

[Identify any relevant international treaties, standards or obligations the legislation needs to give effect to or comply with and provide links]

Information on external consultation

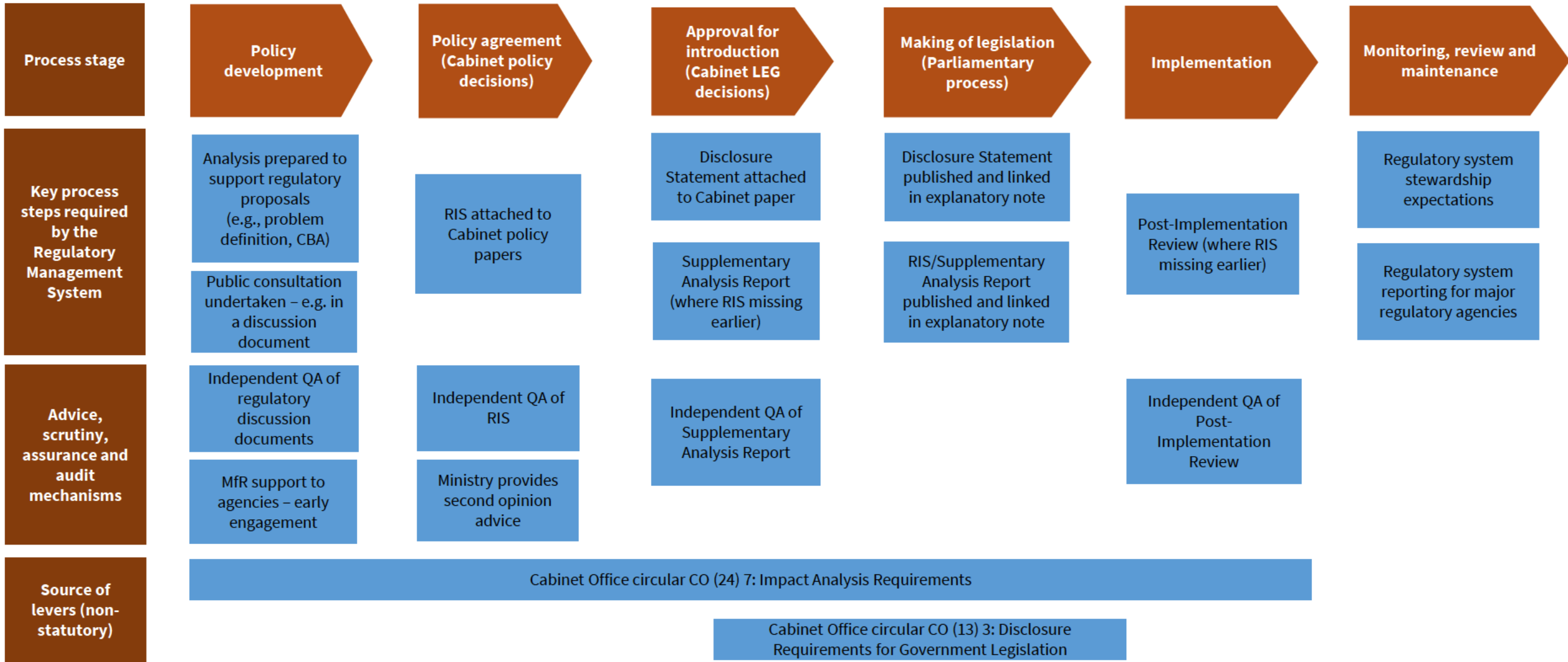
[Provide information on any external consultation undertaken to support assessment against the good law-making principles]

Contribution of other agencies

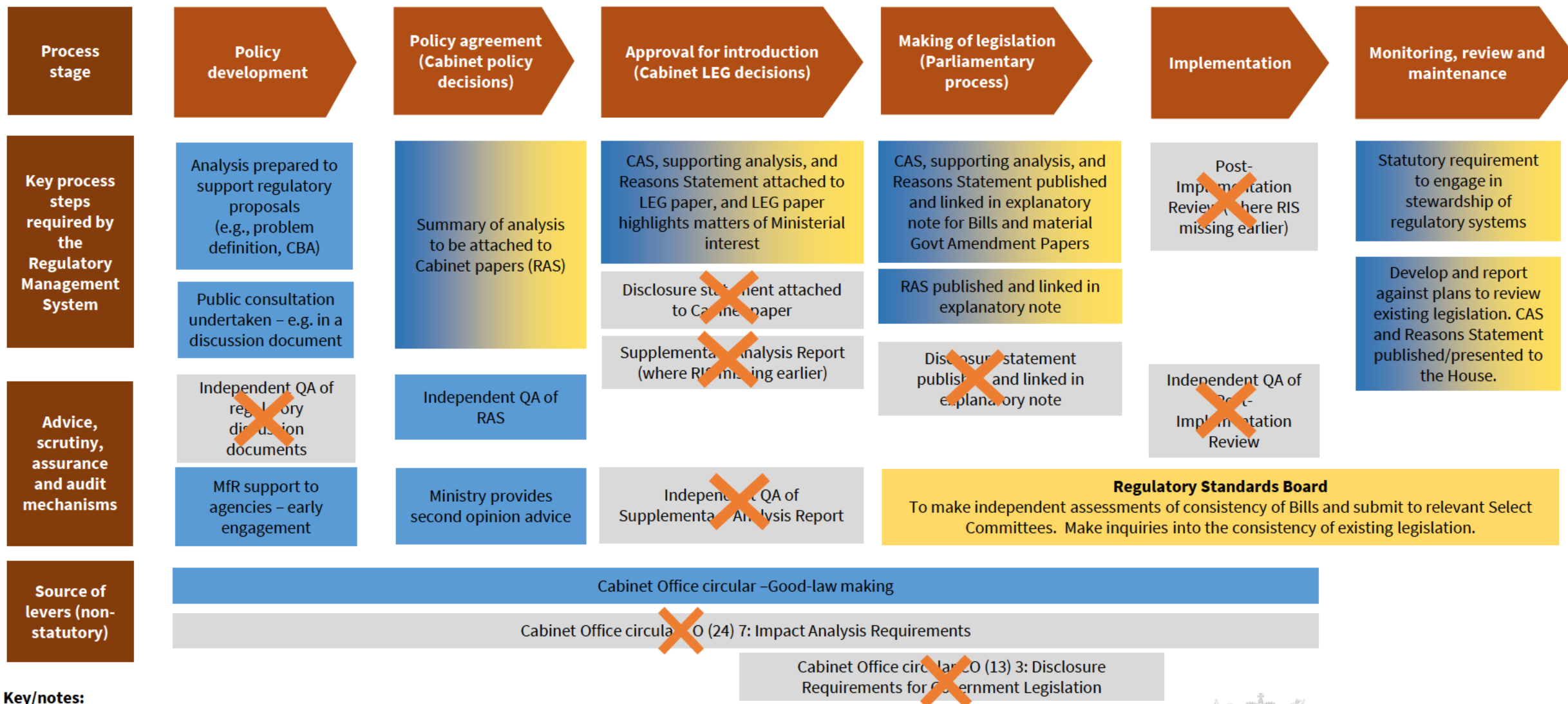
[Include here any other agencies involved in the completion of the review, the CAS or the supporting analysis]

DRAFT

Current system: pathway for primary legislation



Proposed system: pathway for primary legislation (showing deleted features)



Key/notes:

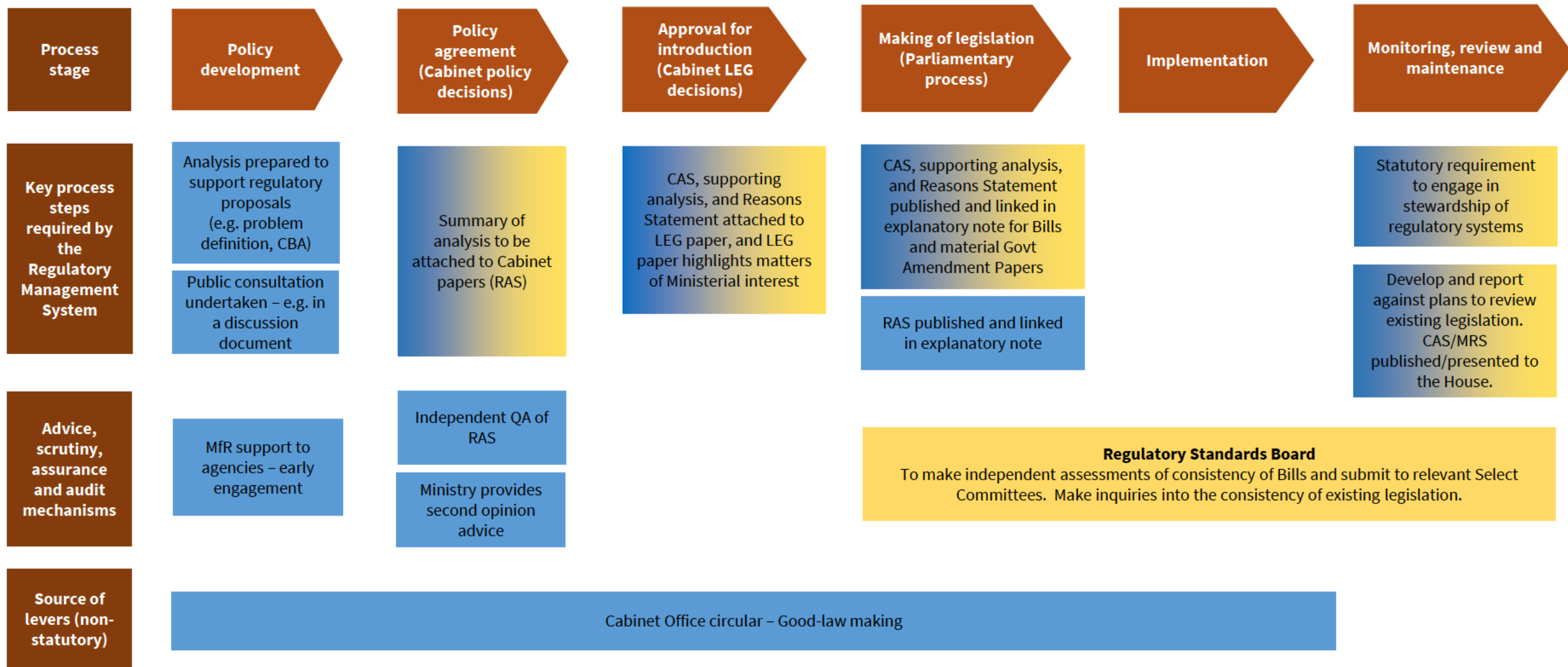
- Yellow boxes are requirements under the RSB
- Blue boxes are a substitution of the existing RIA and Disclosure Statement systems with a new system
- Yellow/blue boxes indicate where features of the current regime have been amended to align with the RSB



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Proposed system: pathway for primary legislation



Key/notes:

- Yellow boxes are requirements under the RSB
- Blue boxes are a substitution of the existing RIA and Disclosure Statement systems with a new system
- Yellow/blue boxes indicate where features of the current regime have been amended to align with the RSB



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