



Update and further decisions on exclusions to the Regulatory Standards Act

Date:	11 December 2025	Priority:	Medium
Security classification:	In confidence	Tracking number:	MFR2025-332
Attachments:	Annex 1: Initial list of legislation for exemption Annex 2: Examples of legislation that would fall into an open category for legislation responding directly to an emergency Annex 3: Examples of legislation to support decisions that will enable further potential exclusions to be identified		

Action sought

Required from	Action	Deadline
Hon David Seymour Minister for Regulation	Agree to recommendations	18 December 2025

Contact for telephone discussion (if required)

Name	Position	Phone number	1 st contact
Matt Macfarlane	Senior Advisor, Regulatory Management System	s 9(2)(a)	<input type="checkbox"/>
Pip van der Scheer	Manager, Regulatory Management System	s 9(2)(a)	<input checked="" type="checkbox"/>

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 Withdrawn |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



Update and further decisions on exclusions to the Regulatory Standards Act

Date:	11 December 2025	Priority:	Medium
Security classification:	In confidence	Tracking number:	MFR2025-332

Executive summary

1. In September you agreed to a draft framework and process for identifying exclusions from the requirements of the Regulatory Standards Act 2025 via an initial notice (MFR2025-235 refers).
2. Section 7 of the Act provides for you to issue notices with the approval of the House to exclude some Bills and legislation entirely from the provisions of the Act.
3. The framework provided for four categories of legislation that could be considered for exclusion:
 - *Category 1:* Legislation directly responding to a declared emergency.
 - *Category 2:* Legislation necessary to directly give effect to agreements entered into by the Crown (e.g. Treaty Settlement matters not already exempted by the Act, or international obligations).
 - *Category 3:* Legislation for which consistency assessment and review requirements would be an inappropriate intrusion of the executive into Parliamentary, judicial or other independent affairs.
 - *Category 4:* Legislation for which consistency assessment and review requirements are not cost-effective or valuable.
4. The intent was that this framework would be used to identify either general types of legislation or specific legislation that should be excluded from the requirements of the Act. The resulting notice would then be made up of a combination of:
 - ‘open’ categories of legislation, where any legislation that fits within that category would be excluded
 - a list of specific legislation (or parts of legislation) that would be excluded.
5. Following your agreement to the framework, we contacted public service agencies that administer primary or secondary legislation and asked them to identify legislation that they considered should be excluded, in line with the framework. We also asked them to engage with any organisations that are empowered to make secondary legislation under Acts they administer (e.g. Crown entities) to identify any further legislation for potential exclusion.
6. As expected, agencies identified significant amounts of legislation that they proposed should be excluded via a notice. For the most part, these proposed exclusions were well-aligned with the exclusion categories in the draft framework. However, the exercise identified a number of areas where further clarification of these categories is needed for us



to provide you with final advice, and/or where we need to re-engage with specific agencies to seek further information.

7. This briefing therefore:
 - seeks your agreement to include in the notice an initial tranche of specific pieces of legislation that we have identified as clearly falling within the exclusion categories in the framework (set out in **Annex 1**)
 - seeks your agreement to include in the notice an open category of legislation that directly responds to declared emergencies (**Annex 2** provides examples of what specific legislation would likely fit within this category)
 - recommends further clarifications to the exclusion categories to enable us to finalise a further tranche of potential exclusions for your consideration (**Annex 3** provides some examples to support your consideration of our recommendations)
8. We expect to provide you with a draft Cabinet Paper and complete list of recommended exclusions in February 2026.



Recommended actions

The Ministry for Regulation recommends that you:

Proposed exclusions identified as consistent with the exclusions framework

- | | | |
|---|---|-------------------------|
| a | agree to the initial tranche of proposed exclusions set out in Annex 1 | <i>Agree / Disagree</i> |
| b | agree that the notice should include an open category to exclude legislation that directly responds to declared emergencies under relevant statutory powers, rather than listing individual Acts, Bills or secondary legislation (<i>Category 1</i>) | <i>Agree / Disagree</i> |
| c | note that Annex 2 provides examples of what would fall within the proposed open category in b above | <i>Noted</i> |

Decisions to enable us to identify further potential exclusions

- | | | |
|---|--|-------------------------|
| d | agree to further clarify when legislation should be excluded on the basis that it directly gives effect to agreements entered into by the Crown (<i>Category 2</i>), which would involve: | |
| | i. broadening the exclusion to explicitly cover any specified existing legislation that is identified as necessary for New Zealand to meet its international commitments | <i>Agree / Disagree</i> |
| | ii. creating an ongoing exclusion for any future legislation that is identified as necessary to give effect to international agreements, or to ensure New Zealand meets its international commitments | <i>Agree / Disagree</i> |
| | iii. excluding specified legislation that supports implementation of agreements with iwi and hapū (e.g. pardon acts, reconciliation and vesting legislation) consistent with the treatment of Treaty Settlement legislation in the Act | <i>Agree / Disagree</i> |
| | iv. exempting legislation that gives effect to an agreement, such as a sale and purchase agreement, or agreements entered into via deed by the Crown | <i>Agree / Disagree</i> |



- e **agree** to further clarify when legislation should be excluded to avoid an inappropriate intrusion of the executive into Parliamentary, judicial or other independent affairs (*Category 3*), which would involve:
- i. excluding any legislation that sets procedures and decisions of non-judicial bodies that provide court-like functions, consistent with the current exclusion of court rules *Agree / Disagree*
 - ii. not excluding legislation solely on the basis that it is 'constitutional' in nature, given that this legislation often has significant implications for rights and liberties *Agree / Disagree*
 - iii. not excluding legislation solely on the basis that it is made by independent or autonomous Crown entities *Agree / Disagree*
- f **note** that **Annex 3** provides examples to support your decision-making on recommendations d and e above *Noted*
- g **note** that we are still working through agencies' proposed exclusions on the basis that consistency assessment and review requirements will not be cost-effective or valuable (*Category 4*) *Noted*

Additional exclusions

- h **agree** to two further broad exclusions to ensure consistency with current exclusions in the Act:
- i. secondary legislation that repeals or revokes spent legislation *Agree / Disagree*
 - ii. Orders in Council bringing legislation into force. *Agree / Disagree*

Next steps

- i **note** that the Electricity Authority, the Takeovers Panel and the Real Estate Authority have all sought broad exclusions on the basis that the requirements could significantly impede their operations *Noted*
- j **note** that we intend to seek further clarification from selected agencies, including Local Government New Zealand with respect to legislation made by councils *Noted*



- k **agree** that the Ministry for Regulation release this briefing subject to any necessary redactions under the Official Information Act 1982 at an appropriate time.

Agree / Disagree

s 9(2)(a)

Pip van der Scheer
Manager, Regulatory Management System
Ministry for Regulation
Date: 11 December 2025

Hon David Seymour
Minister for Regulation
Date:



Purpose of report

9. This briefing seeks your agreement to:
 - a. an initial tranche of legislation that we propose be excluded via notice from all the provisions of the Regulatory Standards Act
 - b. clarifications to the exclusion categories set out in the draft framework previously provided to you (MFR2025-235 refers), to enable us to provide a second tranche of proposed exclusions to you for consideration early in the new year.
10. It also sets out next steps for providing you with final advice on exclusions early in the new year, and on the subsequent process for approval by the House of Representatives for the initial notice.

Context

11. The Regulatory Standards Act 2025 (the Act) provides a mechanism for Bills, Acts and secondary legislation (or parts of Bills, Acts and secondary legislation) to be excluded from the requirements of the Act. Cabinet previously agreed that the Ministry would work with agencies to develop an initial list of legislation suitable for exemption via this mechanism (CAB25-MIN-0148 refers).
12. In September you agreed to a draft framework for assessing legislation for exclusion (MFR2025-235 *Regulatory Standards Bill – Proposed framework for considering exemptions* refers). The framework proposed that the following classes of legislation could be considered for exclusion:
 - a. Category 1: Legislation directly responding to a declared emergency.
 - b. Category 2: Legislation necessary to directly give effect to agreements entered into by the Crown (e.g. Treaty settlement matters not already exempted by the Act, or international obligations).
 - c. Category 3: Legislation for which consistency assessment and review requirements would be an inappropriate intrusion of the executive into Parliamentary, judicial or other independent affairs.
 - d. Category 4: Legislation for which consistency assessment and review requirements are not cost-effective or valuable.
13. The intent is that this framework would be used to identify either general types of legislation or specific legislation that should be excluded from the requirements of the Act. The resulting notice would then be made up of a combination of:
 - ‘open’ categories of legislation, where any legislation that fits within that category would be excluded
 - a list of specific legislation (or parts of legislation) that would be excluded.
14. Following your agreement to the framework, we contacted public service agencies that administer primary or secondary legislation and asked them to identify legislation that they considered should be excluded in line with the framework. We also asked them to engage with any organisations that are empowered to make secondary legislation under



Acts they administer (e.g. Crown entities) to identify any further legislation for potential exclusion.

15. As expected, agencies identified significant amounts of legislation that they proposed should be excluded in a notice. For the most part, these proposed exclusions were well-aligned with the exclusion categories in the draft framework. However, the exercise identified a number of areas where further clarification is needed for us to provide you with final advice, and/or where we need to re-engage with specific agencies to seek further information.

Proposed exclusions identified as consistent with the exclusions framework

Specific pieces of legislation that we propose are excluded

16. **Annex 1** sets out an initial tranche of proposed exclusions that we have identified as clearly falling within the exclusion categories in the framework, for your consideration.
17. Note that there will be other legislation that will similarly clearly fall within the current exclusion categories in the framework, but that is not yet included in Annex 1. We have taken a cautious approach at this point to avoid including any legislation in Annex 1 that we are not wholly confident should be excluded, to ensure a consistent approach is taken across all legislation proposed for exclusion.
18. One particular proposed exclusion in Annex 1 relates to all secondary legislation made by the Remuneration Authority, noting that you have made a previous decision not to exclude all legislation made by the Remuneration Authority in the Act. However, based on our further review of this legislation, we think that it would be inconsistent with Category 3 of the exclusions framework not to exclude the secondary legislation made by the Authority. This is because the Authority is an independent statutory body that determines the remuneration of office holders including the Governor-General, members of Parliament, judicial officers, and elected members of local authorities, and is therefore required to operate at arm's length to Parliament and the Executive (including Ministers). This recommended exclusion would not include the empowering primary legislation the Authority operates under (the Remuneration Authority Act 1977).

Proposed open category for exclusion of emergency legislation

19. We recommend that the notice include an open category excluding any legislation that directly responds to declared emergencies under relevant statutory powers, rather than specifying individual Acts, Bills or secondary legislation.
20. This exclusion would largely cover off exemptions under Category 1 of the framework (Legislation directly responding to a declared emergency) and would include any legislation:
 - a. that is intended to manage, mitigate, or alleviate the short-term impacts of a declared emergency¹ event or of the direct actions taken to protect the public in response to a declared emergency event, and

¹ Where a 'declared emergency' is one declared under relevant statutory powers such as section 144 of the Biosecurity Act 1993 or section 25 of the Civil Defence Emergency Management Act 2002.



- b. that is required urgently to be effective, making a complete, robust, and timely CAS unfeasible, and
 - c. where the need for the legislation was not reasonably foreseeable.
- 21. This provides the necessary flexibility for future emergency legislation while ensuring only genuine emergency legislation is excluded. It is consistent with the current practice for providing RIA exemptions for emergency legislation.
- 22. **Annex 2** provides some examples of the type of legislation that would fall within this proposed exclusion.

Decisions to enable us to identify further potential exclusions

Category 2: Legislation necessary to directly give effect to agreements entered into by the Crown

- 23. The purpose of Category 2 is to provide for the exclusion of legislation necessary to give effect to agreements already entered into by the Crown, such as trade agreements and Treaty settlements. This is necessary to mitigate reputational risk for the Crown and to avoid introducing perceived uncertainty for other parties. It is not intended to exclude any relevant work from analysis requirements that might apply before the agreement is reached. This category covers free trade agreements and other international agreements New Zealand is a party to, for example, the Diplomatic Privileges and Immunities Act 1968 that gives effect to the Vienna Convention on Diplomatic Relations 1961.
- 24. Based on the proposals we have received from agencies, we have identified four clarifications that we recommend making to this category of exclusions:
 - a. *Broadening the exclusion to explicitly cover any specific existing legislation that is identified as necessary for New Zealand to meet its international commitments* – There is some existing legislation that supports New Zealand to meet international commitments that are not based on a specific international agreement. For example, notices made under the Russian Sanctions Act 2022 (which identify specific sanctioned persons, assets, and services) are not required under a specific international agreement, but support New Zealand’s commitment to the international response to Russia’s military action. Another example is regulations made under the United Nations Act 1946 supporting New Zealand’s implementation of United Nations Security Council Resolutions. We recommend clarifying that this type of legislation is excluded, consistent with the intent of this category of exclusions. However, legislation that reflects obligations under some international conventions but also reflects domestic policy intentions would not be excluded. For example, the Privacy Act 2020 and Human Rights Act 1993 would be unlikely to be excluded on this basis.
 - b. *Creating an ongoing exclusion for any future legislation that is identified as necessary to give effect to international agreements, or to ensure New Zealand meets its international commitments* – We recommend the notice includes an ongoing exclusion for primary and secondary legislation that is necessary to directly give effect to New Zealand’s international obligations under a future bilateral or multilateral agreement. This approach would ensure consistency with



the approach taken to existing agreements. However, we consider it is important that regulatory impact analysis requirements continue to apply to any future international agreements before they are signed, and that it is clear that an exclusion from CAS requirements for resulting Bills does not mean that analysis requirements do not apply. For example, once a free trade agreement or Treaty has been signed, but prior to domestic ratification, we expect the current practice of requiring national interest analyses (NIAs) with integrated impact analysis to continue.

- c. *Excluding legislation that supports agreements with iwi and hapū (such as pardon acts and vesting legislation), consistent with the treatment of Treaty Settlement legislation* – A small number of Acts give effect to agreements between the Crown and iwi and hapū, but are not specifically Treaty Settlement legislation, such as pardon, vesting and reconciliation Acts. This includes Acts such as the Parihaka Reconciliation Act 2019 which records the apology given by the Crown, the legacy statement given and the statutory protection of the name Parihaka. We recommend that this legislation be exempt in order to treat it consistently with Treaty Settlement legislation.
- d. *Exempt legislation that gives effect to an agreement, such as a sale and purchase agreement, or agreements entered into via deed by the Crown* – A very small number of Acts have been identified that have been entered into to give effect to specific one-off agreements. For example, the Stewart Islands Reserves Empowering Act 1976 that gives effect to a land deal agreed between the Crown and the Stewart Island Air Services Limited.

Category 3: Legislation for which consistency assessment and review requirements would be an inappropriate intrusion of the executive into Parliamentary, judicial or other independent affairs

25. The purpose of Category 3 of the framework is to provide for maintaining comity and independence by not intruding into the specific roles of Parliament, the courts, or certain parts of the executive that are, by convention, independent. This is in line with the principles of responsible regulation, good legislative practice, and existing exclusions in the Act such as secondary legislation made by the Speaker of the House of Representatives or legislation that is rules of court.

Exclusion of 'constitutional' legislation

26. The intent of Category 3 was not to exclude all legislation that has constitutional importance, or that is made by agencies that operate independently from Government. Fully excluding legislation considered 'constitutional' (e.g. the Electoral Act 1993 or the Constitution Act 1986) would make any Government amendments to this legislation out of scope, despite such amendments potentially having significant impacts on rights and freedoms. As such, we recommend excluding legislation only where there would be a clear actual or perceived intrusion into the independent exercise of statutory powers e.g. secondary legislation made under the Electoral Act to support the running of elections.
27. We note that this will mean agencies such as the Ministry of Justice will need to include in their review plans, and assess against the principles, constitutionally significant



legislation. While this could create some controversy, we think that it is important that rigorous analysis is undertaken and published for such legislation (noting that current impact analysis requirements already apply to this legislation).

Legislation made by Crown entities

28. In addition, some agencies have suggested that legislation made by independent Crown entities and autonomous Crown entities should also be excluded under this category, reflecting their position as being arms-length from Ministerial control. This was not the intention of exclusions under this category, and we do not consider it would be consistent with the intent of the Act for Crown entities to be exempt.

Legislation that sets procedures and decisions of non-judicial bodies with court-like functions

29. However, we do recommend excluding any legislation that sets procedures and decisions of non-judicial bodies that provide court-like functions. The Act currently provides for the exclusion of court rules and other legislation made by the judiciary. New Zealand's legislative environment also features several non-court bodies such as tribunals which perform functions such as mediation, making determinations, and hearing appeals. We consider that decisions made by these bodies should be made independently of the executive and therefore we recommend that these be excluded under category 3 as if they were courts. This would apply to secondary legislation such as the Disputes Tribunal Rules 1989 and the Canterbury Earthquake Insurance Tribunal Regulations.
30. We recommend these exclusions apply only to the procedures these bodies set for themselves and the decisions of the bodies. We do not propose to exempt legislation which establishes and sets the scope of these bodies.
31. We note there is additional legislation that provides for procedural matters relating to the courts and court cases, that are not specifically Court rules, for example regulations under the Courts (Remote Participation) Act 2010 that has been identified by the Ministry of Justice. This legislation will be considered in the next tranche of advice provided to you.

Category 4: Legislation for which consistency assessment and review requirements are not cost-effective or valuable

32. The purpose of Category 4 is to exempt legislation which is likely to have little or no impact on rights and liberties and where applying the requirements of the Act is therefore unlikely to be either cost-effective or valuable.
33. The highest volume of legislation proposed for exclusion has been under category 4., and we have identified some examples that clearly fit in this category (reflected in Annex 1).
34. However, we are continuing to work through our assessments of legislation proposed under this category to ensure a consistent approach is taken to what is considered minor and technical, routine and involving little or no discretion and/or administrative rather than substantive. This includes determining how to treat secondary legislation that adjusts or continues existing fees and levies, especially where there is limited discretion on the part of the maker.



Additional technical exclusions relating to legislative process

35. We have also identified two further areas where we recommend exclusions to ensure consistency with current exclusions in the Act:
- a. The Act excludes Bills which primarily relate to the repeal or revocation of legislation identified as spent. We recommend that for consistency, secondary legislation which relates to the repeal or revocation of secondary legislation identified as spent also be excluded.
 - b. Legislation, or parts of legislation, are often not brought into force immediately when they are made, but instead at a later date through Order in Council. The Act itself is an example of this. We recommend these Orders in Council are excluded.

Next steps

36. Following your decisions on this paper, we will finalise our initial assessment of proposed exclusions and provide you with a further tranche of proposed exclusions for your consideration, along with a draft Cabinet paper.

Engagement on proposal

37. We have also identified where we may need to undertake some direct engagement ahead of Ministerial consultation on the Cabinet paper, including:
- *Local government* – engagement to date has been with core Government agencies and Crown entities (via monitoring agencies). This approach means we have not yet engaged with local government. We anticipate there will be some specific bylaws and/or empowering provisions that may warrant exclusion. We therefore intend to undertake some targeted engagement, likely with Local Government New Zealand
 - *Selected Crown entities* – the Electricity Authority, the Takeovers Panel, and Real Estate Authority approached us directly during consultation seeking broad exclusions and advising us their senior leaders were concerned about impacts to their operations. We are optimistic that additional communication, including on the statutory guidance, will mitigate these concerns, but it is possible that senior leaders from some of these agencies will seek to meet with you to discuss the possibility of broad exclusions. Note that we are still considering the exclusions proposed by these agencies.
38. Ministerial and agency consultation on this draft Cabinet paper could be done either sequentially or simultaneously. Sequential consultation will allow us to engage with agencies to understand any potential issues so that they are better placed to provide their Ministers advice before Ministerial consultation. While this will mean a longer process, we think it is desirable as we expect agency and Ministerial consultation on this paper to be challenging given agency and policy prioritisation competition in 2026. Both options would enable a draft Cabinet paper to be delivered in February. However, a sequential process may result in Cabinet decisions being more likely towards the end of February rather than mid-February.



Issuing a notice

39. Once you have taken the paper to Cabinet and finalised a list of exclusions, we will provide you with a draft notice. Section 7(3) of the Act provides that a notice to exclude legislation may be issued only after it has been approved by a resolution of the House of Representatives. Following initial engagement with the Office of the Clerk we understand the process for undertaking an affirmative resolution procedure under Standing Order 330 is likely to be the appropriate approach for seeking approval from the House. The Standing Order states following a notice of a motion that the House approve secondary legislation, it will be referred by the Clerk to the most appropriate select committee for consideration.
40. The committee must report back to the House no later than the first working date 28 days after the notice of motion is lodged. The motion can be moved by the responsible Minister (you) following the report back or after 28 days.
41. We are meeting with the Office of the Clerk next week to discuss the process and will provide you with further details in the New Year.

Annex One: Initial list of legislation for exemption

Please note there will be additional legislation that fits within the draft framework for exemption. Where we are still considering legislation proposed by agencies or wish to ensure consistency across legislation proposed for exemption, we have not included it in the initial list. We will provide you with further legislation that is consistent with the below list ahead of ministerial consultation on the draft Cabinet paper.

Legislation necessary to directly give effect to agreements already entered into by the Crown (e.g. existing or future Treaty settlement matters not already exempted by the Bill, or existing international obligations)				
Name	Type of Legislation	Empowering provision (if applicable)	Rationale for exemption	Reference number (for MfR internal purposes)
Notices required to give effect to terms of any international agreement New Zealand is a party to in relation to Marine Mammal protection.	Secondary	Section 28(1)(g) Marine Mammals Protection Act 1978	Gives effect to the terms of any international agreement to which NZ is a party.	DOC-012
Trade in Endangered Species Act 1989	Primary	N/A	Required to fulfil New Zealand's obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora as provided for in purpose of Act (section 2).	DOC-003
Power of Minister to issue a notice that resolves errors in secondary legislation	Secondary	Section 6(3) Reserves Act 1977	Power to resolve errors of descriptions in a notice issued by the responsible Minister.	DOC-014
Power to make regulations to enable effect to be given to Article 41 of the Charter of the United Nations	Secondary	Section 2 United Nations Act 1946	Regulations give effect to decisions made under the United Nations Charter for which New Zealand had already agreed. Currently 19 sanctions regimes implemented by New Zealand through regulations.	MFAT-003
Regulations under section 9 of the Geneva Conventions Act 1958	Secondary	Section 9 Geneva Conventions Act	Legislation gives effect to the Geneva Conventions 1949 and their additional Protocols (1977).	MFAT-006
Regulations under section 42 of the Brokering (Weapons and Related Items) Controls Act	Secondary	S 41 Brokering (Weapons and Related Items) Controls Act 2018	Gives effect to the Arms Trade Treaty 2013	MFAT-007
Regulations under Anti-Personnel Mines Prohibition Act 1998	Secondary	S26 Anti-Personnel Mines Prohibition Act	Legislation implements the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.	MFAT-008
Regulations under Chemical Weapons (Prohibition) Act 1996	Secondary	S 29 Chemical Weapons (Prohibition) Act 1996	Legislation implements the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction	MFAT-009
Regulations under the Cluster Munitions Prohibition Act 2009	Secondary	S 19 Cluster Munitions Prohibition Act 2009	Legislation implements the Convention on Cluster Munitions	MFAT-010
Regulations under the International Crimes and International Criminal Court Act 2000	Secondary	Section 179 and section 180 International crimes and International Criminal Court Act 2000	Legislation implements the Rome Statute of the International Criminal Court	MFAT-011

Regulations made under the Nuclear-Test-Ban Act 1999	Secondary	Section 22 Nuclear Test Ban Act 1999	Legislation implements the Comprehensive Nuclear-Test-Ban Treaty	MFAT-013
Disability (United Nations Convention on the Rights of Persons with Disabilities) Act 2008	Primary	N/A	The Act exists solely to implement New Zealand's obligations under the UNCRPD, an international treaty already entered into by the Crown. Give domestic legal effect to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which New Zealand had already signed and ratified.	MSD-006
Orders in Council bringing into force Double Tax Agreements	Secondary	Part B, subpar BH, BH(1)(3) Income Tax Act 2007	An Order in Council brings into force a Double Tax Agreement, which has already been signed by the New Zealand Government. Accordingly, it gives effect to our international obligations.	IRD-016
Orders for adoption of reciprocal agreement with other countries	Secondary	Section 215 Child Support Act 1991	Allows for an Order in Council to give effect to a reciprocal agreement with another country	IRD-064
Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Australia) Regulations 1993 Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Fiji) Regulations 1999 Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Hong Kong Special Administrative Region of the People's Republic of China) Regulations 1999 Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Niue) Regulations 1996 Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (People's Republic of China) Regulations 2007 Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Republic of Korea) Regulations 2000 Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (United Kingdom) Regulations 1999	Secondary	Section 65 Mutual Assistance in Criminal Matters Act 1992	For the purpose of giving effect to mutual assistance in criminal matters agreements between the Crown and other countries	MoJ-029-036
Extradition (Exempted Country: Canada) Order 1999 Extradition (Exempted Country: Czech Republic) Order 2003 Extradition (Exempted Country: Tonga) Order 1999 Extradition (Exempted Country: United States of America) Order 1999 Extradition (Germany) Order 2025 Extradition (Republic of Fiji) Order 1992 Extradition (Republic of Korea) Order 2002	Secondary	Section 17 Extradition Act 1999	The identified pieces of secondary legislation under the Extradition Act 1999 are for the purpose of giving effect to extradition treaties already agreed between the Crown and other countries.	MoJ-038-047

Extradition (United Kingdom and Pitcairn Islands) Order 2003				
Extradition (United States of America) Order 1970				
Iceland (Extradition: New Zealand) Order in Council 1940				
Updating wording of international agreement reflected in an annex.	Secondary	Section 20 Ozone Layer Protection Act 1996	Updates can only be made to amend or revoke the text of the Vienna Convention for the Protection of the Ozone layer	MFE-22
Civil Aviation (ANZA Mutual Recognition Agreement) Order 2007	Secondary	Section 407 Civil Aviation Act	Implements the Arrangement between the Australian and New Zealand Governments on Mutual Recognition of Aviation-Related Certification (ANZA).	MoT-005
Regulations regarding alternative monetary thresholds for overseas investments in significant business assets to give effect to specific listed international agreements	Secondary	Section 61A Overseas Investment Act 2005	Legislation necessary to give effect to agreements already entered into by the Crown.	LINZ-015
Apple Transitional Export Quota Act 2022	Primary	N/A	Purpose is to meet NZ UK Free Trade Agreement obligations.	MPI-001
Orders to name specified Country Party Orders	Secondary	Section 435 Customs and Excise Act 2018	These orders are required for compliance with international trade agreements only.	NZCS-012
Orders in Council about preferential countries	Secondary	Section 7A Tariff Act 1988	Changes are made under this section which are necessary to give effect to international trade agreements.	NZCS-028
Orders to designate convention countries	Secondary	Section 246 Patents Act 2013	Empowering provision to give effect to international agreements New Zealand is a party to.	MBIE-067
Orders in Council relating to Paris Convention countries	Secondary	Section 200 Trade Marks Act 2002	These orders are administrative and are required once the statutory management process has been completed.	MBIE-069
Ngāti Kahu Accumulated Rentals Trust Act 2015	Primary	N/A	Makes necessary legislative provisions for matters contained in the trust deed entered into by the Crown and Public Trust. The purpose of the trust is to preserve the Crown's ability, in relation to a proportion of the accumulated rentals, to provide for the settlement of Ngāti Kahu's historical Treaty of Waitangi claims that may be negotiated and entered into between Ngāti Kahu and the Crown.	TTW-005
Urewera Lands Act 1921-22	Primary	N/A	Gives effect to agreements entered into but is not explicitly Treaty settlement legislation.	TTW-014

Legislation for which consistency assessment and review requirements would be an inappropriate intrusion of the Executive into Parliamentary, judicial, or other independent affairs				
Name	Type of Legislation	Empowering provision (if applicable)	Rationale for exemption	Reference number (for MfR internal purposes)
Governor-General Act 2010	Primary	N/A	<p>Limited scope and proposed under category four for exemption. We have included in category three for alignment with secondary legislation that is made under this Act that fits with category three.</p> <p>The Act relates to the Office of the Governor-General. It relates to specific benefits for the Governor-General and their spouse or partner, but has very limited scope (i.e. it applies to an extremely limited set of individuals). For that reason, consistency assessment and review requirements are unlikely to be cost-effective or valuable and the assessment would (because it relates to such a small number of individuals) be of little public interest.</p> <p>Secondary legislation made under this Act would also be excluded – for example Governor-General (Allowance) Order (No 2) 2024 to change the Governor-General's allowance.</p>	CAB-001
New Zealand Superannuation (Political Commitment) Order 2018	Secondary	Section 72, New Zealand Superannuation and Retirement Income Act 2001	This regulation is routine and involves little or no discretion on the part of the maker. Under this power, the Minister simply adds or deletes names of parties that are part of the political commitment to NZS, based on their expressed preferences and their continued representation in Parliament (or not).	MSD-008
Secondary legislation made by the Remuneration Authority	Secondary	Made under the Governor-General Act 2010, Remuneration Authority Act 1977, the Members of Parliament (Remuneration and Services) Act 2013.	<p>Continue to maintain and reinforce the Authority's independence in accordance with the intent of the relevant pieces of primary legislation that ensure Parliamentary Business should be financially independent from the Executive.</p> <p>The Authority's Parliamentary secondary legislation are similar to and complement the Speaker's secondary legislation and should be treated in the same manner and prevent the Executive unduly influencing or be seen to make decisions about relevant remunerations covered by the Authority.</p>	Rem-001

Legislation for which consistency assessment and review requirements are not cost-effective or valuable, as it would be unlikely for the results of the assessment to identify impacts on rights and liberties (in their broadest sense) or to result in changes to the scope and content of the legislation, and the assessment would be of little public interest. This legislation is likely to be characterised by being one or more of the following:

- i) Minor and technical
- ii) Routine and involving little or no discretion on the part of the maker
- iii) Administrative rather than substantive (i.e. not imposing restrictions on rights and liberties)

Name	Type of Legislation	Empowering provision (if applicable)	Rationale for exemption	Reference number (for MfR internal purposes)
Notices under section 100, Mental Health (Compulsory Assessment and Treatment) Act 1992	Secondary	Section 100 Mental Health (Compulsory Assessment and Treatment) Act 1992	Administrative. Notices declaring any hospital, or any part of a hospital, to be a psychiatric security institution, and may in like manner revoke or amend any such notice.	MOH-011
Notices under section 5A Misuse of Drugs Act 1975: Approved Laboratories	Secondary	Section 5A Misuse of Drugs Act 1975	Administrative. Notices to approve laboratories for the purposes of the Act	MOH-012
Notices under section 31 Misuse of Drugs Act 1975: Evidence of Analysis	Secondary	Section 31 Misuse of Drugs Act 1975	Administrative. Notices designating a person as the analyst in charge of an approved laboratory.	MOH-013
Quality Assurance Activities under the Health Practitioners Competence Assurance Act 2003	Secondary	Section 54(5) Health Practitioners Competence Assurance Act 2003	Administrative. Sets out requirements relating to the form, content and quality standards of an application to have a Quality Assurance Activity.	MOH-026
Regulations under section 102 Policing Act 2008	Secondary	Section 102 Policing Act 2008	Administrative. For example, prescribing crests and badges; prescribing ID provided to Police employees; enabling a register of required qualifications or training; providing for governance of overseas conduct; and other matters necessary for due administration.	POL-001
Regulations under section 55 Child Protection (Child Sex Offender Government Agency Registration Act) 2016	Secondary	Section 55 Child Protection (Child Sex Offender Government Agency Registration) Act 2016	Administrative. For example, prescribing certain foreign laws to be corresponding Acts; prescribing details relating to the administration of the register; specifying details about reports made other than in person; and other matters necessary for due administration.	POL-002
Regulations administered by the Minister of Defence or New Zealand Defence Force made under Royal Warrant relating to medallic recognition.	Secondary	No specific empowering provision. Made under Royal Warrant as set out in	Administrative. Secondary legislation under the section provides for the issuing of medals and honorifics related to service in the NZDF	MOD-001

		Schedule 1 A of the Legislation Act.		
Amendments made to Statements of Principles (SOPs).	Secondary	Sections 22 – 25 Veterans Support Act 2014	Administrative. SOPs are Australian legislative instruments which are used to determine whether a veteran's illness, injury or death can be linked to their military service. New Zealand is not the 'maker' of the Statements of Principles (SOPs). These are Australian legislative instruments which are routinely updated based on worldwide medical, scientific evidence examined by the Australian Government Repatriation Medical Authority that the illness or injury can be related to military service. New Zealand decides, through the Minister for Veterans determining after review by the independent Veterans' Health Advisory Panel and VANZ report, whether or not to apply new SOPs and their amendments in New Zealand but has no right to draft or alter the SOPs. The changes to the SOPs are technical in nature and have little or no budgetary impact.	MOD-002
Annual adjustment of rates of veteran's pension	Secondary	Section 170 Veterans' Support Act	The rates of VP are adjusted in accordance with the statutory formula specified in section 170(3) subject to sections 170(5) and 170 (6). Exemption is sought under category 4. The adjustment to the VP is routine and involves little or no discretion on the part of the maker.	MOD-003
Notices under section 15 Burial and Cremation Act 1964: Burial of members of His Majesty's Forces etc	Secondary	Section 15 Burial and Cremation Act 1964	Declarations of operational service by the Minister for Veterans that provide eligibility for members of His Majesty's Forces, and their spouse or partner, to be buried in a services cemetery. The declaration notice issued under section 15 is secondary legislation that provides persons with eligibility for burial in a services cemetery, and is administrative.	MOD-004
Official Appointments and Documents Act 1919	Primary	N/A	Administrative. Limited scope and proposed under category four for exemption. We have included in category three for alignment with secondary legislation that is made under this Act that fits with category three. It relates to the exercise of the Governor-General's powers and execution of instruments by the Governor-General (in a technical sense only – e.g. explaining that a notice published in the <i>Gazette</i> that an appointment has been made by the Governor-General is sufficient evidence of that fact unless the contrary is proved). It does not relate to rights/liberties of individuals.	CAB-002
Seal of New Zealand Act 1977	Primary	N/A	Administrative. It confirms the establishment, design and use of the Seal of New Zealand and provides for incidental matters. It does not relate to rights/liberties of individuals.	CAB-003
Royal Titles Act 1974	Primary	N/A	Spent legislation, no longer in use and is waiting to be revoked.	CAB-004
Letters Patent Constituting the Office of Governor-General of New Zealand	N/A – Royal Prerogative	N/A	The Letters Patent are a Royal Prerogative instrument establishing the Office of the Governor-General, and covering relating matters (like the constitution,	CAB-005

			membership and quorum of the Executive Council, and when the Administrator of the Government acts and takes their oaths). These matters are mostly administrative and do not relate to the rights and liberties of individuals. The Letters Patent do empower the Governor-General to exercise the prerogative of mercy which may impact the liberties of individuals. But, our view is that an assessment in accordance with the Regulatory Standards legislation is unlikely to result in changes to the scope and content of the Letters Patent and the assessment would accordingly be of little public interest.	
Instruments made under the Royal Warrant primarily to establish the different components of the Royal Honors System	N/A	Under the Royal Warrant	<p>These instruments (primarily Royal Warrants) establish the different components of the New Zealand Royal Honours system, as well as other New Zealand Honours and awards. A number of the Honours/awards covered by these instruments are no longer awarded (but the instruments remain in force to cover existing awards made under them).</p> <p>The instruments are primarily administrative – they set out who can be awarded Honours/awards, descriptions of the actual medals/awards, the ribbon they are to be worn on, size of miniatures, and order of wear. While these instruments do impact individuals because they can confer the privilege of an Honour/award (and have it removed in cases of cancellation/forfeiture), they relate to a privilege or benefit rather than rights or liberties of individuals. This is also an area where there is limited scope for how the instruments could be changed – they are issued in the voice of the Sovereign (so require a particular style) and any changes must be approved by the Sovereign.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Statutes of the Order of New Zealand • The King's Service Order • The New Zealand Gallantry Awards • New Zealand Public Service Medal Regulations 	CAB-007
Rules relating to the acceptance and wearing of Commonwealth, foreign and international Honours by New Zealand citizens	N/A	N/A.	Sets of rules issued by the Sovereign, relating to acceptance/wearing of foreign Honours, and the use of the titles “The Right Honourable” and “The Honourable”.	CAB-009
Rules for the grant, use and retention of the title "The Right Honourable" in New Zealand		Approved by Queen Elizabeth II.	The foreign and international Honours rules are administrative in that they provide the procedure to be followed before the approval of Commonwealth, foreign and international Honours. They set out the processes to be followed and approvals required for different types of Honours. These rules do not relate to the rights and liberties of individuals – they are primarily about process, and while the processes may lead to approval of an Honour, that is (along the lines discussed above) viewed as conferral of a benefit or privilege rather than relating to rights and liberties.	

Rules for the grant, use and retention of the title "The Honourable" in New Zealand			The rules relating to the use of The Right Honourable and The Honourable explain who can use those titles, and related matters (such as the process for approval by the Governor-General and the letters to be used after names). The Rules are very limited in scope and like the matters discussed above, confer a benefit or privilege rather than relating to rights or liberties.	
Notices under Section 50A(1) Conservation Act 1987: Errors of descriptions in notice may be corrected	Secondary	Section 50A Conservation Act 1987	Minor and technical – relates to errors of description, for example in relation to boundaries. Exemption would only be for notices correcting errors in notices that are already exempt.	DOC-009
Christchurch City (Reserves) Empowering Act (Ministerial Responsibility) Order 1989	Secondary	Section 65(2) Conservation Act 1987	Minor and technical - allows for substitution of the Minister of Conservation, the Director-General and the Department of Conservation for other ministers/departments better suited to carry out functions in local or private Acts, Would align with exempt already provided for Local and Private Acts.	DOC-010
Lawyers and Conveyancers Act (Lawyers) Constitution 2008	Secondary	Section 70, Lawyers and Conveyancers Act 2008	Although the Constitutions of these two Societies are set out in this legislative instrument (as these are statutory bodies), the content of the Constitution itself is decided through the relevant body.	MOJ-054
Digital Identity Services Trust Framework Rules 2024	Secondary	Section 18 Digital Identity Services Trust Framework Act 2023	The Digital Identity Services Trust Framework (DISTF) is an opt-in regime and technical in nature. As such it would be unlikely for the results of the assessment to identify impacts on rights and liberties (in their broadest sense) or to result in changes to the scope and content of the legislation, and the assessment would be of little public interest. The rules are minor and technical, involve limited discretion and are administrative.	DIA-001
Electronic Identity Verification Regulations 2013 and 2025 Amendment Regulations	Secondary	Section 67 and 70 Electronic Identity Verification Act 2012	Routine and involving little or no discretion on the part of the maker. The EIV Regs 2013 set out the participating agencies who may use the RealMe® verified identity service and the duration of verified identity (held as an electronic identity credential). No decisions are required. Administrative not imposing restrictions on rights and liberties. There is no impact on individual's rights as a result of the regulations.	DIA-004
Exempt from requirements for public documents to be provided to the National Librarian under section 31	Secondary	Section 38 National Library of New Zealand (Te Puna Mātauranga o Aotearoa) Act 2003	Administrative, does not set the requirements for exemption. Section 38 provides for the Minister's ability to exempt a public document (or class of documents) from Section 31 and other requirements relating to the provision of copies of public documents to the National Library.	DIA-008
Declaration of risks or hazards that relate to or affect the supply of drinking water to be notifiable risks and hazards	Secondary	Section 35 Water Services Act 2021	This power relates solely to the duty to notify the Water Services Authority of a particular risk or hazard, it doesn't add to or detract from the need for drinking water suppliers to address risks and hazards.	DIA-015
Children and Young People's Commission (Relevant Agencies) Regulations 2023	Secondary	Section 37(1)(a) Children's	Administrative.	MSD-001

		Commissioner Act 2022	Specifies agencies who can endorse a candidate applying to be the Children's Commissioner.	
Family Benefits (Home Ownership) Act 1964	Primary		No longer in effect and due to be repealed.	MSD-112
Preferred suppliers: transitional or savings provisions directions	Secondary	Section 372, Social Security Act 2018	Administrative. Governs how MSD manages supplier transitions, not client eligibility. No new rights or obligations for clients — it ensures existing entitlements aren't disrupted by contractual changes.	MSD-062
Prescribing health practitioners for certificates and medical examinations	Secondary	Section 418(1)(a) Social Security Act 2018	Minor and technical to ensure service integrity, based on definition set out in primary legislation.	MSD-063
Work-test obligations (when the work-test obligation applies)	Secondary	Section 418(1)(e) Social Security Act 2018	This regulation prescribes the days of the week during which existing statutory work-test obligations apply. It is operational and technical, ensuring administrative clarity for MSD systems and clients. The regulation does not alter the substance of the obligations set in the Act or affect rights or liberties.	MSD-064
Drug test definitions : Regulations that set the definitions of evidential drug test, pass, screening drug test.	Secondary	ss 418(f), (g) and (h) Social Security Act 2018	This regulation is minor, routine, and administrative. The regulations are technical, ensuring procedural integrity and consistency of testing methods. They guide operational processes but don't themselves determine eligibility or sanctions.	MSD-065
Social Security Regulations 2018, Regulation 81, 82, 83, 86: Work obligations - Drug Testing requirements	Secondary	Section 431(1)(a) Social Security Act 2018	This regulation is administrative and technical, rather than substantive. Does not determine who is tested, the consequences of results, or rights/obligations of beneficiaries. It only defines how a test is conducted, not who must comply or what happens if positive.	MSD-075
Social Security Regulations 2018 - Regulation 7: Persons who have had income tax deducted or withheld on earnings from employment overseas to be treated as resident and present in New Zealand	Secondary	Section 421 Social Security Act 2018	The regulation provides a narrow administrative clarification to align social security residency with tax liability, ensuring equitable treatment of temporarily overseas workers. It is technical, routine, and of limited public interest, with minimal rights impacts.	MSD-071
Regulation 7A Social Security Regulations 2018 - Circumstances in which certain holders of, or people who would have been eligible for, Christchurch response visa are taken to meet residential requirement	Secondary	Section 421 Social Security Act 2018	The regulation is narrow, closed-class, and humanitarian in nature, with no ongoing policy relevance. Allows affected individuals to qualify for social security assistance despite not meeting the standard "resident and present" presence test, recognising their unique humanitarian circumstances.	MSD-072
Regulation 19 Social Security Regulations 2018 – Rounding	Secondary	Section 423(1)(f) Social Security Act 2018	Purely technical; simplifies calculation, no substantive effect.	MSD-073
Social Security Regulations 2018: <ul style="list-style-type: none"> Regulation 22 - Hours to be calculated Regulation 29 – Applications and evidence Regulations 37 - Childcare subsidy usually payable to service 	Secondary	ss 424(2)(b), (2)(g), (2)(i), 424(4) Social Security Act 2018	Payment method rules (where to pay, how to route funds) and procedural rules for applications, documentation. These regulations are highly administrative and technical, rather than substantive.	MSD-074

<ul style="list-style-type: none"> Regulation 43 – OSCAR subsidy payable to provider or caregiver Regulation 45, 46 and 47 – Approval of OSCAR programmes 				
Social Security Regulations 2018: Regulations 285, 286: Issues and use of entitlement cards: SuperGold Card	Secondary	Section 437(1) Social Security Act 2018	Administrative. Provides for the form of a card such as how long a name has to be before it can be truncated to initials.	MSD-078
Social Security Regulations 2018: Regulation 175: Applicant’s or beneficiary’s travelling expenses and allowances Regulation 176: Claims for refunds: receipt and deadline requirements	Secondary	ss 438(2)(k) to (n) Social Security Act 2018	Administrative. Provides for operational reimbursement details for travel expenses and refunds.	MSD-082
Social Security Regulations 2018 - Regulation 238: How MSD or person can meet requirement to give written notice or other document	Secondary	Section 449 Social Security Act 2018	Does not create or alter any entitlement, obligation, or right under the Social Security Act. Only specifies the procedural or technical means by which a party (MSD or a person) can satisfy an existing legal requirement to give notice or provide documents.	MSD-085
Orders in Council validating or invalidating Māori Trust Board elections	Secondary	Sections 55 and 55A Māori Trust Boards Act 1955	These Orders do not involve any policy decisions and only affect the Boards and their beneficiaries, rather than the wider public.	TPK-009
Injury Prevention, Rehabilitation, and Compensation (Applications to Determine Previous and Subsequent Injury Entitlements) Regulations 2003	Secondary	Section 33 Accident Compensation Act 2001	Administrative. Determines at which court ACC or an insurer lodges an application. Limited/no impact on members of the public.	MBIE-114
Maori Education Foundation (Abolition) Act 1993	Primary	N/A	This is largely historical Act, with key provisions now sitting in the Charitable Trusts Act 1957. A review of this Act will not be valuable as its outcomes are unlikely to contribute to the intended outcomes of the Bill. The empowering provision in section 3 of this Act has fulfilled its purpose and is not used anymore either.	MoE-002
Lincoln University Act 1961 Massey University Act 1963 University of Auckland Act 1961 University of Canterbury Act 1961 University of Waikato Act 1963 Victoria University of Wellington Act 1961	Primary	N/A	These Acts are largely repealed, with key empowering provisions now sitting in the Education and Training Act 2020. The existing provisions are administrative and relate to how a university may operate. They do not hold any empowering provisions that could change of scope or content of the primary legislation. The act does not give universities powers that would impact rights or liberties of individuals.	MoE-001
Kitchener Memorial Scholarship Trust Act 1941	Primary	N/A	This Act is old and does not contain any empowering provisions. It doesn’t impact rights or liberties, or be of interest to any groups or wider public. The value of the scholarship is normally \$500 per annum and tenure for one year. Undertaking a review would not be cost-effective.	MoE-003
Otaki and Porirua Trusts Act 1943	Primary	N/A	This is an old Act and is purely administrative in nature. Its key purpose is to establish the Otaki and Porirua Trusts Board and outline how it must operate. It does not impact rights or liberties and is unlikely to generate public interest. There are no empowering provisions in this Act.	MoE-005
Queen Elizabeth the Second Postgraduate Fellowship of New Zealand Act 1963	Primary	N/A	The value of the fellowship established by this Act is \$3,000, given to one graduate per year. Undertaking a review of this Act will therefore not be cost-	MoE-006

			effective. This Act does not impact rights or liberties or contain any empowering provisions.	
Taranaki Scholarships Trust Board Act 1957 No 108 (as at 30 January 2021), Public Act – New Zealand Legislation	Primary	N/A	This is an old Act and is purely administrative in nature. Its key purpose is to establish the Taranaki Scholarships Trust Board and outline how it must operate. It does not impact rights or liberties and is unlikely to generate public interest. There are no empowering provisions in this Act.	MoE-008
New Zealand Library Association Act 1939	Primary	N/A	This Act is largely administrative, with key provisions sitting in the Incorporated Societies Act 1908. Undertaking a review of this would not be valuable as it does not impact rights and liberties, nor is there any public interest in this item of legislation.	MoE-011
Secondary legislation recognising a body corporate as a transitional ITO: <ul style="list-style-type: none"> • Notices changing specified industries covered by a transitional ITO and activities that must be carried out by them • Notices to cancel recognition of transitional ITO 	Secondary	Schedule 1, clauses 44(b), 47 and 55(1) Education and Training Act 2020	Administrative, not substantive and most of the transition functions have been set to complete by end 2022.	MOE-014-016
Instructions and guidelines on operation of enrolment schemes	Secondary	Clause 3(1) and Clause 3(3), Schedule 1, Education and Training Act 2020	Procedural, not substantive. Purpose is administrative; it relates to instructions and guidelines on operation of enrolment schemes.	MoE-017-018
Notice enabling name change of Te Pūkenga and amendments to omit its name and substitute another in legislation.	Secondary	Section 314 Education and Training Act 2020	Administrative rather than substantive/minor and technical; no policy impact or effect on rights/liberties or justice.	MoE-022
Formation of Te Pūkenga—New Zealand Institute of Skills and Technology subsidiaries and provisions that apply	Secondary	Section 340 Education and Training Act 2020	Administrative rather than substantive and Te Pūkenga is in the process of being disestablished.	MoE-023
Ministry of Works and Development Abolition Act 1988	Primary	N/A	Administrative and historic – no ongoing effect.	PSC-005
Fees and Travelling Allowance Regulations 1952	Secondary	Section 9 Fees and Travelling Allowances Act 1951	Historic. Have been superseded by the Cabinet Fees Framework and are intended to be repealed.	PSC-006
Orders to: <ul style="list-style-type: none"> • Specify when references to types of departments do not apply in legislation • Establish and reorganise departments and departmental agencies • Establish or disestablish functional chief executive roles • Regulations to provide for continuous employment in the public service 	Secondary	Sections 7(2), 23(1), 33(1), 51(3), 94(1), 105(1) Public Service Act 2020	Administrative to support the organisation of the Public Service.	PSC-001
Notices to amend schedules of organisations under the Protected Disclosures Act that provides examples of appropriate authorities.	Secondary	Section 26(1) Public Service Act	Administrative.	PSC-003
Notices prescribing additional regulatory agencies the Water Services Authority can share information with	Secondary	Section 204(5)(M) Water Services Act 2021	This is an administrative notice to enable information sharing between additional regulatory agencies to the ones currently listed in the Act. This is minor and technical.	DIA-025

Powers to amend Schedule 1 by Order in Council – to remove abolished organisation or update names.	Secondary	Section 49 Official Information Act 1975	Orders to amend the schedules to these two Acts are made frequently whenever an agency is established or disestablished. These OICs are minor and technical, administrative in nature, and there is no discretion exercised by the maker.	MOJ-004
Methodist Church of Australasia in New Zealand Act 1902	Primary	N/A	Administrative. This Act changes the name of the Wesleyan Methodist Church in New Zealand to The Methodist Church of Australasia in New Zealand.	MOJ-006
Land Transfer (Hawke's Bay) Act 1931	Primary	N/A	This Act authorises the making of a new land transfer register for the Land Registration District of Hawke's Bay to replace the one destroyed by a fire following the 1931 earthquake. This Act is part of the Land Transfer Act 2017.	MOJ-007
Private Investigators (Exclusion of Occupations) Orders	Secondary	Section 12 Private Security Personnel and Private Investigators Act 2010	Administrative. Regulations that clarify certain occupations are not private investigators such as an insurance assessor or a loss adjustor is not a private investigator.	MOJ-018
Private Security Personnel and Private Investigators (Specified Date) Order Orders	Secondary	Section 126 Private Security Personnel and Private Investigators Act 2010	Administrative. Secondary legislation commencing transitional periods for two classes of private security personnel to be required to hold a license. This is historic commencement matters only.	MOJ-019
Orders for alteration of licensing trust boundaries	Secondary	Section 304 Sale and Supply of Alcohol Act 2021	The Minister can only advise an alteration of a licensing trust boundary on the recommendation of the Local Government Commission. Boundaries coincide with current statistical mesh block areas determined by Statistics New Zealand.	MOJ-077
Orders for first election of members to licensing trusts	Secondary	Section 310 Sale and Supply of Alcohol Act 2021	Administrative. The orders made under this section are only to appoint a date for the first election of members of a licensing trust.	MOJ-078
Orders for variation of establishment of licensing trusts	Secondary	Section 377 Sale and Supply of Alcohol Act 2021	Administrative with little discretion. Orders made only on the advice of the Local Government Commission.	MOJ-079
Orders for amalgamation of licensing trusts	Secondary	Section 344 Sale and Supply of Alcohol Act 2021	Refers to the amalgamation of 2 or more Trusts. The orders made under this section involve little discretion on the part of the maker. Generally made based on the outcome of a poll of electors in the licensing trust area.	MOJ-080
Orders vesting licensing trust's undertakings in community trust	Secondary	Section 358 Sale and Supply of Alcohol Act 2012	The orders made under this section involve little discretion on the part of the maker. The Minister can only advise the transfer of undertaking at the request of the licensing trust concerned.	MOJ-081
Orders altering community trust boundaries	Secondary	Section 389 Sale and Supply of Alcohol Act 2012	The orders made under this section involve little discretion on the part of the maker. The Minister generally advises based on the outcome of a poll of electors in the community trust area.	MOJ-083
Regulations for prescribing topics for environmental reporting	Secondary	Section 19 Environmental Reporting Act 2015	Administrative. Regulations made under s 19 of the ERA set particulars/technical details about the content of Environmental Reports made under the Act. The only entities affected by the regulations are MFE and Stats NZ who hold responsibility for producing the reports.	MFE-005

Notices to revoke duplicate approvals or group standards.	Secondary	Section 67B Hazardous Substances and New Organisms Act 1996	Administrative. Revokes duplicate approvals or group standards.	MFE-030
Notices for clarifying material incorporated by reference into regulations, notices, standards or codes of practice cease to have effect	Secondary	Section 141D Hazardous Substances and New Organisms Act 1996	Administrative. This is for notices for material which has been incorporated by reference, and which has ceased to have effect, to cease to have legal effect.	MFE-031
Notices to rectify omissions or irregularities	Secondary	Section 165 Soil Conservation and Rivers Control Act 1941	Minor and technical.	MFE-032
Regulations providing for the United World Colleges Scholarship Regulations	Secondary	Education Act 1964	The Act establishes a scholarship and sets out details relating to the it (eligibility, value, tenure, etc). Considered minor and technical.	MoE-029
Orders for payment of salaries by relieving teachers and employment-based trainee teachers	Secondary	Section 581(3) Education and Training Act 2020	Administrative. Allows for central payment for salaries for a relieving teacher or an employment-based trainee teacher when justified. Does not impact level of payment.	MoE-032
Publication of midterm start dates	Secondary	Section 66(1) Education and Training Act 2020	This provision is routine, and the decision maker has limited discretion. It is administrative rather than substantive and supports the functions of the education sector. It does not impose any restrictions on rights or liberties.	MOE-034
Notices for variation of determination of design of funding mechanisms	Secondary	Section 423 Education and Training Act 2020	This provision is administrative rather than substantive and supports the functioning of the education sector. There are clear parameters that strictly limit the Minister's power. This is minor legislation which is limited in scope	MOE-043
Regulations to prescribe forms to be used for the purposes of the Residential Tenancies Act 1996	Secondary	Section 140(1)(a) Residential Tenancies Act 1986	Regulations under this section contain technical detail to support the substantive requirement in the Act and provide for forms that should be used – eg format of infringement notices	HUD-001
Appointment of public service department or Crown entity as the Regulatory Authority for the Act Management (Appointment of Agency and Regulatory Authority) Order 2018	Secondary	Section 159 Public and Community Housing Management Act 1992	These regulations appoint the agency and regulator of this Act. For example current regulations appoint the Ministry of Housing and Urban Development and Ministry for Social Development as social housing agencies and HUD as the regulatory authority.	HUD-003
Orders appointing a Monitor and Recommender for the purposes of the Infrastructure Funding and Financing Act 2020	Secondary	Section 136 Infrastructure Funding and Financing Act 2020.	This order sets out which agency performs specific roles under the Act (current orders appoint HUD).	HUD-006
Riccarton Racecourse Development Enabling Act 2016	Primary	N/A	Minor and technical for a particular purpose to support Christchurch's recovery following the Earthquakes to facilitate expeditious development of land at Riccarton Racecourse. Unlikely to be used again.	HUD-007
Orders to transfer housing assets to Kāinga Ora	Secondary	Section 6 Housing Assets Transfer Act 1993	Enables the Crown to transfer/vest its housing assets to Kāinga Ora Homes and Communities.	HUD-008
Orders to amend the list of conflicts included as part of Anzac Day Commemoration	Secondary	Section 2(1) Anzac Day Act 1986	Minor and technical.	MCH-001
Rules relating to flying of the New Zealand flag	Secondary	Section 10(1) Flags, Emblems and Names Protection Act 1981	Minor and technical. Rules relating to the flying of the NZ Flag on Government land and buildings.	MCH-002

Orders regulating the use of the word ANZAC	Secondary	Section 17(4) Flags, Emblems and Names Protection Act 1981	Minor and technical. To prohibit, regulate, or control the use in connection with any business, trade, or occupation of the word Anzac or of any other word that so closely resembles the word Anzac as to be likely to deceive or mislead any person.	MCH-004
Regulations to set the dates for the Matariki public holiday by order in Council	Secondary	Section 6(4)	Ture mō te Hararei Tūmatanui o te Kāhui o Matariki 2022 Te Kāhui o Matariki Public Holiday Act 2022	MCH-013
Regulations prescribing forms for the Cultural Property (Protection in Armed Conflict) Act 2012	Secondary	Section 43 Cultural Property (Protection in Armed Conflict) Act 2012	Administrative. Providing for forms.	MCH-014
Regulations to reflect name changes under the Public Finance Act 1989	Secondary	Section 3b and 3D Public Finance Act 1989	Administrative.	TSY-008
Regulations to reflect name changes of State-Owned Enterprises	Secondary	Section 32 State Owned Enterprises Act 1986	Administrative.	TSY-009
Orders to vest airport assets and airport liabilities' into a company – Auckland	Secondary	Section 6 Auckland Airport Act 1987	Administrative.	MoT-003
Orders to vest airport assets and airport liabilities' into a company – Wellington	Secondary	Section 7 Wellington Airport Act 1990	Administrative.	MoT-011
Road User Charges (RUC Collector) Order 2012	Secondary	Section 87 Road Users Chargers Act 2012	Administrative. Specifies the New Zealand Transport Agency as a Road User Collector for the purposes of the Act.	MoT-009
Regulations prescribing the form of infringement notices	Secondary	Section 63 Cadastral Survey Act 2002	Administrative. Prescribes forms.	LINZ-001
Secondary legislation to correct errors or revoke documents that contain errors	Secondary	Section 55 Public Works Act 1981	Administrative. Correcting errors, allows amendments if found to contain error in form or substance, or in <i>Gazette</i> notice.	LINZ-006
Determinations for certain public sector agencies may authorise access to data for research	Secondary	Section 55 Data and Statistics Act 2022	The determination issued under section 55 is administrative rather than substantive; it confers an ability on government departments to administer researcher access to data. While it is discretionary, it is of limited wider relevance to rights and liberties held by the public and there is limited public interest in incurring the costs of consistency assessment and review requirement.	Stats-002
Community Work Centre Notices	Secondary	Section 30 Corrections Act 2004	Administrative to declare Community Work Centres for the purposes of the Act.	COR-001
Notices to establish locations for prisons and police jails	Secondary	Section 32 Corrections Act 2004	These notices are administrative in nature regarding the location of prisons and police jails attached to police stations.	COR-002
Transitional and savings orders under the Customs and Excise Act 2018	Secondary	Schedule 1, clause 37, Customs and Excise Act 2018	Administrative and technical orders to transition legislation.	NZCS-013
Notices requiring copy of certain applications for building consent to be provided to Fire and Emergency New Zealand	Secondary	Section 46 Building Act 2004	Administrative.	MBIE-001
Notice specifying wind up of the Motor Vehicle Traders Compensation Fund	Secondary	Section 162 Motor Vehicles Sales Act 2003	Administrative.	MBIE-020

Orders for Termination of statutory management	Secondary	Section 62 Corporations (Investigations and Management) Act 1989	These orders are administrative and are required once the statutory management process has been completed.	MBIE-052
Civil Defence Emergency Management Regulations – Civil defence logo	Secondary	Section 115 Civil Defence Emergency Management 2002	Administrative. Sets out the required form and specifications of the civil defence logo.	NEMA-004

Annex Two: Examples of legislation that would fall into an open category for legislation responding directly to an emergency

Note this table is not an exhaustive list of legislation that may fall within this category.

Name	Type of Legislation	Empowering provision (if applicable)	Rationale for exemption	Reference number (for MfR internal purposes)
<p>Notices under section 5(1) Epidemic Preparedness Act 2006: Prime Minister may enable use of special powers</p> <p>With the agreement of the Minister of Health, the Prime Minister may, by notice, declare that he or she is satisfied that the effects of an outbreak of a stated quarantinable disease (within the meaning of the Health Act 1956) are likely to disrupt or continue to disrupt essential governmental and business activity in New Zealand (or stated parts of New Zealand) significantly.</p>	Secondary	Section 5(1) Epidemic Preparedness Act 2006	Responding to a declared emergency	MOH-001
<p>Notices under section 7(1) Epidemic Preparedness Act 2006: Renewal and modification of epidemic notices</p> <p>With the agreement of the Minister of Health, the Prime Minister may, by notice given before an epidemic notice expires, renew that notice.</p>	Secondary	Section 7(1) Epidemic Preparedness Act 2006	Responding to a declared emergency	MOH-002
<p>Notices under section 8(1) Epidemic Preparedness Act 2006: Activating other measures while epidemic notice in force</p>	Secondary	Section 8(1) Epidemic Preparedness Act 2006	Responding to a declared emergency	MOH-003
<p>Notices under section 10(1) Epidemic Preparedness Act 2006: Review of epidemic management notices</p> <p>If no longer satisfied that it is necessary to state in the epidemic management notice a matter of a kind described in section 8(1) relating to the enactment, the Prime Minister must, by notice, revoke the part of the notice stating the matter (or, as the case requires, the notice).</p>	Secondary	Section 10(1) Epidemic Preparedness Act 2006		MOH-004
<p>Section 24A Judges may modify rules of court during epidemic: Head of Bench modifications in categories of proceedings</p> <p>While an epidemic notice is in force, a Head of Bench (whether permanently appointed or temporary) may, for any category of proceedings in or before that Judge's court, modify any rule of court, and to any extent, that he or she thinks necessary in the interests of justice to take account of the effects of the quarantinable disease stated in the notice.</p>	Secondary	Section 24A Epidemic Preparedness Act 2006	<p>Responding to a declared emergency</p> <p><i>Note we anticipate any notices under this empowering provision would be exempt via the exclusion for Court rules already provided for under the Act. We will address any duplications when developing the draft notice.</i></p>	MOH-005
<p>Section 70 Special Powers of medical officer of health</p> <p>Special powers for the purpose of preventing the outbreak or spread of any infection disease the medical officer of health may from time to time, if authorised to do so by the Minister or if a state of emergency has been declared under the Civil</p>	Secondary	Section 70 Health Act 1956	Responding to a declared emergency	MOH-006

Defence Emergency Management Act 2002 use special powers for the purposes set out in this section.				
Notices under section 74C Health Act 1956: Priorities for medicines	Secondary	Section 74C Health Act 1956	Responding to a declared emergency – priorities when an epidemic notice is in place	
Special Powers of Water Services Authority during drinking water emergency	Secondary	Section 62 Water Services Act 2021	This is the powers to direct the closure of a public place or cancel a public event under ss 62(2)(i) or (j) when a drinking water emergency has been declared.	DIA-019
Exemptions during drinking water emergency	Secondary	Section 63 Water Services Act 2021	Responding to a declared emergency	DIA-020
Order for remission in circumstances of emergency event for taxpayment's	Secondary	Section 183ABA Tax Administration Act 1994	Allows the Governor-General to declare an emergency event, a class of persons who the OIC applies to and the start date of the emergency event	IRD-009
Order for tax relief for emergencies		Section 6J Tax Administration Act	Allows the Governor-General to make an order in council providing tax relief and the period of that relief for an emergency event	IRD-010
Emergency Response Regulations under the Resource Management Act 1991	Secondary	Section 331AA Emergency response regulations	Enables regulations to respond to natural hazard events or other emergencies and to enable recovery efforts.	MFE-001
Declaration of a special emergency under Section 49B of the HSNO Act	Secondary	Section 49B Hazardous Substances and New Organisms Act 1996	Declaration of a special emergency for the purposes of the HSNO Act	MFE-027
Secondary legislation made under International Terrorism (Emergency Powers) Act 1987	Secondary	International Terrorism (Emergency Powers) Act 1987	Allows Ministers to authorise the exercise of emergency powers in relation to international terrorist emergencies	NSRG-001
Biosecurity emergency powers	Secondary	Section 145 and 150 Biosecurity Act	Legislation directly responding to a declared biosecurity emergency.	MPI-010
Controlled area notices and notice of movement controls	Secondary	Section 131 Biosecurity Act	Used for urgent biosecurity responses.	MPI-011
Civil Defence Emergency Management Regulations: Form of declarations of state of emergency	Secondary	Sections 66,669,71 and 72 Civil Defence Emergency Act 2002	These forms are intended to be used to declare, extend or terminate states of emergency (national and local) to enable a response to an emergency.	NEMA-002
Civil Defence Emergency Management Regulations: Forms notices of transition periods	Secondary	Sections 94A, 94D, 94E and 94B Civil Defence Emergency Act 2002	These forms are intended to be used to give notice, extend or terminate transition periods (national and local) to enable the recovery from an emergency.	NEMA-003

Annex Three: Examples of legislation to support decisions that will enable further potential exclusions to be identified

This table is intended to provide you with some examples of how particular pieces of legislation proposed for exemption by agencies would be treated based on recommendations d and e of this briefing. It is not an exhaustive list but provides an indication of the approach that will be taken as part of tranche two.

Legislation necessary to directly give effect to agreements already entered into by the Crown (such as trade agreements and legislation that does not fall within the Treaty settlement legislation exemption but recognises agreements entered into between the Crown and iwi and hapū)				
Name	Type of Legislation	Empowering provision (if applicable)	Rationale for exemption	Reference number (for MfR internal purposes)
Examples of additional legislation the Ministry for Regulation considers likely to warrant exemption: <ul style="list-style-type: none"> legislation that is necessary for New Zealand to meet its international commitments supports agreements between the Crown and iwi and hapū, consistent with the treatment of Treaty Settlement legislation. For example, pardon, vestings and reconciliation legislation additional areas where legislation gives effect to specific agreements (for example a sale and purchase agreement) or agreements entered into via deed by the Crown 				
<i>Legislation that supports agreements between the Crown and iwi and hapū, consistent with the treatment of Treaty Settlement legislation. For example, pardon, vestings and reconciliation legislation</i>				
Te Ture mō Ō-Rākau, Te Pae o Maumahara 2025/Ō-Rākau Remembrance Act 2025	Primary	N/A	Gives effect to a Deed of Agreement entered into by the Crown relating to the remembrance and ownership of the Ō-Rākau site but is not specifically a Treaty Settlement Act.	TPK-01
Parihaka Reconciliation Act 2019	Primary	N/A	Reaffirms the commitments made by the Crown and the people of Parihaka at He Puanga Haeta, the ceremony of reconciliation. Records the apology given by the Crown, the legacy statement given and the statutory protection of the name Parihaka.	TPK-02
Mokomoko (Restoration of Character, Mana, and Reputation Act 2013 Te Ture mō Mokomoko (Hei Whakahoki I te Ihi, te Mana, me te Rangatiratanga 2013	Primary	N/A	Pardon Act to give legal effect to the agreement between the Crown and te whānau a Mokomoko dated 28 September 2011 relating to statutory recognition of the free pardon dated 15 June 1992 granted to Mokomoko by the Governor-General in exercise of the Royal prerogative of mercy.	TTW-02
Te Ture kia Unuhia te Hara kai Runga i a Rua Kēnana 2019 Rua Kēnana Pardon Act 2019	Primary	N/A	Gives effect to the agreement between the Crown and Ngā Toenga o Ngā Tamariki a Ihairaira me Ngā Uri o Maungapōhatu Charitable Trust to provide a statutory pardon for Rua Kēnana.	TPK-004
Tutae-Ka-Wetoweto Forest Act 2001	Primary	N/A	Gives effect to provisions of Deeds between Crown and Rakiura Māori Land Trust relating to Tutae-Ka-Wetoweto Forest – not a Treaty Settlement (doesn't settle claims for breach of Treaty of Waitangi) but does give effect to agreement with Treaty Partner to protect historic values and Māori customary rights.	DOC-004
<i>Additional legislation that gives effect to specific agreements (for example a sale and purchase agreement) or agreements entered into via deed by the Crown</i>				
Stewart Island Reserves Empowering Act 1976	Primary	N/A	Act gives effect to a land deal agreed between the Crown and Stewart Island Air Services Limited. CAS review not cost-effective or valuable as it would be unlikely to result in changes to scope or content of legislation without upsetting historical agreement (i.e. revocation of reserve status of land and valuation of sale and purchase agreement).	DOC-001
Titi (Muttonbird) Island Regulations 1978 Titi (Muttonbird) Island Amendment Regulations 2007	Secondary	Section 48(1)(d) Conservation Act 1987	Regime developed and imposed as part of agreement between the Crown and Rakiura Māori (Deed of Cession of Stewart Island dated 29 June 1864).	DOC-007

<i>Legislation that is necessary for New Zealand to meet its international commitments</i>				
Orders under section 9 Russian Sanctions Act 2022	Secondary	Section 9 Russian Sanctions Act 2022	Regulations are made routinely (multiple times per year) under s9 of the Act in order to add new foreign targets to NZ's sanctions list. The cumulative impact on the public as new targets are added is minor.	MFAT
Regulations under the United Nations Act 1946	Secondary	Section 2 United Nations Act 1946	Regulations give effect to decisions made under the United Nations Charter for which New Zealand had already agreed. Currently 19 sanctions regimes implemented by New Zealand through regulations.	MFAT-003
Trans-Tasman Mutual Recognition Act 1997	Primary	N/A	The TTMRA is not a treaty-level instrument as the Australian States and Territories are parties. However, in practice, it operates in a similar way to treaty. The TTMRA is implemented through mirror legislation in each country. Australia has its own Trans-Tasman Mutual Recognition Act 1997, which is also replicated in the States and Territories. ^{s 6(a)}	MBIE
<p>Legislation that is unlikely to be recommended by the Ministry for Regulation for exemption:</p> <ul style="list-style-type: none"> • Legislation that gives effect to an international obligation but is broader than what is necessary to give effect to the agreement. <p><i>In such cases we would anticipate any inconsistency as a result of the legislation needing to give effect to the international agreement and therefore limiting policy discretion could be explained through the statement of reasons by the responsible Minister or maker.</i></p>				
Privacy Act 2020	Primary	N/A	<p>The Privacy Act supports NZ's trading agreements and also gives effect to obligations under the International Covenant on Civil and Political Rights.</p> <p>Policy settings for privacy can be of key importance for digital commerce. Alignment with international standards and trading partners' regulatory settings is beneficial to NZ businesses, especially those that engage in the transfer of personal information overseas. Other jurisdictions (eg UK, EU) regularly review NZ's adequacy status with their privacy laws.</p>	MOJ-049
Human Rights Act 1993	Primary	N/A	The HRA reflects obligations under a number of international conventions, including the International Convention on the Elimination of all forms of Racial Discrimination (ratified by New Zealand in 1972) and the International Covenant on Civil and Political Rights.	MOJ-011

Legislation for which consistency assessment and review requirements would be an inappropriate intrusion of the Executive into Parliamentary, judicial or other independent affairs				
Name	Type of Legislation	Empowering provision (if applicable)	Rationale for exemption	Reference number (for MfR internal purposes)
Examples of additional legislation the Ministry for Regulation considers likely to warrant exemption:				
Legislation that supports rules and procedures for Tribunals or non-judiciary bodies which provide court-like functions				
Dispute Tribunal Rules 1989	Secondary	Section 60, Dispute Tribunal Act 1988	The Disputes Tribunal is a division of the District Court as per s4 of the Act. Therefore, Disputes Tribunal Rules should be treated in the same way as Court rules. However, the wording of the court rules exemption is not broad enough to include these rules and therefore should be included for clarity.	MoJ-52
Canterbury Earthquake Insurance Tribunal Regulations	Secondary	Section 67, Canterbury Earthquakes Insurance Tribunal Act 2019	Section 67 provides that regulations can make rules for tribunal procedures. Tribunal rules should be excluded as the tribunal is a court-like body making independent decisions. Note, no regulations currently exist under this empowering provision however, exclusion would provide consistency with the exclusion in the primary Act for rules of court under section 68.	MoJ-55
Coroner's rules made with the concurrence of the chief coroner.	Secondary	Section 140A of the Coroners Act 2006	These rules and regulations concern the practice and procedure of the independent coronial system for investigation of deaths, exercising independent decision-making powers. Provides consistency with the exclusion in the primary act for rules of court.	MoJ-56
Orders in Council made by the Governor-General under section 129 Electoral Act 1993 to authorise the postponement a by-election if necessary for special reasons.	Secondary	Section 129 Electoral Act 1993	Decisions that must be as independent from the Executive as possible.	MoJ-001a
Legislation that is unlikely to be recommended by the Ministry for Regulation for exemption:				
<ul style="list-style-type: none"> Legislation on the basis it is 'constitutional' in nature, given that it can often have significant implications for rights and liberties 				
<ul style="list-style-type: none"> Electoral Act 1993 Citizens Initiated Referenda Act 1993 Broadcasting Act 1989 No 25 (part 6) Referenda (Postal Voting) Act 2000 Election Access Fund Act 2020 Political Disabilities Removal Act 1960 Constitution Act 1986 	Primary	N/A	<p>The Ministry of Justice has proposed this class of Acts are core constitutional statutes/Bills, and the matters covered by these instruments must be as independent from the Executive as possible. The Ministry considers it appropriate for an exemption to apply under category 3 for both the Acts and any secondary legislation issued pursuant to those Acts.</p> <p>See above for example of some of the secondary legislation the Ministry for Regulation consider would be appropriate for exemption based on the explanation provided in the body of this briefing.</p>	MoJ-001