



Regulatory Standards Act Implementation: Further decisions for considering exclusions to the Regulatory Standards Act 2025

Date	29 January 2026	Priority	High
Security classification	In confidence	Tracking number	MFR2026-007
Attachments	Annex One: Emergency legislation for exclusion Annex Two: Legislation relating to international agreements for exclusion Annex Three: Legislation relating to Parliament and the Judiciary for exclusion Annex Four: Implementation of other decisions made on BR2025-332 Annex Five: Other legislation proposed for exclusion Annex Six: Exclusion or exemption provisions Annex Seven: Legislation proposed by agencies that would not be excluded		

Action sought

Required from	Action	Deadline
Hon David Seymour Minister for Regulation	Agree to the recommendations in this briefing	2 February 2026

Contact for discussion if required

Name	Position	Phone number	1 st contact
Olivia Cross	Principal Advisor, Regulatory Management System	s 9(2)(a)	<input checked="" type="checkbox"/>
Andrew Royle	Deputy Chief Executive Policy	s 9(2)(a)	<input 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 Withdrawn |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



Regulatory Standards Act Implementation: Further decisions for considering exclusions to the Regulatory Standards Act 2025

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Purpose

This briefing seeks your agreement to exclude specific legislation from the Regulatory Standards Act 2025, via an initial notice. It follows your decisions on BR2025-332 *Update and further decisions on exclusions to the Regulatory Standards Act* in December 2025.

It also sets out next steps for providing you a draft Cabinet paper and the subsequent process for approval by the House of Representatives for the initial notice.

Executive summary

1. The briefing reflects your feedback for the threshold for exclusions to the Regulatory Standards Act 2025 (RSA) to be higher than our initial assessment (MFR2025-332 refers). To apply a higher threshold, this briefing recommends you agree to exclude:
 - Targeted emergency legislation powers to declare or to use during specifically declared emergency situations;
 - A narrowed category of international trade legislation. We also seek your direction on a small subset of additional legislation that provides for some specific types of agreements with other countries (for example extradition or mutual assistance agreements);
 - Secondary legislation that requires consultation with the Judiciary or is made by the Remuneration Authority; and
 - Legislation that:
 - applies solely to interactions between public service and/or state sector agencies; or provides for how the public sector agencies govern themselves with negligible or no ongoing public impact; or
 - is administrative with negligible or no ongoing public impact.
2. This approach would result in approximately 330 items being included in the initial notice (approximately 3.3% of the total stock).



Recommended Action

The Ministry for Regulation recommends that you:

Emergency legislation

- a **agree** emergency legislation set out in Annex One is excluded *Agree / Disagree*

International agreements entered into by the Crown

- b **agree** to exclude existing legislation relating to international trade agreements set out in part one of Annex Two is excluded *Agree / Disagree*

- c **agree** to exclude future legislation giving effect to international trade agreements *Agree / Disagree*

- d **agree** legislation for the below purposes in part two of Annex Two is excluded:

- i. giving effect to specific agreements entered into between the Crown and another country for criminal matters agreements under the Mutual Assistance in Criminal Matters Act 1992 and the Trans-Tasman Proceedings Act 2010 *Agree / Disagree*
- ii. giving effect to specific reciprocal social security, child support, or mutual recognition agreements already entered into by the Crown relating to specific countries *Agree / Disagree*
- iii. giving effect to extradition treaties entered into between the Crown and other countries *Agree / Disagree*
- iv. providing for minor or technical updating of the text of an international agreement *Agree / Disagree*
- v. bringing into force double tax agreements under the Income Tax Act 2007 *Agree / Disagree*

Legislation relating to Parliament and the Judiciary

- e **agree** secondary legislation relating to judicial legislation (set out in Annex Three) is excluded *Agree / Disagree*

- f **agree** all secondary legislation made by the Remuneration Authority (set out in Annex Three) is excluded *Agree / Disagree*



Implementation of previous decisions made

- g **note** Annex Four sets out legislation for exclusion relating to agreements with iwi and hapū following your decisions made on BR2025-332 *Noted*

Other legislation proposed for exclusion by agencies

- h **agree** other legislation limited to public service interactions or of minor administrative effect set out in Annex Five is excluded *Agree / Disagree*
- i **agree** to a class exclusion for legislation or parts of legislation that only prescribe forms *Agree / Disagree*

Secondary legislation that provides exemptions or exclusions

- j **agree** to not exclude any secondary legislation that provides for exemptions or exclusions from legislative or regulatory requirements; OR *Agree / Disagree*
OR
- i. **agree** to: exclude the legislation in Annex Six that enables secondary legislation to be made exempting or excluding from legislation or regulatory requirements and any additional equivalent examples agencies identify; OR *Agree / Disagree*
OR
- ii. **direct** us to provide further advice on a targeted option to exclude some secondary legislation making powers that provide for exemptions or exclusions, for example that are used by some Crown entities as part of statutorily independent powers *Agree / Disagree*

Other decisions

- k **agree** legislation set out in Annex Seven would **not** be excluded *Agree / Disagree*

Briefing

MFR2026-007



**Ministry for Regulation
Te Manatū Waeture**

Proactive release

I **agree** that this briefing be released, subject to any necessary redactions under the Official Information Act 1982, at an appropriate time.

Agree / Disagree

s 9(2)(a)

Andrew Royle
Deputy Chief Executive Policy
Ministry for Regulation
Date: 29 / 1 / 26

Hon David Seymour
Minister for Regulation
Date:



Background

3. In September 2025 you agreed to a draft framework and process for identifying exclusions from the requirements of the RSA via an initial notice (MFR2025-235 *Regulatory Standards Bill – Proposed framework for considering exemptions* refers).
4. The framework proposed four classes 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.
5. In December 2025 we provided you with an initial tranche of legislation that we proposed be excluded via the initial notice. We also sought clarifications to the categories to enable us to provide a second tranche of proposed exclusions to you for consideration early in the new year.
6. We understand your preference is for the threshold for exclusion to be higher than our initial assessment – i.e. fewer pieces of legislation should be excluded from the RSA. We have subsequently reconsidered the legislation proposed for exclusion by agencies, in line with this direction, as set out in this briefing.

Exclusion of emergency legislation

7. This category aims to exclude certain emergency legislation to ensure RSA requirements do not impede legitimately urgent emergency responses, while being sufficiently targeted to ensure appropriate scrutiny remains in place for most legislation.
8. Based on your feedback we no longer propose an “open category” for emergency legislation as described in BR2025-332. Instead, we propose only excluding a targeted list of legislation. The identified legislation provides powers to either declare an emergency or provides for statutory powers that can only be exercised during specifically declared emergency situations.
9. This approach aligns with the identified intention while removing the ability for agencies to self-identify if an exclusion applies in a particular situation. There is a risk the narrowed approach could lead to a lack of compliance with the RSA in emergency situations. However, the proposed approach seeks to balance the risk against the need to only exclude genuine and immediate emergency legislation.
10. The alternative approach would be to omit all emergency legislation from the exclusion notice. We do not recommend this option as it could increase the risk of delays to emergency responses and non-compliance with RSA requirements. Non-compliance in emergency situations could risk increasingly wider non-compliance, diminishing the RSA’s effectiveness.



11. We note that our proposed approach will capture a very small number of empowering provisions for emergency situations for human safety that can also be used for wider purposes and cannot be easily differentiated. For example, there is a power to institute emergency control schemes under the Animal Products Act 1999 to respond to an emergency or urgent situation involving risk to human or animal health. This same power can also be used to institute emergency control schemes to manage risk to the integrity or reputation of or overseas market access for New Zealand exports. We are not able to exclude one use of the power (for human safety responses) without capturing the other (for market integrity responses). We have currently identified three such provisions.
12. The list of identified legislation for exclusion is set out in Annex One for your approval.

Legislation necessary to give effect to international agreements entered into by the Crown

13. You have indicated a preference for most legislation necessary for New Zealand to meet its international commitments to be subject to RSA requirements for transparency purposes. You have also clarified that you do not wish to:
 - exclude specified existing legislation identified as necessary to meet New Zealand's international commitments (i.e. legislation that implement obligations under international treaties, protocols, conventions New Zealand has agreed to)
 - create an ongoing exclusion for future legislation identified as necessary to give effect to international agreements.

International Trade Agreements

14. However, we understand from our last discussion that you are comfortable with existing legislation that implements international trade agreements to be excluded. Annex Two sets out a small number of Acts and secondary legislation that are in place solely to implement existing international trade agreements for exclusion in accordance with this approach, and also a class exclusion for similar legislation that may be passed in the future.
15. MFAT has advised that this will prevent lengthened domestic implementation processes, avoid delayed economic benefits to New Zealand, and avoid any other international relationship implications. Trade agreements and what is required to give effect to the agreements are examined by the Foreign Affairs, Defence and Trade Committee during the Parliamentary Treaty Examination process for each agreement. s 9(2)(h) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
16. On balance, we consider this approach is consistent with your previous decisions relating to existing free trade agreements and is still subject to the transparency mechanisms MFAT noted. It would be limited to very specific trade agreement legislation. In addition, the amendments flowing from these agreements into other domestic legislation would be subject to review in the usual way. Subject to the additional decisions sought below, the bulk of multilateral international protocols and conventions, for example, would still be caught.



Additional exclusions

17. Your further direction is sought in relation to a smaller subset of legislation. These are also set out in Annex Two under the heading “*Part Two: Additional exclusions*” and include legislation for the purposes of:
- giving effect to specific agreements entered into between the Crown and another country in criminal matters agreements under the Mutual Assistance in Criminal Matters Act 1992 and the Trans-Tasman Proceedings Act 2010
 - giving effect to extradition treaties agreed between the Crown and other countries
 - giving effect to reciprocal social security, child support or mutual recognition agreements entered into by the Crown
 - setting out or amending the text of an international agreement already provided for in domestic legislation but which does not implement new or change obligations. For example, section 10 of the International Finance Agreement Act provides a power to amend schedules to ensure the text of specific financial agreements are up to date;
 - bringing into force double tax agreements entered into by the Crown with specific countries.

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

Judiciary

18. The Ministry of Justice has identified legislation and empowering provisions for the making of secondary legislation it proposes are excluded for consistency with existing exclusions in schedule 2 of the RSA. The RSA excludes secondary legislation made by any judicial officer or that is rules of the Court to ensure there is no inappropriate intrusion of the Executive into judicial affairs.
19. There is some additional legislation, identified by the Ministry of Justice, that we recommend is also excluded as it cannot be made without consultation with or the consent of the Chief Justice of the High Court or Chief Justice District Court. These requirements indicate the legislation more closely relates to judicial or court practices and therefore should be excluded for consistency with court rules. Examples include Jury Rules and Orders governing the sharing of Court information that has constitutionally been the responsibility of the judiciary and require the consent of the Chief Justice. Annex Three sets out this legislation for your agreement.
20. The Ministry of Justice has also suggested a broader range of legislation is excluded, however in our view most of this legislation while providing for judicial and court matters would engage the principles and is made by the Executive rather than the Judiciary.
21. As an alternative, we have considered the remaining identified legislation using the same parameters we have used to analyse other legislation agencies have proposed for exclusion as set out from paragraph 33.



Secondary legislation made by the Remuneration Authority

22. We have considered all Remuneration Authority secondary legislation against this category of legislation where inclusion would be an inappropriate intrusion of the Executive into Parliamentary or other independent affairs. You made a decision not to exclude remuneration authority decisions from the scope of the Act when we developed the overall policy for the RSA.
23. Our assessment is that all secondary legislation made by the Remuneration Authority would, however, fit within this exclusion category for the notice, especially given where the final RSA policy landed regarding the Board. There is a genuine risk of perceived interference or scrutiny on determinations relating to other branches of Government by the Regulatory Standards Board as part of its stock function. For example, determinations on Parliamentary and Judicial Officers' salaries and allowances. While applying some RSA requirements (i.e. flow requirements to produce a CAS) would not be particularly troubling, on balance the inclusion of the Board stock review function for these types of decisions does appear to be problematic. We invite you to reconsider your previous decision about Remuneration Authority matters.
24. Annex Three lists the empowering provisions for all secondary legislation made by the Remuneration Authority. While each power could be excluded individually, we recommend a broad exclusion for all legislation made by the Remuneration Authority for clarity and to avoid any future inconsistencies.

Implementation of other decisions made on BR2025-332

25. For completeness we have attached Annex Four that sets out all other legislation that would be included in the initial notice (i.e. legislation that supports implementation of agreements with iwi and hapū such as pardon acts, reconciliation and vesting legislation), based on your decisions made on BR2025-332.

Legislation for which consistency assessment and review requirements are not cost-effective

26. Most legislation proposed for exclusion by agencies was sought under this category as they considered it to be minor, technical, administrative or there was limited discretion on the part of the maker. This category accounted for around 60% of the exclusion requests (approximately 560 individual requests).
27. You have indicated that you would like the threshold for exclusions based on cost-effectiveness or value to be significantly higher than previously proposed, i.e. legislation should not be excluded if it has an obvious impact on the public (including individuals, classes of people and businesses) – particularly in relation to the rule of law, rights, liberties and the use and exchange of private property.
28. We therefore considered all proposed legislation and identified the legislation that:
 - applies solely to interactions between public service and/or state sector agencies or provides for how the public sector agencies govern themselves with no or minimal public impact
 - is administrative and has negligible or no ongoing public impact.



29. Applying this approach results in a large volume of secondary legislation continuing to be subject to RSA requirement. This is often because the empowering provisions are broad, or because, even with clear parameters, secondary legislation makers still have design choices that affect the level of impact on people. Applying this approach has resulted in the following choices being made:

- legislation that is technical but that could impact on how individuals or businesses operate or imposes costs and obligations would not be excluded
- secondary legislation that sets definitions for the purposes of a piece of legislation that could impact the public would not be excluded
- legislation such as codes of conduct, ethics, occupational licensing requirements and legislation that relates to industry obligations or requirements would not be excluded
- legislation that sets fees, levies, interest rates, payment rates or similar would not be excluded, unless there is no discretion, i.e. it can only be in accordance with specific formulas set out in the primary Act or there is no discretion on the amount
- legislation that provides secondary legislation making powers relating to matters such as eligibility for support or the threshold for payments would not be excluded. While these types of legislation broadly do not impact personal property, the design choices would impact on individuals and therefore may engage other RSA principles. This approach means there is a high proportion of secondary legislation made or administered by agencies such as the Ministry for Social Development, ACC and IRD that would not be excluded despite being considered routine and broadly administrative.

30. When an empowering provision provides for the prescribing of forms alongside more broad regulation-making abilities, the overarching power would not be excluded. However, to reduce the administrative burden on agencies we recommend creating a class exclusion for secondary legislation that is for the purpose of prescribing forms (i.e. sets out the template of a form that must be used in the relevant circumstances).¹ This approach would mean only the aspect of legislation relating to forms would be excluded.

31. The list of legislation for exclusion is set out in Annex Five for your approval.

Secondary legislation that provides for exclusion or exemption powers

32. Some agencies, particularly Crown entities that regulate specific markets or industries, have raised concerns about applying the RSA requirements to the secondary legislation they make.

33. Concerns relate mainly to existing limits on their regulation making powers in primary legislation and the resourcing required to apply RSA processes across high volumes of secondary legislation that is often technical. However, broad application is consistent with the

¹ For example, [section 140\(1\)\(a\) – \(f\) of the Residential Tenancies Act 1986](#) sets out a range of matters that can be provided for in regulations including, prescribing offences and fees. This approach would mean only the part of the regulations that “*prescribe[s] forms to be used for any purposes under the Act*” under section s140(1)(a) would be excluded. All other regulations made under the empowering provision would remain subject to RSA requirements.



intent of the RSA and, in many cases, the nature of the legislation if highly technical should make RSA requirements straightforward to meet in any event.

34. To mitigate one concern raised we seek your direction on whether secondary legislation that provides solely for exemption powers should be excluded. Exemption powers are typically used to address situations where legislative requirements might be overly onerous or are placing requirements on a broader audience than necessary to give effect to the policy intent. They can also address situations not contemplated when legislation was put in place. While such powers can reduce regulatory burdens, they can also create costs or obligations for others or weaken system effectiveness if applied too broadly.
35. The Takeovers Panel, who has responsibility for the Takeovers Code, is one Crown entity who raised this concern. The Takeovers Code regulates changes of control in NZX-listed or widely held companies and was drafted broadly, but with some prescriptive disclosure requirements. To address unintended consequences or circumstances not contemplated by the Code, there is an exemption power in section 45 of the Takeovers Act 1993 that can be exercised by the Panel in relation to specific individuals, transactions or offers or classes of people. Decisions made by the Panel are secondary legislation.
36. The Panel has indicated that as their decisions are secondary legislation, consistency with the RSA principles would be a factor in how they consider applications. They have expressed a view that this may result in unintended consequences as declining exemptions that would otherwise have been granted under the Code's objectives. The Panel has also indicated there will be increased judicial review, leading to fewer exemptions being provided. As a result, they believe there would be fewer market participants willing to engage in transactions, creating market uncertainty and increased regulatory burdens.
37. We note that while agencies have raised concerns about the impact of the requirements on decision making, one of the purposes of the RSA is transparency. If there are inconsistencies with the principles, they can be identified and reasons given, different decisions are not required. In some cases, having to undertake the requirements may also have the benefit of secondary legislation makers considering if an exclusion or exemption has gone far enough.
38. In addition, there are a range of other types of empowering provisions that enable secondary legislation to create exemptions or exclusions to requirements for a broad range of reasons and by a range of agencies or Ministers. For example, exclusions from licensing, levy or dispute resolution requirements for businesses or exemptions from particular eligibility requirements for social welfare programmes. Annex Six sets out empowering provisions that fall into this category from the pool of legislation identified by agencies for exclusion.
39. To help focus agencies resources on legislation that maintains or increases regulatory burdens, we seek your direction on whether you wish to exclude some of this legislation. Should you wish to do so there are options for how it may be achieved. We therefore seek your further direction as to whether you would like to take either of the following approaches:
 - exclude the specific empowering provisions that create exemptions or exclusions set out in Annex Six (which currently identifies around 80 empowering provisions) as a starting point. During Cabinet paper consultation we would ask agencies to identify all other empowering provisions to ensure a consistent approach is taken. We note that we are unable to provide an indication of how many empowering provisions may contain these powers, but we anticipate there is significantly more than currently identified; OR



- direct us to provide you with further advice on a more targeted option (i.e. exemption powers exercised as part of the independent functions of specific Crown entities).

Legislation that would not be excluded

Annex Seven sets out the legislation proposed by agencies that would *not* be excluded based on your decisions in BR2025-332 and the approach set out in this briefing. Those decisions were to:

- not exclude legislation that gives effect to an agreement, such as a sale and purchase agreement, or agreements entered into via deed by the Crown
- not exclude constitutional legislation
- not exclude legislation that sets procedures and decisions of non-judicial bodies that provide court-like functions, consistent with the current exclusion of court rules

Volume of legislation proposed for exclusion

40. Agencies put forward approximately 900 exclusion requests covering bills and Acts as well as secondary legislation (both by empowering provision or for specific pieces). Applying the approach set out in this briefing means approximately 330 would be excluded in the initial notice. This is around 3.3% of the approximately 10,000 pieces of existing legislation (primary and secondary) that would be subject to RSA requirements if no exclusions applied.
41. As noted, legislation proposed by agencies that would *not* be in the initial notice following the approach in this briefing is set out in Annex Seven.
42. The increased threshold reduces the scope of legislation that would be excluded in the initial notice. We anticipate there will be significant feedback during departmental and Ministerial consultation particularly from agencies concerned about the volume of legislation RSA requirements will continue to apply to and the resourcing implications (particularly when legislation may be routine or technical).
43. We note this process is being undertaken to draft an initial notice. To partially address some agency concerns we suggest including agreement in the draft Cabinet paper for a further exclusion process to be undertaken in the future (i.e. following review 12-24 months after requirements come into force). This would provide sufficient time to assess how the requirements are working in practice and identify whether there are further types of legislation it may be appropriate to exclude or include in RSA requirement.

Next steps

Cabinet paper consultation

44. Subject to your decisions on this briefing, we will provide you with a draft Cabinet paper. This could allow for departmental consultation in early to mid-February, and Cabinet consideration in early March. We will continue to liaise with your office on the timing and sequencing of the various Cabinet decisions needed for RSA implementation, including on the initial notice.



Agreement by the House

45. Following Cabinet's consideration, resolution by Parliament is required before a notice can be issued. The Office of the Clerk of the House of Representatives (OoC) advises the affirmative resolution procedure under Standing Order 330 would be triggered. This process ordinarily means a notice of motion to approve the notice would be lodged with a 28 day select committee consideration, however they see fit, before the notice can be moved. The OoC also raised a different procedure could be developed as an alternative to provide for a direct referral of the draft notice to Select Committee. They noted however that this approach would require a change to Standing Orders which would require consensus across the House.
46. We will discuss with your office how we can best support the House process.

Proactive release

47. With your agreement, the Ministry will proactively release this paper at the appropriate time in accordance with Official Information Act 1982 and Privacy Act 2020 requirements to support transparency and public trust in decision-making processes.

Annex One: Emergency legislation to be included in an initial exclusion notice

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision?	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Forms of declarations of state of emergency	S	N	S 115 Civil Defence Emergency Management 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, for the purposes of sections 66, 69, 71 and 72 of the Civil Defence Emergency Management Act 2002.	NEMA-002
Form of transition period notices	S	N	S 115 Civil Defence Emergency Management 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, for the purposes of sections 94A, 94D, 94E and 94B of the Civil Defence Emergency Management Act 2002.	NEMA-003
Prime Minister may enable use of special powers	S	Y	S 5(1) Epidemic Preparedness Act 2006	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.	MOH-01
Renewal and modification of epidemic notices	S	Y	S 7(1) Epidemic Preparedness Act 2006	With the agreement of the Minister of Health, the Prime Minister may, by notice given before an epidemic notice expires, renew that notice.	MOH-02
Activating other measures while epidemic notice in force	S	Y	S 8(1) Epidemic Preparedness Act 2006	While an epidemic notice is in force (or when making an epidemic notice), the Prime Minister may, with the agreement of the Minister responsible for the administration of the enactment concerned, by notice (stating the name of the quarantinable disease stated in the epidemic notice), state matters to enable actions to take place.	MOH-03
Review of epidemic management notices	S	Y	S 10(1) Epidemic Preparedness Act 2006	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).	MOH-04
Special powers of medical officer of health - infectious and notifiable diseases	S	Y	S 70 Health Act 1956	Special powers of medical officers to prevent outbreak or spread of any infectious disease, if authorised to do so by the Minister or if a state of emergency has been declared under the Civil Defence Emergency Management Act 2002 or while an epidemic notice is in force.	MOH-06
Notices for priorities for medicines	S	Y	S 74C(2) Health Act 1956	While an epidemic notice is in force, the Director-General may, if satisfied that there is or is likely to be a shortage of medicines because of the outbreak of the disease stated in the epidemic notice, in accordance with a policy for the medicines, by notice require persons administering, dispensing, prescribing, or supplying stated medicines that are under the control of the Crown or a Crown entity to administer, dispense, prescribe, or supply them in accordance with priorities, and subject to any conditions.	MOH-07
Petroleum emergency regulations	S	Y	S 4 International Energy Agreement Act 1976	Such regulations would have to be made in response to a declared petroleum emergency. They would enable implementation of emergency measures for meeting New Zealand's obligation under the International Energy Agreement.	MBIE-79
Petroleum demand restraint regulations	S	Y	S 4 Petroleum Demand Restraint Act 1981	Petroleum demand restraint regulations would need to be made in response to actual or anticipated fuel shortage. They could cover emergency measures such as fuel rationing and restrictions on the use of motor vehicles.	MBIE-80
COVID-19 Response (Taxation and Social Assistance Urgent Measures) Act 2020	P	N/A	N/A	Enables rapid response to a crisis and assessing consistency would delay critical support.	MSD-005
Overseas epidemic management notice	S	Y	S 99 Social Security Act 2018	Legislation directly responding to a declared emergency overseas affecting visitors to New Zealand – enables rapid response to crises and assessing consistency would delay critical support	MSD-036
Special assistance for visitors affected by overseas epidemics	S	Y	S 100 Social Security Act 2018	Legislation directly responding to a declared emergency overseas – enables rapid response to crises and assessing consistency would delay critical support	MSD-037

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision?	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Regulations reinstating emergency notification regime	S	Y	S 60A Overseas Investment Act 2005	Ability to reinstate emergency notification regime. Regulations that have the broad effect of reinstating, in respect of an emergency, all or part of the emergency notification regime.	TSY-006/ LINZ-012
Secondary legislation to prohibit publication or broadcasting of certain matters during international terrorist emergency	S	Y	S 14-15, International Terrorism (Emergency Powers) Act 1987	The Act was enacted in response to the 1985 Rainbow Warrior bombing, and allows Ministers to authorise the exercise of emergency powers in relation to international terrorist emergencies	NSRG- 001
Directions issued by the Secretary of Education to direct education entities, including closing or opening the entity	S	Y	S 654 Education and Training Act 2020	These directions (and changes to these directions) are only applicable during specified times. These are limited to state of emergency or transition period under the Civil Defence Emergency Management Act, or an epidemic notice under the Epidemic Preparedness Act 2006. While these could impact individual rights and liberties, these powers are important to enable the Secretary to respond to matters of significant emergencies.	MOE-13
Emergency response regulations responding to a natural hazard event or other emergency in an area, including recovery efforts	S	Y	S 331AA Resource Management Act 1991	The Governor-General may, by Order in Council made on the recommendation of the Minister, make regulations (emergency response regulations) for the purpose of— (a) responding to a natural hazard event or other emergency in an area; and (b) enabling recovery efforts in the affected area (including any work required to improve the resilience or standard of assets)	MfE-001
Declaration of special emergency	S	Y	S 49B Hazardous Substances and New Organisms Act	Declaration an adverse event should be a special emergency. Adverse events include: (a) improper releases of a new organism, (b) a hazardous substance or new organism bringing about actual or imminent danger to human health or safety or significant damage to the environment or chattels, or (c) emergencies under any of the Civil Defence Emergency Management Act 2006, the Fire and Emergency New Zealand Act 2017, or the Maritime Transport Act 1994.	MFE-027
Emergency powers for the purposes of section 145 Biosecurity Act 1993	S	Y	S 145 Biosecurity Act 1993	Legislation directly responding to a declared biosecurity emergency	MPI-010
Biosecurity emergency regulations	S	Y	S 150 Biosecurity Act 1993	Legislation directly responding to a declared biosecurity emergency	MPI-010
Declaration of a controlled area	S	Y	S 131 Biosecurity Act 1993	Controlled area notices and movement controls	MPI-011
Emergency measures for the purposes of the Fisheries Act 1996	S	Y	S 16 Fisheries Act 1996	These need to be issued urgently in an emergency	MPI-012
Emergency control schemes and emergency animal product standards	S	Y	S 41 and 46 Animal Products Act 1999	Emergency control schemes and emergency standards are issued in response to human, animal or trade risks	MPI-017
Power to issue emergency notice	S	Y	S 410 Food Act 2014	These notices are issued in response to a food safety emergency	MPI-018
Emergency organic standards	S	Y	S 132 Organic Products and Production Act 2023	Emergency organic standards are issued in response to risks to consumers or trade. These standards are also technical, and consistency assessment is unlikely to change content	MPI-019
Special powers of Water Services Authority to close public places or events during drinking water emergency	S	Y	S 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 from legislative requirements during drinking water emergency	S	Y	S 63 Water Services Act 2021	This is the power to grant exemptions from particular legislative requirements during a drinking water emergency	DIA-020
Regulations for emergency situations	S	Y	S 66 Water Services Act 2021	These are regulations to extend an emergency exemption which has the effect of exempting an action from Part 3 of the RMA or to increase the timeframe of a drinking water emergency declaration for longer than 28 days.	DIA-021

Annex Two: Legislation relating to international agreements to be included in an initial exclusion notice

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision?	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Part One: Legislation implementing existing international agreements					
Specified Orders under the Tariff Act 1988	S	Y	S 7A(1)(a), (b), (baa), (ba), (bb), (bc) Tariff Act 1988	OICs to specify countries as FTA Parties and allow exemptions from Tariffs, existing examples include: <ul style="list-style-type: none"> Tariff (Specified ASEAN-Australia- New Zealand Parties) Orders 2019 Tariff (Specified Regional Comprehensive Economic Partnership Parties) Order 2021 	MBIE-95-101
Trans-Tasman Mutual Recognition Act 1997	P	N/A	N/A	The TTMRA is an arrangement between the NZ government, the Australian government, and the governments of the Australian States and Territories. To all intents and purposes, it operates like an international agreement but 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-121
Regulations regarding alternative monetary thresholds for overseas investments in significant business assets	S	Y	S 61A Overseas Investment Act 2015	Regulations to implement obligations in specific bi-lateral or multilateral trade agreements. s 9(2)(h)	TSY-007/ LINZ-015
Exemptions in respect of overseas investments in sensitive land to implement obligations under international agreements	S	N	S 6(1)(i) and (j) Overseas Investment Act 2005	Regulations to provide for exemptions for international agreements (e.g. to provide for the NZ-Australia Closer Economic Relations Trade Agreement, NZ and Singapore Closer Economic Partnership)	LINZ-013
Certificates of Origins – Specified Country Orders	S	Y	S 435 Customs and Excise Act 2018	Orders required for compliance with specified free trade agreements	NZCS-012
Part 6 Customs and Excise Regulations 1996	S	Y	S 65 Customs and Excise Act 2018	This part exclusively reflects NZ's international free trade agreement obligations. NZCS has no discretion for these changes, which occur as frequently as FTAs are signed or updated.	NZCS-025
Part Two: Additional exclusions					
Regulations identifying specific mutual assistance agreements for different countries	S	N	S 65 Mutual Assistance in Criminal Matters Act 1992	Secondary legislation to give effect to mutual assistance in criminal matters agreements between NZ and other countries, existing examples include: <ul style="list-style-type: none"> 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 	MoJ-29-37

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision?	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
				<ul style="list-style-type: none"> • Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (United Kingdom) Regulations 1999 • Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (United States of America) Regulations 1998 • Mutual Assistance in Criminal Matters (Section 24(3)) Order 1999 	
Specific extradition orders to different countries	S	N	S 17 Extradition Act 1999	<p>Secondary legislation to give effect to extradition treaties between NZ and other countries:</p> <ul style="list-style-type: none"> • 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 • Extradition (United Kingdom and Pitcairn Islands) Order 2003 • Extradition (United States of America) Order 1970 • Iceland (Extradition: New Zealand) Order in Council 1940 	MoJ-038 - 47
Specific orders adopting reciprocity agreements to different countries	S	N	S 380 Social Security Act 2018	<p>Orders required to give effect to reciprocal social security agreements between NZ and other countries:</p> <ul style="list-style-type: none"> • Social Welfare (Reciprocity with Australia) Order 2017 • Social Welfare (Reciprocity with Canada) Order 1996 • Social Welfare (Reciprocity with Denmark) Order 1997 • Social Welfare (Reciprocity with Ireland) • Social Welfare (Reciprocity with Jersey and Guernsey) Order 199 • Social Welfare (Reciprocity with Malta) Order 2013 • Social Welfare (Reciprocity with Republic of Korea) Order 2021 • Social Welfare (Reciprocity with the Hellenic Republic) Order 199 • Social Welfare (Reciprocity with the Netherlands) Order 2003 • Social Welfare (Reciprocity with the United Kingdom) Order 1990 	MSD102 - 111
Regulations relating to reciprocity agreements with mutual assistance provisions	S	Y	S 450 Social Security Act 2018	Regulations for reciprocity agreements with mutual assistance provisions, and adverse action if discrepancy shown by information from other country	MSD-086
Adoption of reciprocal agreement with other countries	S	Y	S 215 Child Support Act 1991	To give effect to arrangements specified in any agreement with the government of any country or territory outside NZ for reciprocity in respect of matters relating to child support or domestic maintenance, or to any alteration to any such agreement	IRD-064
Double taxation agreements	S	Y	S BH(1)(3) Income Tax Act 2007	OIC to bring into force a double tax agreement already signed by the NZ Government.	IRD-016
Civil Aviation (ANZA Mutual Recognition Agreement) Order	S	Y	S 407 Civil Aviation Act 2023	Order implementing the Arrangement between the Australian and NZ Governments on Mutual Recognition of Aviation-Related Certification	MoT-005
Trans-Tasman Proceedings Act 2010	P	N/A	N/A	Act implementing the Trans-Tasman Agreement between NZ and Australia on Trans-Tasman Court Proceedings and Regulatory Enforcement, done at Christchurch on 24 July 2008.	MoJ-008

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision?	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Bills, Acts and associated secondary legislation that implement New Zealand's international trade agreements <i>Not including amendment legislation already excluded under Schedule 2, Part 2 of the RSA.</i>	P&S	N/A	N/A	s 9(2)(h)	MFAT-000
Setting out or amending the text of an international agreement already provided for in domestic legislation					
Power to amend schedules to ensure text of international agreements are up to date	S	N	S 10 International Finance Agreements Act 1961	Orders to make minor or technical amendments to Act schedules to ensure wording of agreements are up to date (e.g. Articles of Agreement of the International Monetary Fund)	TSY-012
Updating text of Convention etc – Ozone Layer Protection Act 1996 (none to date)	S	N	S 20 Ozone Layer Protection Act 1996	Orders to make minor or technical amendments to Act schedules to ensure wording of agreements are up to date	MfE-022

Annex Three: Legislation relating to Parliament and the Judiciary for exclusion

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Royal Succession Act 2013	P	N/A	N/A	Act implements in NZ law changes to the rules of Royal succession.	MoJ-002
Power to amend list of Imperial legislation part of New Zealand law listed in of the Act	S	Y	S 3, Imperial Laws Application Act 1988	OIC to amend Schedules 1 and 2 to remove Imperial enactments, subordinate legislation, and English common law are part of NZ law.	MoJ-002
Changes to Act schedule governing the sharing of court information	S	Y	S 237, District Court Act 2016	Orders to amend Part B of Schedule 1 governing the sharing of court information. Section 237 provides very narrow exceptions to general rules around use of court information. Constitutionally, and as reflected in s 236, the judiciary have responsibility for court information. Provides consistency with the exclusion in the RSA for rules of court.	MoJ-62
Changes to Act schedule governing the sharing of court information	S	Y	S 174(2), Senior Courts Act 2016	Orders to amend Part B of Schedule 2 governing the sharing of court information. Constitutionally, the judiciary have responsibility for court information. Provides consistency with the exclusion in the RSA for rules of court.	MoJ-67
Jury Rules	S	Y	S 35, Juries Act 1981	Rules by OIC in relation to jury lists, jury panels, summoning of jurors, prescribing methods of service, jury selection, etc. Closely related to court procedure. Provides consistency with the exclusion in the RSA for rules of court. Act requires consultation with the judiciary when making/changing these rules.	MoJ-65
Senior Courts (High Court Commercial Panel) Orders	S	Y	S 19(2), Panels Senior Courts Act 2016	OIC to make orders relating to the commercial panel of the High Court, such as types of proceedings that may be assigned to the commercial panel. This requires consultation with the Chief Justice and Chief High Court Judge. The Act provides for the practice and procedure of the High Court, the Court of Appeal, and the Supreme Court, and judicial and other officers.	MoJ-67
Judge modifications to rules of court during epidemic	S	Y	S 24A, Epidemic Preparedness Act 2006	While an epidemic notice is in force, Head of Bench modifications to 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.	MOH-05
Courts Security Regulations	S	Y	S 36, Courts Security Act 1999	Regulations declaring a specified court or tribunal to be a body to which the Act applies, declaring a place to which the Act applies, and the boundaries of a body to which the Act applies.	MoJ-59
Letters Patent Constituting the Office of Governor-General of New Zealand	N/A	N/A	NA – Royal Prerogative	The Letters Patent are a Royal Prerogative instrument establishing the Office of the Governor-General, and covering relating matters (like the constitution, 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 RSA 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.	CAB-005
Governor-General Allowance	S	N	S 6, Governor-General Act 2010	OIC to change the Governor-General's allowance.	CAB-006

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Changes to Act schedule recording political commitments to New Zealand Superannuation	S	Y	S 72, New Zealand Superannuation and Retirement Income Act 2001	OIC to amend Schedule 4 to add or delete 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					
Determinations setting the salary of the Governor-General	S	Y	S 5, Governor-General Act 2010	The Remuneration Authority is established under the Remuneration Authority Act 1977. It is an independent statutory body which determines the remuneration (sometimes including superannuation/retirement savings, expenses and allowances) for a variety of senior public office holders/statutory officers and, in some cases, their spouses, partners and family members. These office holders include the Governor-General, members of Parliament (MPs), judicial officers, and elected members of local authorities. These determinations do not effect new policy, but are a regular, ongoing and standardised aspect of government administration.	Rem-01
Determinations setting annuities for the Governor-General	S	Y	S 8, Governor-General Act 2010		Rem-02
Determinations setting salaries and allowances for members of Parliament	S	Y	S 8, Members of Parliament (Remuneration and Services) Act 2013		Rem-03
Determinations setting entitlements of members of Parliament, electoral candidates, Ministers, and their family members	S	Y	S 17, Members of Parliament (Remuneration and Services) Act 2013		Rem-04
Parliamentary Superannuation Determinations	S	Y	S 12(1)(ba), (1)(b) and 17 Remuneration Authority Act 1977		Rem-05/06
Determination setting annuities for the Prime Minister and partner	S	Y	S 43, Members of Parliament (Remuneration and Services) Act 2013		Rem-07
Determination setting travel entitlements for the Prime Minister and partner	S	Y	S 44, Members of Parliament (Remuneration and Services) Act 2013		Rem-08
Judicial Officers Salaries and Allowances (2025/26) Determinations	S	Y	S 12B(1) and 19, Remuneration Authority Act 1977		Rem-09
Judicial Officers Superannuation Determinations	S	Y	S 12B(2), Remuneration Authority Act 1977		Rem-10
Judicial Superannuation (Parttime Judges) Determinations	S	Y	S 12B(2)(a) and 17, Remuneration Authority Act 1977		Rem-11
Local Government Elected Members (2025/26) Determinations	S	Y	Clauses 6 of Schedule 7, Local Government Act 2002		Rem-12

Annex Four: Implementation of other decisions made on BR2025-332

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision?	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Treaty of Waitangi (State Enterprises) Act 1988	P	N/A	N/A	This Act gives effect to an agreement entered into between the New Zealand Māori Council and Sir Graham Stanley Latimer and the Crown in settlement of an application for judicial review (see the Lands Case decision – <i>New Zealand Māori Council v Attorney General</i> [1987] 1 NZLR 641).	MoJ-003
Te Ture mō Ō-Rākau, Te Pae o Maumahara 2025/Ō-Rākau Remembrance Act 2025	P	N/A	N/A	Remembrance Act	TPK-001
Te Ture Haeata ki Parihaka 2019	P	N/A	N/A	Reconciliation Act	TPK-002
Mokomoko (Restoration of Character, Mana, and Reputation) Act 2013	P	N/A	N/A	Pardon Act	TPK-003
Te Ture kia Unuhia te Hara kai Runga i a Rua Kēnana 2019	P	N/A	N/A	Pardon Act	TPK-004
Trout bag limits, size limit notices and fishing prohibition notices under the Rotoaira Trout Fishing Regulations	S	Y	S 15, Maori Purposes Act 1959	The Maori Purposes Act 1959 was amended by the Māori Purposes Act 2022. See the general policy statement for the recent Māori Purposes Bill, which states that these amendments were designed to give the Rotoaira Trust more autonomy and flexibility (over its trout fishery).	TPK-008
Ngāi Tahu (Tutaepatu Lagoon Vesting) Act 1998	P	N/A	N/A	Vesting Act	TTW-001
Mokomoko (Restoration of Character, Mana, and Reputation) Act 2013	P	N/A	N/A	Vesting Act	TTW-002
Te Rohe o Rongokako Joint Redress Act 2022	P	N/A	N/A	Vesting Act	TTW-004
Ngāti Kahu Accumulated Rentals Trust Act 2015	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-005
Hawke's Bay Regional Planning Committee Act 2015	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-006
Te Ture mō Ō-Rākau, Te Pae o Maumahara 2025/Ō-Rākau Remembrance Act 2025	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-007
Whakarewarewa and Roto-a-Tamaheke Vesting Act 2009	P	N/A	N/A	Vesting Act	TTW-008
Maori Trust Boards Act 1955	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-013
Urewera Lands Act 1921-22	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-014
Māori Purposes (Wi Pere Trust) Act 1991	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-015
Tauranga Moana Maori Trust Board Act 1981	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-016
Tarawera Forest Act 1967	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-017
Mauao Historic Reserve Vesting Act 2008	P	N/A	N/A	Vesting Act	TTW-018
Tutae-Ka-Wetoweto Forest Act 2001	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-019
Special provisions relating to Lake Horowhenua	P	N/A	S 18, Reserves and Other Lands Disposal Act 1956	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-020

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision?	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Reserves and Other Lands Disposal Act 1970	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-021
Ngai Tahu (Pounamu Vesting) Act 1997	P	N/A	N/A	Vesting Act	TTW-023
Haka Ka Mate Attribution Act 2014	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	TTW-024
Te Urewera Act 2014	P	N/A	N/A	Legislation necessary to directly give effect to agreements already entered into by the Crown with iwi and hapū	DOC-002
Tutae-Ka-Wetoweto Forest Act 2001	P	N/A	N/A	Act gives effect to provisions of Deeds between Crown and Rakiura Maori 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 Maori customary rights.	DOC-004
Waitutu Block Settlement Act 1997	P	N/A	N/A	Act gives effect to a "Deed of Settlement" between Crown and Waitutu Block Incorporation – 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 cultural values of land and requires the Crown to act consistency with Treaty Principles.	DOC-005
Titi (Muttonbird) Islands Amendment Regulations	S	Y	S 48(1)(d), Conservation Act	Regime imposed as part of a deal between Crown and Rakiura Maori (Deed of Cession of Stewart Island dated 29 June 1864).	DOC-007
Special regulations relating to South Island freshwater fisheries providing for customary Māori fishing rights	S	Y	S 48B(1), Conservation Act 1987	Regulations must be consistent with the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992; giving effect to Ngai Tahu Claims Settlement Act 1998.	DOC-008

Annex Five: Other legislation proposed for exclusion

Name	Primary/Secondary	Exclusion for all legislation under the empowering provision?	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Power to amend schedule to Official Information Act schedules when an agency is established or disestablished	S	Y	Section 49 Official Information Act 1982	OICs 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
Power to amend schedule to the Ombudsmen Act 1975	S	Y	Section 32 Ombudsmen Act 1975	OICs 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
Notices to require a copy of certain applications for building consent to be provided to Fire and Emergency New Zealand	S	Y	Section 46 Building Act 2004	Copy of certain applications for building consent must be provided to Fire and Emergency New	MBIE-01
Acceptable solutions for requirements of persons with disabilities	S	Y	Section 119 Building Act 2004	Amendments to a schedule or a specification to provide acceptable solutions for requirements of persons with disabilities	MBIE-02
Winding Up of the Motor Vehicle Traders Compensation Fund notice	S	Y	Section 162 Motor Vehicles Sales Act 2003	Sets out the process for winding up the Motor Vehicle Traders Compensation Fund, including notice and final accounting. No discretion on when this occurs.	MBIE -20
Children Commissioner's Code of Ethics	S	Y	Children's Commissioner Act 2022, s 37(1)(b)-(d)	Prescribes information that must be in the Commissioner's code of ethics and how frequently it must be reviewed.	MSD-002
Children's Monitors Code of Ethics	S	Y	Oversight of Oranga Tamariki System Act s 57(1)(b)-(d)	Prescribes information that must be in the Monitor's code of ethics and how frequently it must be reviewed.	MSD-009
Regulations that provide increases for capital of the NZ Railways	S	Y	S 36 New Zealand Railways Corporation Act 1981	Exemption sought as not minor and not cost-effective to review.	TSY-001
Regulations setting timeframes for application process	S	Y	S37B Overseas Investment Act 2005	Regulations set timeframes for when powers and provisions of services must be exercised under the Act and sets out the information that must be included in the annual report.	TSY-004
Regulations - Order in Councils to reflect name changes in schedule 5 and 6	S	Y	Public Finance Act sections 3B and 3D	Sets out names of Mixed ownership model companies and legal entities created by Treaty of Waitangi settlement Acts	TSY-008
Regulations Changes of name of SOE	S	Y	State-Owned Enterprises Act 1986 -32 Amendments and transitional provisions relating to new State enterprises	Name changes of State-Owned Enterprises	TSY-009
Chief executive or Commissioner may set standards and issue directives in the administration of pastoral land	S	Y	S 100 Crown Pastoral Land Act 1998	Internal regulation standards that do not apply to anyone else.	LINZ-002
Notices define LINZ land where freedom camping is permitted and the restrictions and conditions, if any, that apply to freedom camping on that land.	S	Y	S19B Freedom Camping Act 2011	Decisions relating to LINZ land	LINZ-008
Establishment of Community Work Centres	S	Y	S30 Corrections Act 2004	Notices under this section are intended to declare by Gazette any land or building, or any part of land or building to be used as a community work centre. Crown land or declared with agreements in place.	COR-001
Establishment of prisons	S	Y	s32 Corrections Act 2004	Category 4 – Notices under this section are intended to declare by Gazette any land or building, or any part of land or building to be used as a community work centre.	COR-002

Orders in Council, amend subsection (1) of Anzac Day Act by adding to the list of conflicts referred to in that subsection.	S	Y	Section 2(3) Anzac Day Act 1966	These notices are administrative in nature regarding the location of prisons and police jails attached to police stations.	MCH-001
Notices prescribing when and how the New Zealand Flag should be flown on government land or buildings, including its display order relative to other flags and its official specifications	S	Y	S 10 Flags, Emblems, and Names Protection Act 1981	Relating to rules for flying flags on Government land	MCH-002
Vesting of airport assets and airport liabilities in company	S	Y	S 7 Wellington Airport Act 1990	Vests airport assets in a company	MoT-011
Vesting of airport assets and airport liabilities in company	S	Y	S 7 Wellington Airport Ct 1990	Vests airport assets in a company	MoT-003
Road User Charges (RUC Collector) Order 2012	S	N	S 87 Road User Charges Act 2012	Specifies a RUC collector (which are appointed under section 87)	
Riccarton Racecourse Development Enabling Act 2016 and 2017	S	Y	N/A	Fulfil commitments or agreement the Crown has made elsewhere. This is included for completeness; it is unlikely to be used again.	HUD-007
Notices declaring a Psychiatric security institution	S	Y	S 100 Mental Health (Compulsory Assessment and Treatment) Act 1992	The Minister may from time to time, by notice, declare any hospital, or any part of a hospital, to be a psychiatric security institution	MOH-11
Regulations under s 102 of the Policing Act	S	Y	S 102 Policing Act	The empowering provisions are administrative in nature rather than substantive, 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-01
Determinations relating to access to data for research	S	Y	S55 of the 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 requirements.	STATS-02
Notice declaring a walkway over public land under the Walking Access Act 2008	S	Y	S24 Walking Access Act 2008	Involve no discretion on the part of the maker. The Walking Access Act requires that sections 21 to 23 have been complied with before a notice under s24 can be issued. The notice simply records decisions already made under these prior sections of the Act. What is published in the notice is strictly prescribed in s24, with no discretion to introduce other matters.	HAN-001
Methodist Church of Australasia in New Zealand Act 1902	P	N/A	N/A	This administrative 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	P	N/A	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
Charitable Trusts Regulations 2019	S	N	S 62 Charitable Trusts Act 1957	We recommend any orders made under this empowering provision are exempt, as it deals with administrative matters only.	MoJ-014
Mining Tenures Registration Regulations 1996	S	N	S27, Mining Tenures Registration Act 1962	The regulations provide a form for renewal of a licence, and the manner of execution/registration for a lease variation instrument under s 92 of the Land Transfer Act 2017.	MoJ-016
Property Law (Mortgagees' Sales Forms) Regulations 2007	S	N	S 363 Property Law Act 2007	The regulations set out forms for mortgagees' notices under the Property Law Act 2007.	MoJ-017
Private Security Personnel and Private Investigators (Specified Date) Orders	S	Y	Section 126 Private Security Personnel and Private Investigators Act 2010	The regulation commences a transition period date for two classes of private security personnel to be required to hold a license. The regulation is administrative. We recommend any orders made under	MoJ-019

				this empowering provision are exempt, as it deals with historical commencement matters only.	
Prostitution Reform (Form of Warrants) Regulations 2003	S	N	S47 Prostitution Reform Act 2003	The regulation prescribes forms for search warrants that can be issued under the Act.	MoJ-20
Winding Up of Fidelity Guarantee Fund	S	Y	S163 Real Estate Agents Act 2008	This order winds up the Real Estate Agents Fidelity Guarantee Fund established under prior legislation that the Real Estate Agents Act 2008 replaced. All claims made before the expiry of the fund have been dealt with. Any orders made under this empowering provision should be exempt, as deals with historical administrative matters only.	MoJ-21
Lawyers and Conveyancers Act (Lawyers) Constitution 2008	S	Y	S70 of the Lawyers and Conveyancers Act 2006	Section 70 provides that the New Zealand Law Society must have a constitution. It is administrative in nature. Although the Constitutions of these two Societies are set out in this legislative instrument (as these are statutory bodies), the content of the Constitution is not decided through the secondary legislation.	MoJ-54
Lawyers and Conveyancers Act (New Zealand Society of Conveyancers) Constitution 2025	S	Y	S87 of the Lawyers and Conveyancers Act 2006	Section 87 provides that the New Zealand Society of Conveyancers must have a constitution. It is administrative in nature. 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 not decided through the legislation.	MoJ-54
Orders to alter trust boundaries	S	Y	S 304 Sale and Supply of Alcohol Act 2012	Involve little discretion and are administrative rather than substantive. The Minister can only advise an alteration of a licensing trust boundary on the recommendation of the Local Government Commission	MoJ-77
Orders to appoint a date for first election of members	S	Y	S 310 Sale and Supply of Alcohol Act 2012	The orders made under this section are administrative. The orders made under this section are only to appoint a date for the first election of members of a licensing trust	MoJ-78
Variation of establishment of licensing trust	S	Y	S 337 Sale and Supply of Alcohol Act 2012	The orders made under this section are minor and involve little discretion on the part of the maker. Generally, provide for the abolishment or variation in members.	MoJ-79
Amalgamation Orders	S	Y	S 344 Sale and Supply of Alcohol Act 2012	Refers to the amalgamation of 2 or more Trusts. 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 licensing trust area	MoJ-80
Order in Council vesting licensing trust's undertaking in community trust	S	Y	S 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-81
Alteration of community trust boundaries	S	Y	S363 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 community trust concerned	MoJ-82
Amalgamation Orders	S	Y	S 189 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 community trust concerned	MoJ-83
Regulations and Orders in Council prescribing conditions or procedures for meeting legal requirements by electronic methods. Regulations relating to network or other information technology transferring documents	S	Y	Section 239 and 323 Contract and Commercial Law Act 2017	Administrative regulations relating to ways to fulfil requirements	MBIE -40

Registrar may grant exemptions to overseas companies	S	Y	S207L Companies Act 1993	Exempt overseas companies from certain reporting requirements under the Act. Administrative regulation with limited discretion but no or minor impact on rights of New Zealanders.	MBIE -45
Companies (Maximum Priority Amount) Orders	S	Y	Section 2A Clause 3, Schedule 7 Companies Act 1993	Routine non-discretionary adjustment to \$\$ amount based on fixed procedure set out in the Schedule.	MBIE -46
Copyright vesting in certain international organisations	S	Y	Section 28 Copyright Act 1994	Orders under this section list international organisations whose works are protected under the Act.	MBIE -48
Copyright (Application to Other Countries) Orders	S	Y	Section 204 Copyright Act 1994	Orders under this section list international entities to whom certain parts of the Act apply. Administrative regulation with limited discretion but no or minor impact on rights of New Zealanders.	MBIE -49
Order specifies 'qualified person' for purposes of s226D for purposes of denial of copyright to persons connected with countries not giving adequate protection to NZ works.	S	Y	Section 226D Copyright Act 1994	Orders under this section specify certain other 'qualified persons' who can undertake certain functions under that section. Administrative regulation with limited discretion but no impact on rights of New Zealanders.	MBIE -50
Corporations (Investigations and Management) Orders	S	Y	Section 62 Corporations (Investigation and Management Act 1989	These orders are administrative and are required once the statutory management process has been completed.	MBIE -52
Orders in Council as to convention countries Patents, Designs, and Trade Marks Convention Orders	S	Y	Section 20 Designs Act 1953	Orders under this section list countries that are convention countries for the purposes of the Act. Administrative regulation with limited discretion and no or minor impact on rights of New Zealanders.	MBIE -53
Layout Designs (Eligible Countries) Order 2000	S	Y	Section 37 Layout Designs Act 1994	Lists eligible countries for the purposes of the Act Lists countries whose citizens can be eligible persons whose designs can be protected under the Act.	MBIE-63
Financial Reporting (Inflation Adjustments) Regulations	S	Y	Section 49 Financial Reporting Act 2013	Routine non-discretionary CPI adjustments to figures in this Act and a number of other pieces of legislation.	MBIE -54
Provisions for bankrupt during bankruptcy CPI adjustments	S	Y	Section 158(1)(c) Insolvency Act 2006	Permits non-discretionary CPI adjustment to figure in the Act.	MBIE -57
Provisions for assignees to retain money during bankruptcy CPI adjustment	S	Y	Section 164(1) Insolvency Act 2006	Permits non-discretionary CPI adjustment to figure in the Act.	MBIE -58
Adjustment to cap for preferential payments to employees	S	Y	Section 276 Insolvency Act 2006	Permits non-discretionary adjustment to amount based on fixed procedure set out in the Schedule.	MBIE -59
Adjustment to cap for assignee may make debt repayment order adjustment	S	Y	Section 343(1)(a) Insolvency Act 2006	Permits non-discretionary CPI adjustment to figure in the Act.	MBIE -60
CPI adjustment to figure in s363(1)(d)	S	Y	Section 363 (1)(d) Insolvency Act 2006	Permits non-discretionary CPI adjustment to figure in the Act.	MBIE -61
Patents, Designs, and Trademarks Convention Orders	S	Y	Section 246 Patents Act 2013	Orders under this section list countries that are convention countries for the purposes of the Act. Administrative regulation with little discretion and no or minor impact on rights of New Zealanders.	MBIE -67
Declaration of entity to be UPOV party for purposes of the Act	S	Y	S157 Plant Variety Rights Act 2022	Orders under this section designates entities (other than entities that are already parties to the UPOV 91 Convention) as UPOV parties for the purposes of the Act. None to date.	MBIE -68
Patents, Designs, and Trademarks Convention Orders	S	Y	S200 Trademarks Act 2002	Orders under this section list countries that are convention countries for the purposes of the Act.	MBIE -69

				Administrative regulation with little discretion and no or minor impact on rights of New Zealanders.	
Notices for Universities and schools empowered to carry on certain experimental work under the Atomic Energy Act 1945	S	Y	S13 Atomic Energy Act 1945	Notices under Section 13 of the Atomic Energy Act allow schools and universities to legally possess and use small amounts of uranium or thorium for educational experiments. They also set limits and conditions for operating low-power atomic energy devices. They do not impact the public in a tangible manner	MBIE -75
Injury Prevention, Rehabilitation, and Compensation (Applications to Determine Previous and Subsequent Injury Entitlements) Regulations 2003	S	N	S333 Accident Compensation Act 2001	Determines at which court ACC or an insurer lodges an application. Limited/no impact on members of the public.	MBIE -114
Injury Prevention, Rehabilitation, and Compensation (Indexation of Maximum Weekly Compensation) Regulations 2004	S	N	S327 Accident Compensation Act 2001	Routine allows for compensation amounts to be indexed	MBIE -115
Injury Prevention, Rehabilitation, and Compensation (Indexation) Regulations 2002	S	N	S327 Accident Compensation Act 2001	Routine allows for compensation amounts to be indexed	MBIE -116
Student Allowances Amendment Regulations	S	Y	S645(6) Education and Training Act 2020	Non-discretionary adjustment	MSD-096
Oranga Tamariki (Minimum Rates of Payment for Board and Lodgings) Orders	S	Y	s 363(5) Oranga Tamariki Act 1989	Non-discretionary adjustment	MSD-099
Residential Care and Disability Support Services (Annual Adjustment of Applicable Asset Thresholds and Income-from-assets Exemption) Regulations	S	N	S74(1)(h) and s 75 Residential Care and Disability Support Services Act 2018	The provision involves little or no discretion on the part of the maker. These regulations are made annually to adjust asset thresholds and income-from-assets exemptions by a legislated formula (refer to section on AGA below).	MSD-019
Rounding Regulations	S	N	S423(1)(f) Social Security Act 2018	Exempt under Category 4) Applying the RSB requirements would provide minimal additional value and is not justified.	MSD-073
Cardholders may elect to have photograph on card	S	N	S437(1)(c) Social Security Act 2018	Exempt under Category 4) Applying the RSB requirements would provide minimal additional value and is not justified. This regulation covers administrative rather than substantive matters.	MSD-080
Social Security Regulations 2018, Regulation 238	S	N	S449 Social Security Act 2018	Exempt under Category 4) Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are procedural and technical.	MSD-085
Residential Care and Disability Support Services Amendment Regulations 2025	S	Y	S75 Residential Care and Disability Support Services Act 2018	Exempt under Category 4) Applying the RSB requirements would provide minimal additional value and is not justified. These Orders are issued annually to apply the mandatory CPI adjustment formula set in primary legislation. They are routine, mechanical, and involve little or no new policy discretion on the part of the maker. This legislation gives effect to the Annual General Adjustment of benefit rates, thresholds and allowances on 1 April every year. Amendments enacted through this legislation reflect legislative requirements, Cabinet decisions, or long-standing practice to adjust benefit rates, thresholds and allowances. As such the legislation is considered routine and involves no discretion on the part of the maker with expenditure for these statutory adjustments already included in annual budget forecasts. Rates of NZS are adjusted annually consistent with legislative requirements. Adjustments in excess of the legislative requirements are possible, but have historically only taken place in line with long-standing policy that is now reflected in law.	MSD-088

Mandatory annual CPI adjustment of rates of certain benefits	S	Y	s 453 Social Security Act 2018	Mandatory no discretion adjustment	MSD-090
<i>Annual adjustment of New Zealand superannuation</i>	S	Y	s 15 New Zealand Superannuation and Retirement Income Act 2001	Mandatory no discretion adjustment	MSD-091
Annual adjustment of New Zealand superannuation: relationship to net average wage	S	Y	s 16 New Zealand Superannuation and Retirement Income Act 2001	Mandatory no discretion adjustment	MSD-092
Veteran's Pension rates	S	Y	Section 170 Veterans' Pension Act 2018	Mandatory no discretion adjustment	MSD-101
Children and Young People's Commission (Relevant Agencies) Regulations	S	N	S37(1)(a) Children's Commissioner Act 2022	Sets out what agencies can endorse a candidate applying to be the Commissioner.	MSD-001
Allows the Governor General to make an order in council extending due dates required under the Tax Administration Act 1994	S	Y	Section 226 of the Tax Administration Act 1994	Section does not allow for bringing forward due dates, just appointing a late date or giving taxpayers further time.	IRD-011
Limit on foreign non-dividend income: Change in Threshold	S	Y	subpart HA, HA 9(3) Income Tax Act 2007	The Governor-General may make an Order in Council increasing the limit on foreign non-dividend income of a qualifying company following formula in Act.	IRD-020
Variation of requirements for development companies in Niue: Order in Council	S	Y	IC 13(2) Income Tax Act 2007	This section applies in relation to the required common ownership of group companies for the purposes of providing relief to "Company A" for losses incurred in connection with development work in Niue. The Governor-General may make an Order-in-Council that varies a threshold in relation to common ownership (applying to "Company A"), which is technical matter.	IRD-021
Income Tax (Tax Credit) Orders	S	Y	MF7(1) Income Tax Act 2007	Certain components of Working for Families (WFF) tax credits must be increased to reflect cumulative increases in CPI. Decision makers have no discretion – the Income Tax Act requires the Order in Council to be made when cumulative CPI reaches a certain threshold.	IRD-026
In Work Tax Credit	S	Y	MF 7(1)(b) Income Tax Act 2007	MF 7(1)(b) provides that the In Work Tax Credit (a component of Working for Families (WFF) tax credits) can be increased following formula set in primary Act.	IRD-027
Minimum Family Tax Credit	S	Y	MF(1)(d) Income Tax Act 2007	The policy intention of the Minimum Family Tax Credit is intended to ensure that a family's income will always be \$1 higher than on a main benefit. Cabinet has agreed that the Minimum Family Tax Credit should therefore be increased, when main benefits increase.	IRD-028
Threshold at which WFF tax credits begin to abate	S	Y	MF 7(1)(cb) and (dc) Income Tax Act 2007	The threshold at which WFF tax credits begin to abate can be indexed by an Order in Council. This is minor and technical.	IRD-029
Income bands which determine interim payments of WFF tax credits	S	Y	MF 7(1)(e) Income Tax Act 2007	Allows for the income bands in schedule 31 (which determines interim payments of WFF tax credits) to be updated, so that interim WFF tax credit payments reflect the family's actual entitlement. This is minor and mechanical.	IRD-030
Guidelines for electronic signatures	S	Y	S13B(2) Tax Administration Act 1994	Guidelines for electronic signatures	IRD-034
Exemption from keeping records for 7 years	S	Y	S22(6) Tax Administration Act 1994	Exemption from keeping records for 7 years	IRD-035
Determination of economic rate (depreciation determination)	S	Y	S91AAF Tax Administration Act 1994	Determinations in economic rate with formula set out in primary Act	IRD-044
Supply information - approved use of symbols, abbreviations or other notations	S	Y	s19P Goods and Services Tax Act 1985	Commissioner may approve use of symbols, etc, on electronically transmitted information	IRD-060

determination on interest for employment-related loans	S	Y	S158 Taxation (Annual Rates for 2025–26, Compliance Simplification, and Remedial Measures) Bill	New S90B Determination on interest for employment-related loans. No discretion	IRD-061
determination on deemed rate of return	S	Y	S 160 Taxation (Annual Rates for 2025–26, Compliance Simplification, and Remedial Measures) Bill	New S91AAP Determination on FIF deemed rate of return. No discretion	IRD-062
Determination setting or varying interest rates	S	Y	S163 Taxation (Annual Rates for 2025–26, Compliance Simplification, and Remedial Measures) Bill	New S120H Setting and varying interest rates. No discretion.	IRD-063
Orders in Council defining aspects of land districts, e.g. names, boundaries, abolishing.	S	Y	S22 Land Act 1948	Defining aspects of land districts	LINZ-003
Orders in Council defining aspects of land registration districts, e.g. names, boundaries, abolishing.	S	Y	S230 Land Transfer Act 2017	Defining aspects of land registration districts	LINZ-004
The Governor-General, Governor-General in Council, Minister, or other authorised person, as the case may require, may in a subsequent document of the same type amend or revoke the first-mentioned document to correct the error	S	Y	S 55 Public Works Act 1981	Correcting errors, allows amendments if found to contain error in form or substance, or in Gazette notice	LINZ-006
Notice to new or potential investors of status of an unpublished Critical Direct Supplier	S	Y	S20E Overseas Investment Act 2005	Issued by Minister responsible for administering the Act, so Treasury notice.	LINZ-010
Māori Land Court District Orders	S	Y	S15 Te Ture Whenua Maori Act 1993	These orders set the boundaries and names of the Māori Land Court districts. The current equivalent empowering provisions under which future orders would be made is s 15 of Te Ture Whenua Māori Act 1993. Legislation for which consistency 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 or to result in changes to the scope and content of the legislation, and the assessment would be of little public interest.	TPK-006
Orders in Council validating or invalidating Māori Trust Board elections	S	Y	S37 Maori 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
Dates of Matariki Observance Day	S	Y	Te Ture mō te Hararei Tūmatanui o te Kāhui o Matariki 2022	The Governor-General may set future dates for the Matariki public holiday by Order in Council, based on the Minister's recommendation. Each date must be a Friday and fall in a year after the last listed date in Schedule 1. The order must be made at least four years before the final scheduled date.	MCH-013
Cultural Property (Protection in Armed Conflict Regulations	S	Y	Cultural Property (Protection in Armed Conflict) Act 2012 -Regulations	Forms and uses of emblem	MCH-014
All orders made under section 3 of the Airport Authorities Act 1966	S	Y	Airport Authorities Act 1966 section 3(3)	The Orders confer powers contained in the Act (enabling airport authorities to establish and carry on airports)	MoT-001
Notices closing conservation areas in certain circumstances	S	Y	S13(1) Conservation Act 1987	This is a power to close conservation areas in certain circumstances. This is not 'typical' secondary legislation because there is no requirement for the notice to be published anywhere (although there is a requirement for the DG to "take all reasonable steps to ensure that members of the public are made aware of the closure and the reasons for it"). There is often not an 'instrument', just a memo or	DOC-006

				email, and the typical public notification can be seen in the example (i.e. two sentences on the website). These decisions are usually made by Operations Managers without any involvement from the Legal Team. While some notices are in place for a long time (e.g. 1-2 years), others are in place for a very short time (i.e. 1 week). They are often of very localised effect and usually in response to an emergency or some health and safety risk. While they involve the exercise of discretion, and impact on public rights to access PCL, we think that producing a CAS is of no cost-effectiveness or value. Firstly, they are often of such short duration that they will be revoked before a CAS can be produced, and the costs of producing a CAS statement would be out of all proportion with any benefit gained (e.g. Minister deciding to revoke the notice).	
Errors of description in notices may be corrected	S	Y	S50A(1) Conservation Act 1987	relates to errors of description, for example in relation to boundaries. Only exempted if the original secondary legislation it amends is exempted.	DOC-009
Christchurch City (Reserves) Empowering Act (Ministerial Responsibility) Order 1989	S	N	S65(2) Conservation Act 1987	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.	DOC-010
Variations to marine sanctuaries	S	Y	Kaikōura (Te Tai o Marokura) Marine Management Act 2014, s14(1)	Allows variation of a marine sanctuary but only if has no more than minor effect or corrects errors or makes minor technical changes.	DOC-011
Residential Tenancies (Infringement Notices) Regulations 2021	S	N	Residential Tenancies Act 1986 section 140(1)(a)	Form of infringement notices.	HUD-001
Civil Defence Emergency Management Regulations – form and specifications of logo	S	N	S 115 Civil Defence Emergency Management Act 2002	This provision sets out the required form and specifications of the civil defence logo and is administrative in nature.	NEMA-004
Form and content of warrant	S	Y	S 79 Civil Defence Emergency Management Act 2002	This outlines the form the search warrant must be in to exercise the power to obtain information during a state of emergency or transition period only.	NEMA-005
Notices for application for, and conferral of, protection on quality assurance activity - declaring a quality assurance activity to be protected	S	Y	Section 54(3) Health Practitioners Competence Assurance Act 2003	The Minister may from time to time, by notice issued under this section, declare a quality assurance activity to be protected on being satisfied that (a) the sponsor of the activity has duly completed an application under subsection (1); and (b) the person nominated as the person responsible for the activity is suitable for appointment under section 55; and (c) it is in the public interest that the protections conferred by sections 59 to 62 should apply in respect of the activity.	MOH-08
Requirements relating to form, content and quality standards	S	Y	Section 54 (5) Health Practitioners Competence Assurance Act 2003	54(5) The Director-General of Health may from time to time, by notice in the Gazette, state requirements relating to the form, content, and quality standards of an application under subsection (1); and such requirements may, without limitation, require statements in the application to be verified by statutory declaration.	MOH-09
Approved Laboratories	S	Y	S 5A Misuse of Drugs Act 1975	The Minister may from time to time, by notice, approve any laboratory for the purposes of this Act.	MOH-12
Evidence of analysis	S	Y	S31 Misuse of Drugs Act 1975	31Evidence of analysis For the purposes of this section, the term analyst means— (a) any person who is designated by the Minister by notice as the analyst in charge of an approved laboratory; or (b) any person who works in an approved laboratory and who is authorised, by the analyst in charge of that laboratory, to act as an	MOH-13

				analyst for the purposes of this Act, either generally or in any particular case.	
Regulations administered by the Ministry of Defence or the New Zealand Defence Force made under Royal Warrant which relate to medallic recognition e.g. NZDF Long Service Awards Regulations 2020 and regulations relating to the New Zealand General Service Medal 2002.	S	Y	N/A – Secondary legislation made under Royal prerogative as referenced in Schedule 1A of the Legislation Act 2019.	Secondary legislation under the section provides for the issuing of medals and honorifics related to service in the NZDF. This legislation is administrative rather than substantive and imposes no restrictions on rights and liberties.	MOD-01
Amendments made to Statements of Principles under sections 22 to 25 of the Veterans' Support Act 2014 in relation to whether a veteran's illness, injury or death can be linked to their military service.	S	Y	Sections 22 to 25 of the Veterans' Support Act 2014	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-02
Notice making an annual adjustment of the rates of Veteran's Pension	S	Y	Veterans' Support Act 2014 Section 170	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).	MOD-03
Burial of His Majesty's Forces - notice issued by Minister for Veterans to specify a war, armed conflict, peacekeeping force, or other operation for the purposes of determining eligibility to be buried in a services cemetery	S	Y	Burial and Cremation Act 1964 Section 15	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 rather than substantive in nature.	MOD-04
Notice declaring a walkway over private land under the Walking Access Act 2008	S	Y	S 31 Walking Access Act 2008	Contracts, in the form of registered walking access easement instruments, have already been agreed to (s.26), surveyed (s.28), documents signed, and instruments registered on property titles (s29) by the Crown under the Walking Access Act. The issue of the s31 notice gives effect to the existing agreement that has already been made over private land.	HAN-002
Revocation of a Notice Relating to Declaration of a Walkway	S	Y	S 40 Walking Access Act 2008	The s40 revocation notice gives no discretion to introduce other matters. The issue of the notice is simply the administrative step of the announcement of the revocation of a walkway to the public.	HAN-003
Māori Education Foundation (Abolition) Act 1993	P	N/A		This is largely historical Act, with key provisions now sitting in the Charitable Trusts Act 1957.	MOE-02
Kitchener Memorial Scholarship Trust Act 1941	P	N/A		This Act is q 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.	MOE-03
Ngarimu VC and 28th (Māori) Battalion Memorial Scholarship Fund Act 1945	P	N/A		This Act is administrative and its review. It establishes a Board to administer the scholarship fund in the title, it sets out how the Board must operate and provisions relating to its memberships and members.	MOE-04

Otaki and Porirua Trusts Act 1943	P	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.	MOE-05
Queen Elizabeth the Second Postgraduate Fellowship of New Zealand Act 1963	P	N/A		The value of the fellowship established by this Act is \$3,000, given to one graduate per year.	MOE-06
Queen Elizabeth the Second Technicians' Study Award Act 1970	P	N/A		The Act establishes a study award and sets out details relating to the award (value, tenure, etc). It also covers administrative matters relating to the selection committee. It involves little or no discretion from decision-makers of the award. It does not impact rights or liberties. There is no public interest in this due to the small value of the award.	MOE-07
Taranaki Scholarships Trust Board Act 1957 No 108 (as at 30 January 2021), Public Act – New Zealand Legislation	P	N/A		This is an old Act and is purely administrative in nature. Its key purpose is to establish the Taranaki Scholarships Trust Board.	MOE-08
Education Lands Act 1949	P	N/A		The intent of this Act is administrative, with no impacts on rights and liberties. The empowering provisions have strict parameters on when secondary legislation can be created. A consistency review of this Act is unlikely to garner public interest.	MOE-09
New Zealand Council for Educational Research Act 1972	P	N/A		This is an administrative Act which sets out how the NZCER must function. The empowering section in the Act (section 33) allows the creation of rules that are administrative in nature and do not have policy impact. It does not impact rights and liberties of individuals nor is there public interest in this issue.	MOE-10
Regulations for transitional and savings purposes	S	Y	S 572 Education and Training Act 2020	This was a time limited provision to support the transition from the predecessor of the ETA to ETA 2020 and is no longer active. All regulations made under this provision were revoked on 1 January 2023 and no new regulations could be made from 1 January 2023. It is not cost effective to undertake a consistency review for this provision.	MOE-Not numbered
Notices issued by the Minister of Education to recognise a body corporate as an transitional ITO	S	Y	Education and Training Act 2020 Schedule 1, Clause 44(b)	Administrative, not substantive and most of the transition functions have been set to complete by end 2022.	MOE-14
Notices issued by the Minister of Education to change the specified industries or activities of a transitional ITO	S	Y	Education and Training Act 2020 Schedule 1, Clause 47	Administrative, not substantive and most of the transition functions have been set to complete by end 2022.	MOE-15
Notices issued by the Minister of Education to cancel recognition of a transitional ITO	S	N/A	Education and Training Act 2020 Schedule 1, Clause 55(1)	Administrative, not substantive and most of the transition functions have been set to complete by end 2022.	MOE-16
United World Colleges Scholarships Regulations 1980	S	Y	Empowering provision has been repealed.	The Act establishes a scholarship and sets out details relating to the it (eligibility, value, tenure, etc). It's an old item of secondary legislation that has not been amended since its enforcement.	MOE-29
Category A wānanga or category C wānanga may convert to category B wānanga	S	Y	Schedule 1, Clause 94(2) Education and Training Act 2020	This is an administrative provision allowing for conversion of wānanga from one category to another. The provision significantly limits the Minister's discretion.	MOE-31
Publication of mid-term start dates	S	Y	Section 66(1) Education and Training Act 2020	This provision is routine, and the decision maker has limited discretion.	MOE-34
Rules relating to administrative and procedural requirements for enrolment records	S	Y	Section 237(3) 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 Secretary's power. This is minor legislation which is limited in scope.	MOE-39
Rules relating to administrative and procedural requirements for attendance records	S	Y	Section 237A(3) 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 Secretary's power. This is minor legislation which is limited in scope.	MOE-40

Refund entitlements of international students	S	Y	Section 529 Education and Training Act 2020	Administrative rather than substantive; Procedural/operational, establishes refunds to international students with limited discretion	MOE-46
Refun entitlements of domestic students	S	Y	section 357 Education and Training Act 2020	This empowering provision relates to setting of criteria for refund of payments made by domestic students for programmes or micro-credentials with limited discretion.	MOE-47
Summary of plans	S	Y	Schedule 18 clause 24 Education and Training Act 2020	This should be exempted as it is a minor and technical item of legislation. Provides for summary of plans to be available and the matters it must contain.	MOE-51
Ministry of Works and Development Abolition Act 1988	P	N/A		Abolition/ transitional provision Act that has no ongoing effect	PSC-05
Power to change rates of duty on alcoholic products and tobacco products	S	N	Cl 21, Sch 3, Customs and Excise Act 2018	Tobacco excise indexation process has occurred annually since 1978 and occurs according to a prescribed formula under the Customs and Excise Act 2018.	NZCS-001
Tariff (Inherited Goods and Gift Concessions) Amendment Order 2026	S	N	S 9 Tariff Act 1988	This Order will create concession reference 71 to be used for duty-free entry of inherited goods, and remove concession 75 which is used very rarely to provide duty-free entry of gifts. If authorised, these proposals will come into effect on the same date as Inland Revenue's Taxation (Annual Rates for 2025-26, Compliance Simplification, and Remedial Measures) Bill, which will amend the Goods and Services Tax (GST) Act to ensure these changes are reflected in the GST Act.	NZCS-002
Transitional and Savings Orders	S	Y	Schedule 1 section 37 Customs and Excise Act 2018	Administrative and technical orders to transition legislation. These are technical and/or administrative only.	NZCS-013
Order in Council to set out excise and Excise equivalent duties	S	Y	Schedule 3(16) Customs and Excise Act 2018	These empowering provisions to facilitate administrative and technical setting of levies / fees/ duties. This section requires an EEDT to be made by the GG via an OIC. All changes are done to a public formula or CPI, very transparent and routinised. Customs has little to no discretion in their drafting.	NZCS-014
"Excise Suspension/Modification Orders	S	Y	Sch 3(2) Customs and Excise Act 2018	This section requires an EEDT to be made by the GG via an OIC. All changes are done to a public formula or CPI, very transparent and routinised. Customs has little to no discretion in their drafting.	NZCS-015
Powers to amend Excise and Excise-equivalent Duties Table for other limited purposes	S	Y	Customs and Excise Act 2018- 25(1) -(2)	Minimal discretion changes	NZCS-019
Revoking duplicate approvals	S	Y	S67B - Hazardous Substances and New Organisms Act 1996	Minor. Revokes duplicate approvals or group standards	MFE-030
Material incorporated by reference that ceases to have effect	S	Y	S141D Hazardous Substances and New Organisms Act 1996	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
Power to rectify omissions or to validate irregularities, etc	S	Y	S165 Soil Conservation and Rivers Control Act 1941	Minor and administrative	MFE-032
Seal of New Zealand Act 1977	P	N/A		This Act is administrative in nature. It confirms the establishment, design and use of the Seal of New Zealand and provides for incidental matters.	CAB-003
Royal Titles Act 1974	P	N/A		Spent, waiting to be revoked,	CAB-004

Statutes of the Order of New Zealand The King's Service Order Statutes of the King's Service Order Statutes of the New Zealand Order of Merit Additional Statutes of The New Zealand Order of Merit The New Zealand Public Service Medal The Queen's Police Medal The New Zealand Police Meritorious Service Medal The Queen's Gallantry Medal The New Zealand Gallantry Awards The New Zealand Distinguished Service Decoration The New Zealand Defence Service Medal The New Zealand Defence Meritorious Service Medal The New Zealand Customs Service Medal The New Zealand Bravery Awards The New Zealand 1990 Commemoration Medal The George Medal The New Zealand Antarctic Medal Regulations 2006 The New Zealand Antarctic Medal The New Zealand Suffrage Centennial Medal 1993	S	N	Royal Warrants	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). 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), we think 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.	CAB-007
The Seal of New Zealand Proclamation 1977	S	N	Seal of New Zealand Act 1977- 2 Assent of Parliament to establishment, design, and use of Seal of New Zealand	Like the empowering legislation, this proclamation is administrative in nature (it sets out the details of the current Seal of New Zealand). It does not relate to rights/liberties of individuals. Exclusion will be grouped with primary Act.	CAB-008
Rules relating to the acceptance and wearing of Commonwealth, foreign and international Honours by New Zealand citizens Rules for the grant, use and retention of the title "The Right Honourable" in New Zealand Rules for the grant, use and retention of the title "The Honourable" in New Zealand	S	N	Approved by Queen Elizabeth II	These are 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". 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. 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.	CAB-009
Orders in Council under Agricultural and Pastoral Societies Act 1908	S	Y	Ss3, 17 and 19 Agricultural and Pastoral Societies Act 1908	These Orders in Council approve and dissolve A&P Societies and make regulations for the object of the Act. Approvals are made upon the request of the association.	MPI-061
Order in Council under Telford Farm Training Institute Act 1963	S	Y	Schedule 3, Part 2, Telford Farm Training Institute Act 1963 Link: Telford Farm Training Institute Act 1963	Provides for rescission, amendments to the constitution of the Board of Management of the Telford Farm Training Institution in a way that does not conflict with any of the provisions of the Act.	MPI-064
Notice under Wool Industry Restructuring Act 2003	S	Y	s35 Wool Industry Restructuring Act 2003	As soon as practicable after approving a restructuring plan or a revised restructuring plan, the Minister must notify the restructuring day in the Gazette.	MPI-066

Māori Purposes Act 1931 Māori Purposes Act 1933 Māori Purposes Act 1934 Māori Purposes Act 1936 Māori Purposes Act 1937 Māori Purposes Act 1938 Māori Purposes Act 1939 Māori Purposes Act 1941 Māori Purposes Act 1943 Māori Purposes Act 1945 Māori Purposes Act 1946 Māori Purposes Act 1947 Māori Purposes Act 1948 Māori Purposes Act 1949 Māori Purposes Act 1951 Māori Purposes Act 1952 Māori Purposes Act 1953 Māori Purposes Act 1954 Māori Purposes Act 1956 Māori Purposes Act 1959 Māori Purposes Act 1961 Māori Purposes Act 1962 Māori Purposes Act 1963 Māori Purposes Act 1964 Māori Purposes Act 1966 Māori Purposes Act 1967 Māori Purposes Act 1969 Māori Purposes Act 1970 Māori Purposes Act 1972 Māori Purposes Act 1973 Māori Purposes Act (no 2) 1973 Māori Purposes Act 1974 Māori Purposes Act 1975 Māori Purposes Act 1976 Māori Purposes Act 1978 Māori Purposes Act 1979 Māori Purposes Act 1980 Māori Purposes Act 1983 Māori Purposes Act 1985 Māori Purposes Act 1991 Māori Purposes Act 1993 Māori Purposes Act 2011 Māori Purposes Fund Act 1934-35 Māori Purposes (Wi Pere Trust) Act 1991	P	N/A	N/A	All existing Māori purposes Acts are considered minor.	TPK-000
Regulations: payments during epidemic in New Zealand	S	N	S 443 Social Security Act 2018		MSD-084
Remission for taxpayers in circumstances of emergency event	S	Y	S 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
Tax relief for emergencies	S	Y	S 6J Tax Administration Act 1994	Allows the Governor-General to make an OIC providing tax relief and the period of that relief for an emergency event	IRD-010

COVID-19 response: Commissioner's variations COVID-19 response: powers to vary provisions of Inland Revenue Acts	S	Y	S 6H and 6I Tax Administration Act 1994	Provides discretionary power to extend or otherwise modify due dates, deadlines, or timeframes as part of COVID-19 response	IRD-031
Eligibility requirements for small business cashflow scheme	S	Y	S 7AA Tax Administration Act 1994		IRD-033
Remissions and refunds of interest for emergency event	S	Y	S 165 Customs and Excise Act 2018	Enables compensatory interest and late payment penalties to be remitted or refunded in emergency events where a duty payer is "physically unable" to pay because of an emergency event under s 165. An emergency event must be declared through regulations and must fit within the definition of 'emergency' in the Civil Defence Emergency Management Act 2006	NZCS-011
Extension of reporting timeframes	S	Y	S 34(2)(a)(i) National Animal Identification and Traceability Act 2012	Extension of reporting timeframes when national or local state of emergency is declared	MPI-047

Annex Six: Legislation that includes an exclusion or exemption provision

We note this annex sets out an initial list of legislation that provides for the making of secondary legislation that gives exclusions or exemptions to legislation or requirements. This may mean only parts of some empowering provisions would be excluded. It is not a full list of all exclusion or exemption powers. Further analysis would be required to identify a full list.

Name	Empowering provision	Explanation	Reference number (for MfR internal purposes)
Board may exempt person or class of persons from section 74 : Restrictions on doing or assisting with prescribed electrical work	Section 75 Electricity Act 1992	Gives the Board power to exempt person or class of persons from section 74 – this exemption is secondary legislation. Section 74 restricts who can do prescribed work	MBIE -06
Board may grant exemptions from registration and practising licence requirements and conditions	Section 107 Electricity Act 1992	Gives the Board power to exempt persons, or class of persons from registration and practising licence requirements and conditions. This exemption is secondary legislation.	MBIE -07
Exemption from membership of a dispute resolution scheme	Section (3A), 43 Gas Act 1992	The Governor-General may, on the recommendation of the Minister of Consumer Affairs made after consultation with the Minister of Energy and Resources, make regulations exempting, on any terms and conditions, any class of industry participants identified in regulations as a class that need not be a member of the dispute resolution scheme.	MBIE -82
Exempt or provide for exemptions (including provide for the revocation of exemptions), on any terms and conditions, of any person or class of persons from all or any of the requirements in regulations or rules	S43(S)(1)(f) Gas Act 1992	Exemptions from regulations and rules under Part 4A Governance of gas industry	MBIE -84
Exemptions granted by Takeovers Panel	Section 45 Takeovers Act 1993	<p>The Takeovers Act and Takeovers Code made under the Takeovers Act regulate changes of control in NZX-listed or widely held companies. Given control over companies can be exercised in various ways, the Takeovers Code is deliberately cast in broad terms. Further, certain disclosures required under the Takeovers Code are prescriptive.</p> <p>To address unintended consequences or circumstances not contemplated by the Takeovers Code, the Takeovers Act provides the Takeovers Panel (the Panel) with an exemption power. This is closely analogous to the exemption power which exists under the RSB – essentially, legislation which is drafted in broad terms may need to provide for exemptive relief to avoid unintended consequences. The existence of exemptive powers under the Takeovers Act is consistent with the majority of financial markets regulation both in New Zealand and overseas.</p> <p>The key issue with the RSB is that an exemption power is inherently inconsistent with a number of the principles of responsible regulation contained in the RSB, most notably the principle in clause 8(a)(v) which provides: “issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion”. Any exemption power inherently conflicts with this principle. Should the Panel’s exemption power be subject to these principles:</p> <ul style="list-style-type: none"> • Those principles would be a relevant consideration to which the Panel would have to turn its mind. Having due regard to these principles may lead the Panel to decline some exemptions which the Panel would otherwise be satisfied it could be appropriate to grant based on the objectives of the Takeovers Code. • Even if the Panel were to continue to grant exemptions, the exemptions would inherently be more susceptible to judicial review. This uncertainty is likely to lead market participants to not engage in transactions which require exemptive relief, including in situations where there is precedent for such exemptive relief having been previously granted. • Both of these factors are likely to have a materially detrimental effect on takeovers and other change of control transactions, with corresponding damage to the reputation of New Zealand capital markets. <p>Two practical examples of transactions which depend on the Panel exercising its exemption power (and would likely be significantly inhibited by the proposed limits on the Panel’s exemption power) are:</p> <ul style="list-style-type: none"> • the acquisition of control of a listed company, which in turn controls another listed company (with such listed companies potentially 	MBIE -120

		<p>becoming “takeover proof”) – a recent example of this type of transaction was CDL Hotels Holding’s offer for NZX-listed Millenium & Copthorne Hotels; and</p> <ul style="list-style-type: none"> • any transfer or issuance of shares in companies where there are significant associated family shareholdings and interests (e.g., The Todd Corporation and Fulton Hogan Limited). The Panel is constrained in granting exemptions by section 45(6) of the Takeovers Act. In the Panel’s view, the existing requirements for it to grant an exemption under the Takeovers Act strike an appropriate balance between flexibility and fettering a regulatory power. In addition, the general effect of the Panel’s exemption power is to reduce regulatory burden where compliance with the Takeovers Code is impossible or results in an unreasonable outcome. It would be an odd result if the Regulatory Standards Bill were to increase the regulatory burden in the context of takeovers and other change of control transactions. 	
Exemptions granted by the Financial Markets Authority	Section 556 Financial Markets Conduct Act 2013	This section empowers the Governor-General, on the advice of the Minister given in accordance with a recommendation from the FMA, to approve electronic transfer systems for specified financial products. This power is technical and administrative in nature, and its use is unlikely to be of public interest.	MBIE - 120
Private Investigators (Exclusion of Occupations) Order 1976	Section 12 Private Security Personnel and Private Investigators Act	Category 4 The regulation clarifies that an insurance assessor or a loss adjuster is not a private investigator. The regulation is administrative. We recommend any orders made under this empowering provision are exempt, as it deals with administrative matters only.	MoJ-018
N/A	Section (1)(a) 56 Real Estate Agents Act 2008	Exempting any person or class of persons from the requirement to be licensed under this Act and prescribing any terms and conditions of such an exemption:	MoJ-23
Exemptions from the Anti-Money Laundering and Countering Financing of Terrorism Act - Ministerial exemptions	Section 157 Anti-Money Laundering and Countering Financing of Terrorism Act 2009	Exemptions issued by the Minister are issued routinely. All exemptions to the Act are technical following criteria set out in the Act. Consistency with other exemptions and obligations under the Act are already considered. Exemptions remove obligations rather than add obligations.	MoJ-48
Anti-Money Laundering and Countering Financing of Terrorism (Exemptions) Regulations	Section 154(1)(a)-(b) Anti-Money Laundering and Countering Financing of Terrorism Act 2009	Exemptions issued by the Minister are issued routinely. All exemptions to the Act are technical following criteria set out in the Act. Consistency with other exemptions and obligations under the Act are already considered. Exemptions remove obligations rather than add obligations.	MoJ-48
N/A	Sections 20(3), 21(2)(b), and 22(2)(b) Real Estate Agents Act 2008	Exemptions from fees and levies	REA-03
Orders in Council relating to uninvited direct sales	section 26E(1)(b), s36S(1)(a) Fair Trading Act	Exemptions for some classes of products to regulations for uninvited direct sales and excluding classes of contracts from being considered a small trade contract or grocery supply contract.	MBIE -22
Order in Councils relating to exemptions from requirements in the Act	Section 141 Customer and Product Data Act 2025	Regulations for exempting classes of persons from requirements in the Act	MBIE -42
Notices granting exemptions to overseas companies	S 270L Companies Act 1993	Notices under this section exempt overseas companies from certain reporting requirements under the Act.	MBIE -45
Exemption from sections 209 to 209B of Companies Act 1993 for example Co-operative Companies (Foodstuffs South Island Limited) Exemption Order 2013	Section 32 Co-operative Companies Act 1996	Notices under this section exempt co-operative companies from certain reporting requirements under the Act.	MBIE -47
Instrument to waive/exempt levy	Section 52(4)(j) Financial Reporting Act 2013	None made to date	MBIE -56
Exemptions from gas industry levies	s43ZZE Gas Act 1992	Levy regulations for the Gas industry	MBIE -86

Exemptions to Determinations by the Commerce Commission about how regulations apply	Section 53C(3)(d) Commerce Act 1992	Exemptions to Determinations by the Commerce Commission about how regulations apply	MBIE -150
Exemptions to requirements of disclosure of commercially sensitive information	Section 53ZG Commerce Act 1992	Power to exempt disclosure of commercially sensitive information	
Classes of exempt persons	S74(1) Residential Care and Disability Support Services Act 2018	This regulation has been used primarily to make compassionate exceptions from the coverage of means testing for aged residential care and to avoid system overlaps. In theory it could be used to make much wider exceptions but in practice is not.	MSD-012
Regulation 18 (Income exempt from means test)	RCDSS Act s 74(1)(i) and (5)	This regulation is used primarily to make compassionate exceptions and to avoid system overlaps.	MSD-020
Work obligations - Exemptions from work-preparation, work-test or other obligation Social Security Regulations 2018, Regulation 97, 98,	s 431(1)(e) Social Security Act 2018	Provide exemptions from specific obligations	MSD-077
Income exemptions and cash asset exemptions	S 422 SSA 2018, for the purposes of Clause 9 of Schedule 3 (under Ss 68(2)(c), 98, 423(1)(b), 428(2)(f), 428(4) and Schedule 2 of the Act.	Exclusion of amounts, items, payments, or income from specified source, declared not to be income) and cash asset exemptions for social security purposes	MSD-112
Application of changes to commentary or guidance relating to global anti-base erosion model rules	Section 226G Tax Administration Act 1994	The Governor-General may, by Order in Council made on the recommendation of the Minister of Revenue, make regulations providing for the non-application of changes in relation to the global anti-base erosion model rules developed by the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting, including guidance on the interpretation or administration of the global anti-base erosion model rules. These changes would be expected to be technical in nature (i.e., administrative and unlikely to impact on rights/liberties of New Zealanders).	IRD-015
Proceeds of share disposal by qualifying foreign equity investor	CW 12(6) Income Tax Act 2007	The Governor-General may, by Order in Council, approve or withdraw a territory of residence for the purpose of this section of the Income Tax Act 2007. These changes are technical in nature. Section CW 12 was introduced to facilitate increased offshore venture capital investment into New Zealand. One of the requirements is that the investor must be from a jurisdiction approved by the Governor-General by Order in Council. Broadly, a jurisdiction will be approved only if effective exchange of information arrangements are in place with New Zealand.	IRD-017
New Zealand companies operating in Niue: Order in Council declaring Niue development project	CW 59(5) Income Tax Act 2007	Category 4 An amount of income derived by a company incorporated in New Zealand from a business or enterprise that the company carries on in Niue can be exempt income if the business or enterprise is declared a development project. The Governor-General may make an Order in Council declaring a business or enterprise to be a development project for the purposes of this section of the Income Tax Act 2007, which is a technical interpretation.	IRD-018

Income Tax (Fringe Benefit Tax, Interest on Loans) Amendment Regulations	Section RA 21(3) of the Income Tax Act 2007	Category 4 This section allows for Orders in Council to set prescribed rates of interest on employee loans reflecting movements from time to time in RBNZ home first mortgage rates. Example commentary here	IRD-023
Exemption granted by the Commissioner	s6E Tax Administration Act 1994	Exemption granted by the Commissioner to Inland Revenue Acts	IRD-032
Exemption from keeping records for 7 years	Tax Administration Act 1994 22(6)	Exemption from keeping records for 7 years	IRD-035
Variation of investment income requirements	Tax Administration Act 1994 25R	Variation of investment income requirements	IRD-038
Exemption from electronic filing	Tax Administration Act 1994 36BD	Exemption from electronic filing	IRD-040
Variation to trust reporting requirements	Tax Administration Act 1994 59BA	Variation to trust reporting requirements	IRD-041
Requiring trust information after 2013-14 income year	Tax Administration Act 1994 59BA	Requiring trust information after 2013-14 income year	IRD-042
Determinations in relation to [old] financial arrangements	Tax Administration Act 1994 90(1)	Determinations in relation to financial arrangements	IRD-043
Suspension of reportable jurisdiction determination	Tax Administration Act 1994 91AAV	The Commissioner may determine, for a territory outside New Zealand that has been provided by an Order in Council to be a reportable jurisdiction for the purposes of the CRS applied standard and requirements imposed by Part 11B, that the territory is not to be treated as a reportable jurisdiction.	IRD-047
Determination of non-reporting financial institutions and excluded accounts (CRS - exclusions)	Tax Administration Act 1994 91AAW	The Commissioner may determine that, for the purposes of the CRS applied standard and requirements under Part 11B,— (a)a financial institution, or type of financial institution, is a non-reporting financial institution: (b)a financial account, or type of financial account, is an excluded account. ²¹ currently in force	IRD-048
Minister-issued exemptions from farmland offer criterion	20(1)(b) and 20(2) Overseas Investment Act 2005	Exemptions from farmland offer criterion	LINZ-009
Instruments authorised by regulations granting an exemption, waivers, refunds, or discounts generally or to a class of non-named persons	Overseas Investment Act 2005 61(h)	Waivers/refunds/discounts in reliance on authority in regulations	LINZ-014
Exemptions to rules for enrolment record requirements	Section 237(3)(d) Education and Training Act 2020	Enrolment records rules requirement exceptions	MOE-39
NZQA exemption powers	Section 528 Education and Training Act 2020	This provision allows the NZQA to exempt programmes and micro-credentials of duration of 3 months or lesser to allow the enrolment of international students to these programmes/micro-credentials. Given this, the policy impact of these decisions and the level of discretion held by the NZQA are limited. A review is unlikely to contribute to the intended outcomes of the RSB.	MOE-45
NZQA exemption from accreditation requirements	Section 441(5) Education and Training Act 2020	This provision allows the NZQA to exempt some organisations from accreditation requirements. A review under the RSB is unlikely to result in changes to this provision as exemptions are necessary in some cases.	MOE-48
Exemption from requirement to submit proposed plan	Schedule 18 clause 9 Education and Training Act 2020	TEC may exempt organisations that are seeking funding from requirements to submit proposed plans	MOE-49

Exemption from requirements for organisations receiving funding	Schedule 18 clause 13(4) Education and Training Act 2020	This is minor and technical provision relating to annual reporting requirements. Reviewing secondary legislation resulting from this provision will not be a cost-effective exercise.	MOE-50
Exemption from requirements for organisations receiving funding	Schedule 18 clause 25 Education and Training Act 2020	This is minor and technical provision relating to annual reporting requirements. Reviewing secondary legislation resulting from this provision will not be a cost-effective exercise.	MOE-52
(u) prescribing the types of programmes and micro-credentials that are exempt from the requirements specified in section 356(1):	Education and Training Act 2020 s 452 (1)(u)	Prescribing the types of programmes and micro-credentials that are exempt from the requirements specified in section 356(1). This provides for NZQA to make rules to allow for PTEs to not need to have student fee protection arrangements in place for low value courses.	MOE-69
Regulations can prescribe exemptions to regulations under the Act	S 403(2) Customs and Excise Act 2018		NZCS-008
Exemptions to regulations for fees and charges	167(4)(j) Climate Change Response Act 2002	Regulations relating to fees and charges - Climate Change (Emissions Rulings: Fees and Charges) Regulations 2010	MFE-010
Regulations about exemptions for deforestation of land with tree weeds	180G Climate Change Response Act 2002	Regulations define which trees weed areas are eligible for the exemption. This regulation allows a person to apply to be exempted from the liability from deforestation of tree weeds, increasing their ability to change land use.	MFE-013
Restriction on power to make national environmental standards	S44 Resource Management Act 1991	This is an exemption from following the process in s46A if amendments are to make minor/technical alterations	MFE-033
Animal Products Act 1999	Under S9(1), 14, 34A, 50, 60B, 112Z, 121	A key object of the Act is to facilitate the entry of animal material and products into overseas markets and to safeguard official assurances for entry into those markets. The Act also provides for overseas market access requirements, which are set by overseas markets, and New Zealand doesn't control	MPI-003
All exemptions under the Food Act 2014	S 33, 103(1)(b), 208, 343, 345, 347, 381(6) and (7), of the Food Act 2014	Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-043
All exemptions under the Wine Act and Wine Regulations	S6, 11, 15D, 39, 92, 119A(1)(c) D-G exemption of the Wine Act 2003. Reg 128 of the Wine Regulations 2021	Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-044
All exemptions under the Biosecurity Act	S7A, 7B, 67, 166(4),87 of the Biosecurity Act 1993	Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-045
All exemptions issued by NAIT organisation	s 14, 19, 20 of the National Animal Identification and Traceability Act 2012	These standards and exemptions are technical and MPI has no discretion over these. The standards specify requirements for NAIT identification devices/systems and their operation	MPI-046
All exemptions and waivers under the Animal Products Act and Animal Products Regulations	S9, 14, 50, 60B, 121, 166A(1)(c)	Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-048
All exemptions and waivers under the Fisheries Act and regulations	S186Q, 192A of the Fisheries Act 1996	Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-049
Exemption from requirement to export animals with animal welfare export certificate	s48 of the Animal Welfare Act 1999	Exemptions from export certificate requirements are technical and science-based	MPI-054

Exemption from requirements under National Library of New Zealand (Te Puna Mātauranga o Aotearoa) Act 2003	S38 National Library of New Zealand (Te Puna Mātauranga o Aotearoa) Act 2003	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. Section 38 requires the exemption to be given by published notice. A CAS would be unlikely to identify impacts on rights and liberties or result in changes to the scope and content of the Act. The two exemption notices made under this section are administrative as they fulfil the process requirement to publish the exemption notice.	DIA-008
Exemption Orders	66 Local Government (Water Services) Act 2025	Allows for an Order in Council exempting a territorial authority from certain specified requirements for a water organisation, including that it should be an incorporated company; be restricted in services to be provided; and certain ownership restrictions (see s 64). Any such orders will not have a general impact but will be particular to specific individual situations, and administrative in nature.	DIA-013
Water Services Authority may declare provision of water to be a drinking water supply, or not.	S9 Water Services Act 2021	These are minor and technical notices to clarify the provision of water by a person or class or persons is or is not a drinking water supply. While it affects whether someone is covered by the Act or not, it is a clarification tool that is largely determined on the facts.	DIA-014
General Exemptions	S57 Water Services Act 2021	General exemptions are routine and may be minor and technical – for example, a general exemption has been granted for the Department of Conservation's remote huts and campsites which have limited power supply and rely on boil water notices.	DIA-017
Exemption: residual disinfection	S58 Water Services Act 2021	This is an exemption from using chlorine in a drinking water supply network. These are only granted when it is consistent with the purpose of the Act and all other legislative requirements are met. While these are not as minor and technical as general exemptions, arguably as it is an exemption from requirements it does not restrict rights and liberties.	DIA-018

Annex Six Legislation that would not be included in the initial exclusion notice

Name	Primary/ Secondary	Exclusion for all legislation under the empowering provision?	Empowering provision (if applicable)	Explanation	Reference number (for MfR internal purposes)
Legislation proposed for exclusion as emergency legislation that would not be included					
Civil Defence National Emergencies (Information Sharing) Code	S	Y	S 33, Privacy Act 2020	Code only in force during declarations of national emergencies and for 20 days after the declaration has ceased, to support the response and recovery from emergencies.	MoJ-51
National Civil Defence Emergency Management Plan Orders	S	Y	S 39(1) and 45, Civil Defence Emergency Management Act 2002	Order intended for those parties with roles and responsibilities during a State of National Emergency, National Transition Period or during an emergency (as defined under the CDEM Act) that requires co-ordination at a national level to respond to that emergency.	NEMA-001
International Terrorism (Emergency Powers) Act 1987	P	N/A	N/A	Act enacted in response to the 1985 Rainbow Warrior bombing, and allows Ministers to authorise the exercise of emergency powers in relation to international terrorist emergencies. Some powers under this Act are still recommended for exclusion in annex one.	NSRG-001
Regulations regarding remitting and refunding interest and penalties in prescribed circumstances	S	Y	S 171, Customs and Excise Act 2018	Regulations aimed at ensuring recovery of Crown revenue. Regulations are required to remit compensatory interest and late payment penalties, which are imposed by operation of the law. S 171 was used to assist duty payers (on instalment plans agreed by the CE) with interest and penalties remitted or refunded due to the impact of COVID-19.	NZCS-011
Severe Weather Emergency Recovery Legislation Act 2023 and all regulations made under s 7 of this Act	P	N/A	N/A	Act and regulations responding to specific previous severe weather events	MFE-002
Legislation proposed for exclusion as implementing international agreements that would not be included					
New Zealand Bill of Rights Act 1990	P	N/A	N/A	NZBORA is a core constitutional statute that affirms long-established fundamental rights and NZ's commitment to the International Covenant on Civil and Political Rights, which NZ ratified in 1978.	MoJ-009
Crimes of Torture Act 1989	P	N/A	N/A	Act gives effect to obligations under the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, which New Zealand ratified in 1989, and the Optional Protocol to the Convention, which NZ ratified in 2007.	MoJ-010
Human Rights Act 1993	P	N/A	N/A	Act reflects obligations under a number of international conventions, including the International Convention on the Elimination of all forms of Racial Discrimination (ratified by NZ in 1972) and the International Covenant on Civil and Political Rights. Some parts reflect domestic arrangements or are more administrative in nature. However, they are not easily disentangled from those provisions giving effect to international obligations. The prohibited grounds of discrimination in the HRA also establish the basis for the right to be free from discrimination in NZBORA (s 19).	MoJ-011

Aviation Crimes Act 1972	P	N/A	N/A	Act to give effect to a number of international agreements already entered into by NZ – the Hague Convention for the Suppression of Unlawful Seizure of Aircraft; the Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation; the Montreal Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation; and the Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft, and for matters incidental thereto.	MoJ-24
Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Act 1980	P	N/A	N/A	Act to give effect to a number of international agreements already entered into by NZ – the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, 1973; the Convention Against the Taking of Hostages 1979; the Convention on the Safety of United Nations and Associated Personnel 1994; the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel 1994 – and for matters incidental to the implementation of those Conventions	MoJ-025
International Crimes and International Criminal Court Act 2000	P	N/A	N/A		MoJ-026
International War Crimes Tribunals Act 1995	P	N/A	N/A	Act to give effect to a number of international agreements already entered into by NZ – to make further provision in NZ law for the punishment of certain international crimes, namely, genocide, crimes against humanity, and war crimes; and to enable NZ to co-operate with the International Criminal Court established by the Rome Statute in the performance of its functions.	MoJ-027
Maritime Crimes Act 1999	P	N/A	N/A	Act to give effect to a number of international agreements already entered into by NZ – the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, done at Rome on 10 March 1988; the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, done at London on 14 October 2005; the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988; the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf, done at London on 14 October 2005.	MoJ-028
Privacy Act 2020	P	N/A	N/A	Act supports NZ's trading agreements, and also gives effect to obligations under the International Covenant on Civil and Political Rights. 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 (e.g. UK, EU) regularly review NZ's adequacy status with their privacy laws. We note that some parts of the Act are administrative in nature. However, they are not easily disentangled from those provisions that have international implications (e.g. pursuing a remedy for privacy breaches).	MoJ-49
International Energy Agreement Act 1976	P	N/A	N/A	Act necessary to directly give effect to the International Energy Agreement already entered into by NZ.	MBIE-78

All secondary legislation made under the empowering provision such as the Adoption (Intercountry) Regulations 1998	S	Y	S 24, Adoption (Intercountry) Act 1997	Act implements in NZ law the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Convention). The regulations allow the Governor-General to make regulations prescribing delegation of functions and other matters.	MoJ-70
Energy Efficiency (Energy Using Products) Regulations	S	Y	S 36, Energy Efficiency and Conservation Act 2000	Regulations necessary to directly give effect to the Trans-Tasman E3 Programme. This programme meets conditions under the Trans-Tasman Mutual Recognition Agreement, entered into by NZ.	MoJ-74
Requirements and processes for reciprocity agreements	S	Y	S 450, Social Security Act 2018	Regulations to administer the reciprocal social security agreements entered into by NZ.	MSD-086
Trade (Anti-Dumping and Countervailing Duties) Act 1988	P	N/A	N/A	Act gives effect to NZ's commitments under the WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-Dumping Agreement); WTO Agreement on Subsidies and Countervailing Measures.	MBIE -93
Trade (Safeguard Measures) Act 2014	P	N/A	N/A	Act gives effect to NZ's commitments under the WTO Agreement on Safeguards.	MBIE -94
Tariff (Less Developed Countries and Least Developed Countries) Orders	S	Y	7A(1)(c), 1(d), Tariff Act 1998	Orders specify countries as least developed, and least developed for the purpose of exemptions from Tariffs.	MBIE -97
Imports and Exports (Living Modified Organisms) Prohibition Orders	S	Y	3A(1), Tariff Act 1988	OICs to implement obligations under the Cartagena Protocol on Biosafety.	MBIE -102
Disability (United Nations Convention on the Rights of Persons with Disabilities) Act 2008	P	N/A	N/A	Act to implement NZ's obligations under the UNCPRD, an international treaty already entered into by NZ.	MSD-006
Determination relation to foreign account information sharing agreements (CRS - jurisdictions)	S	Y	S 91AAU, Tax Administration Act 1994		IRD-046
Anti-doping rules	S	Y	S 23, Integrity Sport and Recreation Act 2023	New Zealand is a signatory to the World Anti-Doping Code through the Sport Integrity Commission. A key requirement of being a compliant signatory is the obligation under s 23 of the Integrity Sport and Recreation Act 2023 to incorporate the requirements of the World Anti-Doping Code into our Sports Anti-Doping Rules (SADRs, which are secondary legislation) without substantive changes. New Zealand is required as a signatory to always have SADRs in place and it does this by passing these rules as secondary legislation every year in response to any changes in the WADA Code.	MCH-011
Resale Right for Visual Artists (Reciprocating Countries) Orders	S	Y	S 29, Resale Right for Visual Artists Act 2023	Order to designate a reciprocating country for resale royalty purposes, provided that country has laws supporting reciprocal resale rights.	MCH-012
Civil Aviation Direction to Require Searching for Inorganic Powders Liquids Aerosols and Gels Amendment Notice 2025	S	N	S 152, Civil Aviation Act 2023	Notice to implement guidelines under the International Civil Aviation Organization	MoT-004
Civil Aviation (Cape Town Convention and Aircraft Protocol Declarations) Order 2010	S	N	S 43, Civil Aviation Act 2023	Order to implement the Cape Town Convention and the Aircraft Protocol Declarations	MoT-006
Maritime Transport Act (Conventions) Order 1994	S	N	S 2, Maritime Transport Act 1994	Order to implement various maritime conventions	MoT-007
Maritime Transport (Marine Protection Conventions) Order 1990	S	N	S 224A, Maritime Transport Act 1994	Order to implement various marine protection conventions	MoT-012
Maritime Transport (Limitation of Liability for Maritime Claims) Order 2015	S	N	S 87A, Maritime Transport Act 1994	Order to implement the Convention on the Limitation of Liability for Maritime Claims	MoT-013

Trade in Endangered Species Act 1989	P	N/A	N/A	Act required to fulfil NZ's obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora.	DOC-003
OICs giving effect to international agreements under the Marine Mammals Protection Act 1978	S	Y	S 28(1)(g), Marine Mammals Protection Act 1978	OICs to give effect to international agreements to which NZ is a party.	DOC-012
Diplomatic Privileges and Immunities Act 1968	P	N/A	N/A	Act gives effect to the Vienna Convention on Diplomatic Relations 1961.	MFAT-001
Consular Privileges and Immunities Act 1971	P	N/A	N/A	Act gives effect to the Vienna Convention on Consular Relations 1963.	MFAT-002
Regulations to implement measures called for by the UN Security Council (e.g. UN sanctions)	S	Y	S 2, United Nations Act 1946	Regulations give effect to decisions made under the United Nations Charter for which New Zealand had already agreed to implement automatically (art 25).	MFAT-003
New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987	P	N/A	N/A	Act to implement a number of treaties, including the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction of 10 April 1972. If there were any amendments were ever made to the BWC, we would need to make amendments to the legislation.	MFAT-005
Regulations under s 9 Geneva Conventions Act 1958	S	Y	S 9, Geneva Conventions Act 1958	Legislation gives effect to the Geneva Conventions 1949 and their additional Protocols (1977)	MFAT-006
Regulations under s 41 of the Brokering (Weapons and Related Items) Controls Act	S	Y	S 41, Brokering (Weapons and Related Items) Controls Act 2018	Legislation gives effect to the Arms Trade Treaty 2013	MFAT-007
Regulations under Anti-Personnel Mines Prohibition Act 1998	S	Y	S 26, Anti-Personnel Mines Prohibition Act 1998	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	S	Y	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	S	Y	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	S	Y	S 179, 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	S	Y	S 22, Nuclear-Test-Ban Act 1999	Legislation implements the Comprehensive Nuclear-Test-Ban Treaty	MFAT-013
Regulations under Antarctica (Environmental Protection) Act 1994	S	Y	S 55, Antarctica (Environmental Protection) Act 1994	Legislation to implement the implement the Protocol on Environmental Protection to the Antarctic Treaty	MFAT-014
Antarctica (Environmental Protection) Regulations 2006	S	N	S 55, Antarctica (Environmental Protection) Act 1994	Legislation to implement the implement the Protocol on Environmental Protection to the Antarctic Treaty	MFAT-015
Secondary legislation made under Continental Shelf Act	S	Y	S 8, Continental Shelf Act 1964	Legislation to implement aspects of the UN Convention on Law of the Sea and is minor and technical updates	MFAT-016
Orders and Regulations made under Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977	S	Y	S 8, Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977	Legislation to implement aspects of the UN Convention on Law of the Sea	MFAT-017
Ozone Layer Protection Regulations	S	Y	S 16, Ozone Layer Protection Act 1996	Regulations may be made to prohibit the import, export, manufacture, use and sale of substances or goods to give effect to NZ's obligations under international agreements. These are predominantly to give effect to international	MFE-023

				obligations but there is slight scope in powers to go beyond the international commitments per se. Difficult to see how there would be any value in doing the assessment though – the assessment would be unlikely to affect the proposed regulation given the nature of the substances regulated	
Exclusive Economic Zone and Continental Shelf (Environmental Effects—Burial at Sea) Regulations	S	Y	S 29A, Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012	Regulations made under this section give effect to obligations under the 1996 London Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972.	MFE-024
Regulations for emergency dumping	S	Y	S 29B, Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012	Regulations made under this section give effect to obligations under the 1996 London Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972.	MFE-025
Hazardous Substances Storage and Disposal of Persistent Organic Pollutants Notice 2004	S	N	S 25B, Hazardous Substances and New Organisms Act 1996	Notices made under this section give effect to existing international obligations, in relation to several international obligations including the Stockholm Convention.	MFE-026
Notices requiring disposal of persistent organic pollutants	S	Y	S 66A, Hazardous Substances and New Organisms Act 1996	Notices made under this section give effect to existing international obligations, in relation to several international obligations including the Stockholm Convention.	MFE-028
Adds regulations relating to persistent organic pollutants to schedule 2A of Act in line with Stockholm Convention.	S	Y	S 140A Hazardous Substances and New Organisms Act 1996	OICs under this section are to add hazardous substances specified in the Stockholm Convention to schedule 2A. It can also include or amend uses for persistent organic pollutants or include or amend dates to allow usage, but these must be consistent with the Stockholm Convention.	MFE-029
Organic Products and Production Act 2023	P	N/A	N/A	Act is a requirement for EU equivalence, developed to facilitate international trade in organic products. The Act also provides for overseas market access requirements for other destinations.	MPI-002
Food Act 2014	P	N/A	N/A	Act gives effect to NZ's obligations under the Australia-NZ Joint Food Standards Agreement. It also provides for the taking into account of overseas market requirements.	MPI-004
Wine Act 2003	P	N/A	N/A	Act is to facilitate the entry of wine into overseas markets. It also enables the setting of export eligibility requirements.	MPI-005
Part 6A of the Fisheries Act 1996	P	N/A	N/A	Part 6A of the Act sets out international fishing requirements.	MPI-006
Schedule 1A of the Fisheries Act 1996	P	N/A	N/A	Schedule 1A sets out the Agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, relating to the conservation and management of straddling fish stocks and highly migratory fish stocks.	MPI-007
Agricultural Compounds and Veterinary Medicines Act 1997	P	N/A	N/A	Act is to prevent or manage risks associated with the use of agricultural compounds, including risks to trade in primary produce. Any changes to ACVM requirements may have trade implications, including potentially agreements with overseas markets.	MPI-009
Secondary legislation enabling adoption of joint food standards	S	Y	S 397 to 401, Food Act 2014	These allow NZ to meet obligations under the Food Standards Treaty 1995 between NZ and Australia. Food standards are agreed by the Food Ministers Meeting (a group of Australian and NZ ministers responsible for overseeing the joint food system).	MPI-020

				The mechanism to review a joint food standard is within the joint food system.	
Fisheries (Toothfish Catch Documentation Scheme) Regulations 2000	S	N	S 297(1)(o), Fisheries Act 1996	Allows NZ to meet conservation obligations under the Convention on the Conservation of Antarctic Marine Living Resources. These conservation obligations are binding for NZ (all members of the Convention on the Conservation of Antarctic Marine Living Resources) to protect the ecosystem of the seas surrounding Antarctica	MPI-026
Fisheries (Western and Central Pacific Ocean Highly Migratory Fish Stocks) Regulations 2003	S	N	S 297(1)(o), Fisheries Act 1996	Allows NZ to meet international obligations under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. The convention aims ensure long-term conservation and sustainable use of highly migratory fish stocks in the Western and Central Pacific Ocean	MPI-027
Fees in relation to quota management systems	S	Y	S 36, Meat Board Act 2004	The Meat Board issues notices for access to quota market, and setting fees, gives exemption notices etc. MPI has no discretion over these notices.	MPI-058
Legislation that gives effect to agreements, such as a sale and purchase agreement, or agreements entered into via deed by the Crown that would not be included					
Stewart Island Reserves Empowering Act 1976	P	N/A	N/A	Provides for a sale and purchase agreement between the Crown and Stewart Island Air Services Limited. Preamble to the Act states: though it may be possible for the object of this Act to be attained otherwise than by way of legislation, there is some doubt as to whether the Minister of Lands may properly exercise his powers under the Reserves and Domains Act 1953 to revoke the reservation of the said land as a scenic reserve: And whereas it is desirable that the disposal of the said land to Stewart Island Air Services Limited be completed without delay.	DOC-001
Regulations for grant-funded forests – for example the Climate Change (Forestry) Regulations 2022	S	N	S 197A, Climate Change Response Act 2002	These regulations are to give effect to the ‘stand down’ periods (from ETS participation) agreed as part of afforestation grant contracts between landowners and the Crown. The appropriate length of the stand down period is determined in the policy work for the grants (which is outside the CCRA), and the Minister of Climate Change has no or little influence on the length/inclusion of these.	MFE-019
Legislation relating to Parliamentary or judicial affairs that would not be included					
Electoral Act 1993	P	N/A	N/A	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. As such, we consider it appropriate for an exemption to apply under category 3 for both the Acts and any secondary legislation issued pursuant to those Acts.	MoJ-001
Citizens Initiated Referenda Act 1993	P	N/A	N/A		MoJ-001
Broadcasting Act 1989	P	N/A	N/A		MoJ-001
Referenda (Postal Voting) Act 2000	P	N/A	N/A		MoJ-001
Election Access Fund Act 2020	P	N/A	N/A		MoJ-001
Political Disabilities Removal Act 1960	P	N/A	N/A		MoJ-001
Constitution Act 1986	P	N/A	N/A		MoJ-001
Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill (Act once passed)	P	N/A	N/A		MoJ-001
Referendums Framework Bill (Act once passed)	P	N/A	N/A	MoJ-001	

Other legislation proposed for exclusion that would not be included					
Deeds Register Office Regulations 1949	S	Y	Section 53 Deeds Registration Act 1908	The regulations deal with the opening hours of Deeds Register Offices and the hours of the day when instruments for registration or deposit may be received. It is unclear what historical regulations under this Act are still in force. We propose all regulations made under the empowering provision are exempt.	MoJ-015
Private Investigators (Exclusion of Occupations) Order 1976	S	Y	Section 12 Private Security Personnel and Private Investigators Act	The regulation clarifies that an insurance assessor or a loss adjuster is not a private investigator. The regulation is administrative. We recommend any orders made under this empowering provision are exempt, as it deals with administrative matters only.	MoJ-018
Real Estate Agents (Audit) Regulations 2009	S	Y	Section 125 Real Estate Agents Act 2008	The regulation prescribes the manner and timing of auditing of real estate agents' accounts, who can be appointed as an auditor, and various duties of agencies and auditors. The regulation is administrative. We recommend any regulations prescribed under s 125 are exempt as it deals with administrative matters only.	MoJ-22
Real Estate Agents (Licensing) Regulations 2009	S	Y	Section 156 Real Estate Agents Act 2008	The regulation prescribes a range of administrative matters required by the Act, including the required manner of advertising an application for a real estate licence; prescribed qualifications for real estate agents, branch managers and salespeople; endorsements of temporary licences, and applications to which the Trans-Tasman Mutual Recognition Act 1997 applies. These regulations are amended relatively frequently – three times since 2014 – and it would be of little public interest to assess them.	MoJ-23
Exemptions from the Anti-Money Laundering and Countering Financing of Terrorism Act - Ministerial exemptions	S	Y	Section 157 Anti-Money Laundering and Countering Financing of Terrorism Act 2009	Exemptions issued by the Minister are issued routinely. All exemptions to the Act are technical following criteria set out in the Act. Consistency with other exemptions and obligations under the Act are already considered. Exemptions remove obligations rather than add obligations.	MoJ-48
Anti-Money Laundering and Countering Financing of Terrorism (Exemptions) Regulations 2011	S	Y	Section 154(1)(a)-(b) Anti-Money Laundering and Countering Financing of Terrorism Act 2009	Exemptions issued by the Minister are issued routinely. All exemptions to the Act are technical following criteria set out in the Act. Consistency with other exemptions and obligations under the Act are already considered. Exemptions remove obligations rather than add obligations.	MoJ-48
Codes of Practice under the Privacy Act	S	Y	Section 33 Privacy Act 2020	The Privacy Act is principles-based regulation and so codes of practice provide moderation of privacy regulation as may be required in specific contexts, and within clear parameters. Codes of Practice are used to add clarity about appropriate collection, use, storage and disclosure for certain types of information or for certain sectors. By and large they duplicate the information privacy principles in the Privacy Act but provide greater clarity or granularity in specific contexts. A code can be developed and proposed by a regulated sector to meet that sector's requirements, and where a code is proposed by the Commissioner, there are public consultation requirements. Requiring consistency assessments for the Codes of Practice would likely be extremely duplicative and not-cost effective. Many of the RSB principles won't be relevant to the codes, and where they are, they are already covered by the Privacy Act framework that requires public consultation, contains specific factors that must be taken into account, and must be consistent with the NZBORA. Codes are also disallowable instruments and so subject to Parliamentary scrutiny. In particular, we request that any further amendments to the Codes that merely implement changes to the Privacy Act are exempt – for both the 2020 Act and the new IPP 3A we have run narrow amendment processes to update all of our Codes to reflect the changes to the Privacy Act (but no further amendments). Requiring CAS's in this context would be a significant resource burden for no added value given they are simply giving effect to already decided policy.	MoJ-50
Protection of Personal and Property Rights (Resealing of Court Orders) Order 1988	S	Y	s93(1) Protection of Personal and Property Rights Act 1988	The order is administrative in nature, and the result of an assessment is unlikely to be of much public interest or to identify any impacts on rights or liberties.	MoJ-53

Postponement of fees	S	Y	S158 Senior Courts Act 2016	The Act provides for the practice and procedure of the High Court, the Court of Appeal, and the Supreme Court, and judicial and other officers. The Act provides for a range of secondary legislation relating to practice and procedure in each court. This includes regulations relating to fees. Secondary legislation under this Act should be exempted. There is also a power under section 19 for the Governor-General to make orders relating to the commercial panel of the High Court – orders cover matters such as types of proceedings that may be assigned to the commercial panel. This requires consultation with the Chief Justice and Chief High Court Judge. There is a power related to information sharing in s 174. Constitutionally, the judiciary the judiciary have responsibility for court information. Provides consistency with the exclusion in the primary act for rules of court. Noting the court rules made under ss 146-155 (s 148 being the main rule-making provision) would already be excluded under the primary Act exclusions for rules of court/rules made by judicial officer. Noting the court rules made under ss 146-155 (s 148 being the main rule-making provision) would already be excluded under the primary Act exclusions for rules of court/rules made by judicial officer.	MoJ-67
Regulations	S	Y	92I Summary Proceedings Act 1957	The Act covers lower-level criminal offences and procedure related to court orders and enforcement of those orders. The Act provides for regulations and orders covering matters such as forms, court fees, format of documents, requirements for reminder notices etc, and related to the disclosure of fine balances to certain persons. Provides consistency with the exclusion in the primary act for rules of court. Noting that any rules made under s 212 would already be excluded under the primary Act. No rules made as yet.	MoJ-67
Real Estate Agents Act (Professional Conduct and Client Care) Rules 2012	S	Y	Section 14 Real Estate Agents Act 2008	See below	REA-01
Real Estate Agents (Continuing Professional Development Rules)	S	Y	Section 15 Real Estate Agents Act 2008	Parliament conferred on REA responsibility under section 15 to make practice rules about Continuing Professional Education, specifically regarding the timing or frequency of CPD, the topics, and requiring that particular education be undertaken and/or that the education meets specified requirements. It also provides for the rules to exempt any licensee from all or any of the CPD rules. The making of these rules are subject to the same checks and balances outlined above under s14-17 of the REAA, including consultation, ministerial oversight, and consideration of criteria under s17. Appeals, reviews and Judicial review may apply as a further check and balance. RSB processes would cut across and undermine the process Parliament has determined for this legislation and would undermine the independent judicial processes of the tribunal and court. For the reasons outlined above, we consider that there is already a robust process for setting the CPD rules with suitable checks and balances. Further, we consider that REA is the expert, experienced regulator best placed to set CPD content given the rigorous processes used, which includes regulatory design based on data and evidence from complaints, enquiries and research, knowledge of regulatory requirements for real estate and consultation that is undertaken with the sector and education stakeholders. REA can identify CPD topics that can best support licensees to meet their professional obligations, raise industry standards, increase confidence in the performance of real estate agency work and to protect consumers from harm. The checks and balances, and oversight powers for section 15 CPD Rules are the same as those for section 14 Code of Conduct Rules above and so aren't repeated here for brevity. In light of the above, rules made under section 15 are unlikely to result in changes to the scope and content of the legislation as the prior checks outlined above will address any potential issues. The compliance will not be cost-effective or valuable. This is particularly the case because REA is funded only by fees and levies on licensees. As such, the costs of compliance with the Bill may mean REA needs to increase fees and levies and the sector will bear the compliance cost. This seems inconsistent with the policy intent of the Bill.	REA-02
Real Estate Agents Authority (Fees and Levies) Notices	S	Y	Sections 20 - 22 Real Estate Agents Act 2008	Not cost-effective or valuable as unlikely to impact on rights and liberties or to result in changes to the scope and content of legislation. Sections 21 and 22 provide that levies may be imposed 'for the purpose of funding the costs arising...' from certain functions or proceedings, which builds in the principle at cl 8(e) of the Bill. Fees and levies are set according to Treasury Guidelines. As a Crown entity, REA is also subject to the Auditor General's guidance on setting and administering fees and levies for cost recovery. The Auditor-General can examine the process used to set charges and may look at this as part of its annual auditing duties. As noted above, it is unusual for occupational regulators to also be Crown entities and subject to this level of oversight.	REA-03
Requirements for dam owner accreditation body	S	Y	Section 257 Building Act 2004	Minor or administrative	MBIE-03

Post-event assessments: methodology for post-even assessment	S	Y	133BQ(2A) Building Act 2004	Laws that are minor or administrative	MBIE -04
Rules relating to chartered professions Engineers	S	Y	Section 40 Chartered Professional Engineers Act 2002	The Registration Authority (that is the Institution of Professional Engineers of New Zealand Incorporated) must make and always have rules containing the minimum standards approved by the Chartered Professional Engineers Council on minimum standards of competence in professional engineering, for demonstrating current competence in professional engineering that must be met for continued registration and frequency of assessments, and code of minimum standards of ethical conduct for chartered professional engineers. The Registration Authority must make and always have rules that govern the title of chartered professional engineer, the classes of registration, registration and disciplining of chartered professional engineers and rule-making procedures. Some of the rules may be purely administrative, for example: Section 40(2)(a) - (b) - rules about using the protected title Section 40(2)(k) - (j) - rules governing the disciplinary committee The Minister's role is limited to present the "rules" to the House of Representatives. There is no requirement for the Minister to approve these rules (unlike the rules made by the Electrical Workers Registration Board and Plumbers, Gasfitters and Drainlayers Board)	MBIE -05
Board may exempt person or class of persons from section 74 : Restrictions on doing or assisting with prescribed electrical work	S	Y	Section 75 Electricity Act 1992	The Minister must approve notices made under section 84 and 85. Gives the Board power to exempt person or class of persons from section 74 – this exemption is secondary legislation. Section 74 restricts who can do prescribed work	MBIE -06
Board may grant exemptions from registration and practising licence requirements and conditions	S	Y	Section 107 Electricity Act 1992	Section 107 Board may grant exemptions from registration and practising licence requirements and conditions Gives the Board power to exempt persons, or class of persons from registration and practising licence requirements and conditions. This exemption is secondary legislation.	MBIE -07
Regulations under the Electricity Act 1992	S	Y	Section 169 Electricity Act 1992	For matters relating to processes of the Board and maintaining the register.	MBIE -08
Regulations	S	Y	Section 35 Engineering Associates Act 1961	Can do a range of minor and more substantive matters including: Prescribing the form of and the method of keeping the register (32(2)(a)). Prescribing the forms of applications, certificates, and other documents (32(2)(b)) Regulating the procedure of the Board and other matters necessary for the efficient discharge of its duties and functions under the Act (s32(2)(f)&(g)) It is likely that this legislation will be revoked via a Bill introduced to Parliament in 2026.	MBIE -09
Requirements for motor vehicle inspections	S	Y	Section 87F - Plumbers, Gasfitters and Drainlayers Act 2006	Board may prescribe requirements for motor vehicle inspections.	MBIE -10
Plumbers, Gasfitters, and Drainlayers Regulations 2010	S	Y	Section 172 - Plumbers, Gasfitters and Drainlayers Act 2006	Matters relating to the Register and Board procedures under some subcategories appear administrative.	MBIE -12
Regulations relating to fees and charges for appointment as self-containment certification authority	S	Y	Section 172A Plumbers, Gasfitters and Drainlayers Act 2006	Not the regulations made under section 172A or 172B. Only a notice, if it is issued for a refund or waiver should be exempt as it seems to be more administrative. That notice is treated as secondary legislation in the PGD Act. See section 172A(5) and 172B(9).	MBIE -13
Rules relating to chartered professions Engineers	S	Y	Section 67 - Registered Architects Act 2005	These are: Section 67(2)(a) - (b) - rules about using the protected title Section 67(k) - (l) - rules governing the procedures of the Board on how inquiries and complaints must be dealt with The New Zealand Registered Architects' Board (the "Board") must always have rules containing the minimum standards of competence, for demonstrating current competence that must be met for continued registration and frequency of assessments, and code of minimum standards of ethical conduct for registered architects. The Board must also make and always have since 1/7/2006 rules that govern the title of registered architect, registration of registered architects, disciplining of registered architects, and rule-making procedures.	MBIE -14
Auctioneers Regulations 2014	S	Y	section 25 Auctioneers Act 2013.	The Auctioneers Regulations 2014, made under section 25 of the Auctioneers Act 2013, are routine and administrative in nature. They prescribe procedural requirements such as registration details and fees, and do not impose substantive policy or affect rights and liberties. These regulations are unlikely to generate public interest or benefit from consistency assessments. Applying the Regulatory Standards Act requirements would not be cost-effective or valuable, as the results would be unlikely to influence the scope or content of the legislation.	MBIE -15

The Responsible Lending Code	S	Y	Section 9G Credit Contracts and Consumer Finance Act 2003.	Section 9G of the Credit Contracts and Consumer Finance Act 2003 sets out the process for preparing and issuing the Responsible Lending Code. It is procedural in nature, prescribing consultation and publication steps for issuing the Code. It does not impose substantive obligations or affect rights and liberties. The Responsible Lending Code, while classified as secondary legislation, is non-binding and intended to provide guidance on how lenders may comply with the lender responsibility principles in section 9C. It does not create enforceable obligations, and its content is unlikely to generate significant public interest or benefit from consistency assessments. Applying the Regulatory Standards Bill's requirements to section 9G and the Code would not be cost-effective or valuable, as the results would be unlikely to influence the scope or content of the legislation.	MBIE -16
Credit Contracts and Consumer Finance (Infringement Offences) Regulations 2015	S	Y	sections 105F and 138(1)(n) of the Credit Contracts and Consumer Finance Act 2003	The Credit Contracts and Consumer Finance (Infringement Offences) Regulations 2015 are administrative in nature, prescribing the format and process for issuing infringement and reminder notices under the Act. They do not impose substantive policy or affect rights and liberties, and are unlikely to benefit from consistency assessments. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -17
Set meaning of a motor vehicle by Order in Council for the purposes of the Act	S	Y	Section 6 Motor Vehicles Sales Act 2003	Sections 6, 144, and 162 of the Motor Vehicle Sales Act 2003 are administrative or procedural in nature. They include definitional provisions, administrative and procedural regulation-making powers, and processes for winding up the Compensation Fund. These provisions do not impose substantive policy or affect rights and liberties. They are unlikely to generate public interest or benefit from consistency assessments. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable, as the results would be unlikely to influence the scope or content of the legislation.	MBIE -18
Motor Vehicle Sales Regulations	S	Y	Section 144 Motor Vehicles Sales Act 2003	Provides general powers to make regulations for administrative and procedural matters Category 4	MBIE -19
Regulations and Orders in Council prescribing consumer information standards	S	Y	Section 21D, Section 26E, Section 27, Section 28A Fair Trading Act 1986	Exemptions requested for any future regulations and Orders in Council made under sections 21D, 26E, 27, 28A, 29, 31, 35, 36S, 36W, or 40H, minor and technical; administrative rather than substantive in nature. Regulations and standards under these provisions would be administrative in nature, and minor and technical. A consistency assessment would not be cost-effective or valuable.	MBIE -22
Product Safety Standards	S	Y	Section 29, section 31, section 35 Fair Trading Act 1986	Exemptions requested for any future regulations and Orders in Council made under sections 21D, 26E, 27, 28A, 29, 31, 35, 36S, 36W, or 40H. Minor and technical; administrative rather than substantive in nature. Regulations and standards under these provisions would be administrative in nature, and minor and technical. A consistency assessment would not be cost-effective or valuable.	MBIE -22
Orders in Council relating to uninvited direct sales	S	Y	section 36S, section 36W Fair Trading Act	Exemptions requested for any future regulations and Orders in Council made under sections 21D, 26E, 27, 28A, 29, 31, 35, 36S, 36W, or 40H. Minor and technical; administrative rather than substantive in nature. Regulations and standards under these provisions would be administrative in nature, and minor and technical. A consistency assessment would not be cost-effective or valuable.	MBIE -22
relating to infringement offences	S	Y	Section 40H Fair Trading Act	Exemptions requested for any future regulations and Orders in Council made under sections 21D, 26E, 27, 28A, 29, 31, 35, 36S, 36W, or 40H. Minor and technical; administrative rather than substantive in nature. Regulations and standards under these provisions would be administrative in nature, and minor and technical. A consistency assessment would not be cost-effective or valuable.	MBIE -22
Consumer Information Standards (Care Labelling) Regulations 2000	S	N	S27 Fair Trading Act 1986	Consumer information standards. These regulations are routine and administrative in nature. They prescribe technical requirements for product labelling, such as instructions for care and cleaning of textiles.	MBIE -23
Consumer Information Standards (Fibre Content Labelling) Regulations 2000	S	N	S27 Fair Trading Act 1986	Consumer information standards. Routine and administrative, prescribing technical requirements for fibre content labelling for textile goods. No substantive policy effect or impact on rights and liberties.	MBIE -24
Consumer Information Standards (Origin of Food) Regulations 2021	S	N	S27 Fair Trading Act 1986	Consumer information standards. Administrative and technical, setting out requirements for food origin labelling. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -25
Consumer Information Standards (Unit Pricing for Grocery Products) Regulations 2023	S	N	S27 Fair Trading Act 1986	Consumer information standards. Routine and technical, prescribing requirements for unit pricing. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -26
Consumer Information Standards (Used Motor Vehicles) Regulations 2008	S	N	S27 Fair Trading Act 1986	Consumer information standards. Administrative and technical, setting out requirements for used motor vehicle labelling. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -27

Consumer Information Standards (Water Efficiency) Regulations 2017	S	N	S27 Fair Trading Act 1986	Consumer information standards. Routine and technical, prescribing requirements for water efficiency labelling. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -28
Product Safety Standards (Baby Walkers) Regulations 2001	S	N	Section 29 Fair Trading Act 1986	Prescribing safety standards for baby walkers. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -29
Product Safety Standards (Children's Nightwear and Limited Daywear Having Reduced Fire Hazard) Regulations 2016	S	N	Section 29 Fair Trading Act 1986	Prescribing safety standards for baby walkers. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -30
Product Safety Standards (Children's Toys) Regulations 2005	S	N	Section 29 Fair Trading Act 1986	Prescribing safety standards for baby walkers. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -31
Product Safety Standards (Cigarette Lighters) Regulations 1998	S	N	Section 29 Fair Trading Act 1986	Prescribing safety standards for baby walkers. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -32
Product Safety Standards (Household Cots) Regulations 2005	S	N	Section 29 Fair Trading Act 1986	Prescribing safety standards for baby walkers. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -33
Product Safety Standards (Multipurpose Ladders) Regulations 2023	S	N	Section 29 Fair Trading Act 1986	Prescribing safety standards for baby walkers. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -34
Product Safety Standards (Pedal Bicycles) Regulations 2000	S	N	Section 29 Fair Trading Act 1986	Prescribing safety standards for baby walkers. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -35
Fair Trading (Uninvited Direct Sales— Financial Products) Regulations 2014	S	N	Section 36S Fair Trading Act 1986	These regulations set out the requirements for how financial products (such as insurance or credit contracts) can be sold to consumers through uninvited direct sales (e.g., telemarketing, door-to-door). They specify the information that must be provided to consumers, the cooling-off periods, and the procedures for cancellation. The regulations are administrative and technical, focused on consumer protection processes rather than substantive policy changes. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -36
Fair Trading (Uninvited Direct Sales) Regulations 2014	S	N	S36W Fair Trading Act 1986	These regulations prescribe the procedures and requirements for uninvited direct sales of goods and services (not limited to financial products). They cover matters such as the form and content of sales agreements, disclosure obligations, and cancellation rights for consumers. The regulations are routine and technical, ensuring that consumers are informed and protected in direct sales situations, but do not impose substantive policy or affect rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -37
Fair Trading (Infringement Offences) Regulations 2014	S	N	Section 40H Fair Trading Act 1986	Administrative in nature, prescribing the format and process for issuing infringement notices under the Act. No substantive policy effect or impact on rights and liberties. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable	MBIE -38
Regulations and Orders in Council prescribing measurement standards and procedures	S	Y	Section 41, Section 41A, Section 41B, Section 42 Weights and Measures Act 1987	Exemptions requested for any future regulations and Orders in Council made under sections 41, 41A, 41B, or 42. Minor and technical; administrative rather than substantive in nature. Regulations and standards under these provisions would be administrative in nature, and minor and technical. A consistency assessment would not be cost-effective or valuable.	MBIE -39
Weights and Measures Regulations 1999	S	N	Weights and Measures Act 1987 – Section 41 Regulations	Routine and technical, prescribing measurement standards and procedures. No substantive policy effect or impact on rights and liberties. These regulations are unlikely to generate public interest or benefit from consistency assessments. Applying the Regulatory Standards Bill's requirements would not be cost-effective or valuable.	MBIE -39
•Regulations relating to fees and charges (133) Regulations prescribing levies (s135)	S	Y	Customer and Product Data Act 2025	Exemptions requested for any future regulations and standards made under sections 133, 135, 138, and 141 according to category 4. Regulations and standards under these provisions would be administrative in nature; they are necessary for designation regulations made under s104 and general regulations made under s131 to function. A consistency assessment would not be cost-effective or valuable. No exemption requested for the primary legislation, nor for designation regulations made under section 104 or general regulations made under s131.	MBIE -42

Proactive release note:

Following consultation, the Ministry of Business, Innovation and Employment indicated some corrections to replace the word 'baby walkers' in the description of regulations as follows:

- MBIE-30 – should be standards for children's nightwear
- MBIE-31 – should be standards for children's toys
- MBIE-32 – should be standards for cigarette lighters
- MBIE-33 – should be standards for household cots
- MBIE-34 – should be standards for multipurpose ladders
- MBIE-35 – should be standards for pedal bicycles

Standards (s138)	S	Y	Customer and Product Data Act 2025	Exemptions requested for any future regulations and standards made under sections 133, 135, 138, and 141. Minor and technical; administrative rather than substantive nature. Regulations and standards under these provisions would be administrative in nature; they are necessary for designation regulations made under s104 and general regulations made under s131 to function. A consistency assessment would not be cost-effective or valuable. No exemption requested for the primary legislation, nor for designation regulations made under section 104 or general regulations made under s131.	MBIE -42
Regulations for exemptions (141)	S	Y	Customer and Product Data Act 2025	Exemptions requested for any future regulations and standards made under sections 133, 135, 138, and 141. Minor and technical; administrative rather than substantive nature. Regulations and standards under these provisions would be administrative in nature; they are necessary for designation regulations made under s104 and general regulations made under s131 to function. A consistency assessment would not be cost-effective or valuable. No exemption requested for the primary legislation, nor for designation regulations made under section 104 or general regulations made under s131.	MBIE -42
Customer and Product Data (Fees) Regulations 2025	S	N	Customer and Product Data Act 2025	The regulations are administrative in nature, prescribing the level of fees that are provided for under the Customer and Product Data Act. A consistency assessment would not be cost-effective or valuable. Currently being drafted. To come into force on 1 December 2025. Title of the legislation is tentative.	MBIE -43
Customer and Product Data (Levies) Regulations 2025	S	N	Section 135 Customer and Product Data Act	The regulations are administrative in nature, prescribing the level of levies that are provided for under the Customer and Product Data Act. A consistency assessment would not be cost-effective or valuable.	MBIE -44
Customer and Product Data (Designations for Banking and Other Deposit Taking) Regulations 2025	S	N	Section 138 Customer and Product Data Act	These standards prescribe technical specifications for the design of Application Programming Interfaces to ensure efficiency for any data shared according to the banking designation under the Customer and Product Data Act. No impact on rights and liberties. Currently being drafted. To come into force on 1 December 2025. Title of the legislation is tentative.	MBIE -44
Exemption from sections 209 to 209B of Companies Act 1993. Eg Co-operative Companies (Foodstuffs South Island Limited) Exemption Order 2013	S	Y	Section 32 Co-operative Companies Act 1996	Notices under this section exempt co-operative companies from certain reporting requirements under the Act. Administrative regulation with limited discretion but no or minor impact on rights of New Zealanders.	MBIE -47
Denial of copyright to persons connected with countries not giving adequate protection to New Zealand works.	S	Y	Section 233 Copyright Act 1994	Orders under this section list countries that do not provide sufficient protection for New Zealand works. Administrative regulation with limited discretion and no impact on rights of New Zealanders.	MBIE -51
Section 50(1)(AF)	S	Y	S50(1)(AF) Financial Reporting Act 2013	This instrument is minor and administrative, with no impact on rights of New Zealanders.	MBIE -55
Instrument to waive/exempt levy is secondary legislation	S	Y	Section 52(4)(j) Financial Reporting Act 2013	This instrument is purely administrative, with no impact on rights of New Zealanders.	MBIE -56
Regulations to recognise jurisdiction for the purposes of the Act.	S	Y	S5(3) Insolvency Practitioners Regulation Act 2019	Administrative regulation with little discretion and no impact on rights of New Zealanders.	MBIE -62
Insolvency Practitioners Regulation Act (Recognised Bodies) Notice 2020 - 2020-go3786- New Zealand Gazette	S	Y	Section 57 Insolvency Practitioners Regulation Act 2019 Legislation	Administrative regulation with little discretion and no impact on rights of New Zealanders.	MBIE -63
Layout Designs (Eligible Countries) Order 2000	S	Y	Section 37 Layout Designs Act 1994	Lists eligible countries for the purposes of the Act Lists countries whose citizens can be eligible persons whose designs can be protected under the Act. Administrative regulation with little discretion and no or minor impact on rights of New Zealanders	MBIE -63

Rules of Institute of Chartered Accountants	S	Y	Section 6 New Zealand Institute of Chartered Accountants Act 1996	<p>The NZICA Rules and Code of Ethics do not apply to the general public but only to:</p> <ul style="list-style-type: none"> - CA ANZ/NZICA members residing in or practising the profession of accounting in New Zealand, and as a condition of their membership they are required to comply with these instruments, and -non members subject to the NZICA Rules and Code of Ethics in accordance with 36R and/or 36S Financial Reporting Act 2013 and/or s9 of the Insolvency Practitioners Regulation Act (“non member regulated population”) <p>NZICA as maker of the two pieces of secondary legislation is also responsible for supervising and regulating the conduct of members and the non member regulated population and ensures compliance with the Rules or COE so the risk to the public is minimised through that function.</p> <p>NZICA has a prescribed process for updates to both the NZICA Rules and NZICA Code of Ethics which is followed for each iteration (including member consultation, approval by members and the NZICA Regulatory Board where required, and internal and external legal review for NZICA Rules). The process is prescribed under the NZICA Act and Rules, Legislation Act and additional alignment requirements for the Code of Ethics as below:</p> <ul style="list-style-type: none"> • Changes to the NZICA Code of Ethics are primarily driven by NZICA’s obligation to align with the International Code of Ethics issued by the International Ethics Standards Board of Accounting (IESBA). As an accredited body under the Auditor Regulation Act 2011, NZICA is required to comply with the current membership criteria of the International Federation of Accountants (IFAC). Members of IFAC are required to have professional and ethical standards at least as stringent as those issued by the international standards boards (which includes IESBA) (see IFAC Statement of Membership Obligations (SMO) 1, 3, and 4). • Changes to the Code of Ethics are also influenced by changes to Professional and Ethical Standard 1, International Ethics Standards for Assurance Practitioners (including International Independence Standards) (New Zealand) (PES-1) issued by the New Zealand Auditing and Assurance Standards Board (NZAuASB) (a standard setting body of the External Reporting Board (XRB)), which is also based on the International Code of Ethics. The External Reporting Board (XRB) is responsible for setting accounting, auditing and assurance standards (including professional and ethical standards) for assurance practitioners in New Zealand (Section 12 of the Financial Reporting Act 2013). Members of NZICA, who are also assurance practitioners, are required to comply with PES 1, in addition to complying with the NZICA Code of Ethics. Accordingly, in order to assist these members, NZICA has a policy of alignment wherever practical 	MBIE -64
Code of Ethics	S	Y	Section 7 New Zealand Institute of Chartered Accountants Act 1996	See MBIE-64 above.	MBIE -65
Declares an association of accountants to be a specified association for the purposes of the Act	S	Y	Section 8A New Zealand Institute of Chartered Accountants Act 1996	See above.	MBIE -66
All secondary legislation made by the External Reporting Board	S	Y	Section 12 Financial Reporting Act 2013	<p>The XRB does not have the statutory powers to contravene 11 of the 16 principles of responsible regulation. The great majority of financial reporting, and audit and assurance standards issued by the XRB are NZ equivalents of international standards. The reasons for doing so are stated in XRB strategy documents and are well understood by key stakeholders. There is little if any value in repeating those reasons every time the XRB issues an NZ equivalent of an international standard.</p> <p>It would amount to unnecessary duplication because the XRB already complies with the good law-making principles (clauses 8(i)-(l)) in accordance with its due process explanatory guidelines, which are available on the XRB website. In addition:</p> <ul style="list-style-type: none"> o The consultation requirements under section 22 of the FR Act are the same in substance as clause 8(i) of the RS Bill. No standard or authoritative notice is issued until after board members have considered internal memoranda that explain how the s 22 requirement was met. o The XRB publishes the ‘Basis for Conclusions’ when issuing standards. They describe the rationale for decisions. Additional information is attached: <ul style="list-style-type: none"> (a) explaining why 11 principles have no relevance to the XRB (b) describing, as an example, the reason NZ adopted International Financial Reporting Standards for for-profit 	MBIE -70

				reporting entities, and (c) providing additional information about the XRB's consultation processes.	
Minimum Wage Order	S	Y	Section 4 Minimum Wage Act 1983	Minor, technical, routine	MBIE -73
Notice (declaration of electricity operators) under the Electricity Act 1992	S	Y	Section 4 Electricity Act 1992	Notices under this section are issued routinely and cover access to the road reserve for generators and distributors to maintain assets. They do not impact the public in a tangible manner.	MBIE -76
Electrical codes of practice WorkSafe	S	Y	Section 36 Electricity Act 1992	Including the Code is unlikely to be 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.	MBIE -77
ElectricityIndustry_Participation_Code_2010 - 1 Jan 2026	S	Y	Section 38 Electricity Industry Act 2010	See separate submission from Electricity Authority	EA-01
Declaration of person as gas operator	S	Y	Section 5 Gas Act 1992	These orders are administrative in nature, confirming who is a gas operator for the purpose of the Gas Act 1992	MBIE -81
The Governor-General may, on the recommendation of the Minister of Consumer Affairs made after consultation with the Minister of Energy and Resources, make regulations exempting, on any terms and conditions, any class of industry participants identified in regulations as a class that need not be a member of the dispute resolution scheme.	S	Y	S43EA Membership of dispute resolution scheme	The Gas Industry Council proposes exemptions for these items under Category 4 as it considers these are largely technical in nature and administrative in nature. MBIE's assessment is that these rules impose some obligations, impacting rights and liberties and we consider they do not meet exemption criteria.	MBIE -82
Gas governance rules and process for making recommendations for gas governance regulations under the Gas Act 1992 - which gas governance regulations can be made if there is no industry body	S	Y	ss 43I-43S Gas Act 1992	The Gas Industry Council proposes exemptions for these items under Category 4 as it considers these are largely technical in nature and administrative in nature. MBIE's assessment is that these rules impose some obligations, impacting rights and liberties and we consider they do not meet exemption criteria.	MBIE -84
Approval of industry body and revocation of approval	S	Y	ss 43ZL and ZM Gas Act 1992	The Gas Industry Council proposes exemptions for these items under Category 4 as it considers these are largely technical in nature and administrative in nature. MBIE's assessment is that these rules impose some obligations, impacting rights and liberties and we consider they do not meet exemption criteria.	MBIE -85
Processes for setting government objectives for the industry body, and corporate document requirements	S	Y	ss 43ZO - 43ZZA, Gas Act 1992	The Gas Industry Council proposes exemptions for these items under Category 4 as it considers these are largely technical in nature and administrative in nature. MBIE's assessment is that these rules impose some obligations, impacting rights and liberties and we consider they do not meet exemption criteria.	MBIE -86
Gas Governance (Compliance) Regulations 2008	S	N	Sections 43G, 43S and 43T Gas Act 1992	The Gas Industry Council proposes exemptions for these items it considers these are largely technical in nature and administrative in nature.	MBIE -87
EA Membership of dispute resolution scheme	S	N	S43E Gas Act 1992	The Gas Industry Council proposes exemptions for these items as it considers these are largely technical in nature and administrative in nature.	MBIE -88
Petroleum Programme	S	Y	Section 19, Crown Minerals Act 1991 (CMA)	<ul style="list-style-type: none"> • Administrative guidance to regulatory decision-making. • Little or no discretion on the part of the decision maker (ie Cabinet / Governor-General by OIC). The Programmes give effect to legislative decisions already taken (eg legislative change to CMA or Treaty settlement legislation). • Assessment would not result in any changes because the Programmes reflect legislation already in effect. Administrative rather than substantive. • Does not impact on "rights or liberties". • Assessment would not cost-effective or valuable. • Drafted by MBIE not PCO 	MBIE -89

Minerals Programme	S	Y	Section 19, Crown Minerals Act 1991 (CMA)	Administrative guidance to regulatory decision-making. Little or no discretion on the part of the decision maker (ie Cabinet / Governor-General by OIC). The Programmes give effect to legislative decisions already taken (eg legislative change to CMA or Treaty settlement legislation). Assessment would not result in any changes because the Programmes reflect legislation already in effect. Administrative rather than substantive. Does not impact on “rights or liberties”. Assessment would not cost-effective or valuable. Drafted by MBIE not PCO	MBIE -90
Declaration in relation to specified land for specified period	S	Y	Section 28A Crown Minerals Act 1991	Administrative not substantive. Does not impact on “rights” or “liberties”. Assessment unlikely to result in changes to the legislation as it is a practical, administrative exercise in relation to Crown owned minerals. Notice drafted by MBIE, not PCO. It is the Crown administratively managing and declaring that permits (ie rights) will not be granted of minerals the Crown owns.	MBIE -91
Notice specifying non-interference zone	S	Y	Section 101B(6), CMA	Administrative not substantive. Is the Crown administratively managing access to structures or operations offshore that have been permitted under the CMA. Unlikely for the assessment to identify impacts on rights and liberties. Assessment unlikely to result in changes to the legislation. Notice drafted by MBIE not PCO. • Arguably impacts rights because non-compliance with a specified non-interference zone results in a strict liability criminal offence. Has arisen in protest cases – rights to protest, assessment public interest etc.	MBIE -92
Accident Compensation (Ancillary Services) Regulations 2002 Compensation (Ancillary Services) Regulations 2002	S	Y	Section 325 ACC Act 2001	Minor and routine. Administrative - sets the rates ACC can pay for ancillary services like transport to treatment The rates are reviewed periodically and adjusted for inflation or similar	MBIE - 103
Accident Compensation (Apportioning Entitlements for -Hearing Loss) Regulations 2010	S	Y	S324 Accident Compensation Act 2001	Minor and routine. Administrative - sets the rates ACC can pay for hearing-related treatment The rates have to be reviewed every two years	MBIE - 104
Accident Compensation (Definitions) Regulations 2019	S	N	322 Accident Compensation Act 2001	Minor and routine. Administrative – defines who can provide ACC funded treatment and receive treatment injury coverage The definitions typically need to be updated following HPCA Act additions	MBIE - 105
Accident Compensation (Earners’ Levy) Regulations 2025	S	N	329 Accident Compensation Act 2001	Minor and routine. Administrative – sets levy rates for Earners Levy rates are currently reviewed every 3 years – and set for 3 future levy years	MBIE - 106
Accident Compensation (Experience Rating) Regulations 2025	S	N	32 Accident Compensation Act 2001	Minor and routine - Administrative – specifies incentive adjustments to levy rates Has to be updated or replaced for new levy years	MBIE - 107
Accident Compensation (Liability to Pay or Contribute to Cost of Treatment) Regulations 2003	S	N	324 Accident Compensation Act 2001	Minor and routine. Administrative - sets the rates ACC can pay for various treatments The rates have to be reviewed every two years	MBIE - 108
Accident Compensation (Review Costs and Appeals) Regulations 2002	S	N	328 Accident Compensation Act 2001	Minor and routine. Administrative - sets the amounts ACC can reimburse for review costs	MBIE - 109
Accident Compensation (Work Account Levies) Regulations 2025	S	N	329 & 333 Accident Compensation Act 2001	Minor and routine. Administrative – sets levy rates for Work Account Levy rates are currently reviewed every 3 years – and set for 3 future levy years	MBIE - 110
Accident Insurance (“Counsellor”) Regulations 1999	S	N	322 Accident Compensation Act 2001	Minor and routine. Administrative – defines who qualifies as a counsellor for ACC purposes	MBIE - 111

Accident Insurance (Occupational Hearing Assessment Procedures) Regulations 1999	S	N	322 Accident Compensation Act 2001	Minor and technical Administrative – defines who qualifies as a counsellor for ACC purposes	MBIE - 112
Accident Insurance (Prescribed Rate of Interest) Regulations 1999	S	N	333 Accident Compensation Act 2001	Minor and technical. Administrative sets interest rate for debts owed	MBIE - 113
Injury Prevention, Rehabilitation, and Compensation (Interest Rate for Late Payment of Levies) Regulations 2002	S	N	329(i), 333 Accident Compensation Act 2001	Sets an interest rate for unpaid levies	MBIE - 117
Injury Prevention, Rehabilitation, and Compensation (Occupational Diseases) Order 2007	S	N	336(1) Accident Compensation Act 2001	Based on medical advice	MBIE - 118
Injury Prevention, Rehabilitation, and Compensation (Refund of Fuel Levy) Regulations 2003	S	N	329(k) Accident Compensation Act 2001	Confers a benefit to the public.	MBIE - 119
Exemptions granted by Takeovers Panel	S	Y	Section 45 Takeovers Act 1993	<p>The Takeovers Act and Takeovers Code made under the Takeovers Act regulate changes of control in NZX-listed or widely held companies. Given control over companies can be exercised in various ways, the Takeovers Code is deliberately cast in broad terms. Further, certain disclosures required under the Takeovers Code are prescriptive.</p> <p>To address unintended consequences or circumstances not contemplated by the Takeovers Code, the Takeovers Act provides the Takeovers Panel (the Panel) with an exemption power. This is closely analogous to the exemption power which exists under the RSB – essentially, legislation which is drafted in broad terms may need to provide for exemptive relief to avoid unintended consequences. The existence of exemptive powers under the Takeovers Act is consistent with the majority of financial markets regulation both in New Zealand and overseas.</p> <p>The key issue with the RSB is that an exemption power is inherently inconsistent with a number of the principles of responsible regulation contained in the RSB, most notably the principle in clause 8(a)(v) which provides: “issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion”. Any exemption power inherently conflicts with this principle.</p> <p>Should the Panel’s exemption power be subject to these principles:</p> <ul style="list-style-type: none"> • Those principles would be a relevant consideration to which the Panel would have to turn its mind. Having due regard to these principles may lead the Panel to decline some exemptions which the Panel would otherwise be satisfied it could be appropriate to grant based on the objectives of the Takeovers Code. • Even if the Panel were to continue to grant exemptions, the exemptions would inherently be more susceptible to judicial review. This uncertainty is likely to lead market participants to not engage in transactions which require exemptive relief, including in situations where there is precedent for such exemptive relief having been previously granted. • Both of these factors are likely to have a materially detrimental effect on takeovers and other change of control transactions, with corresponding damage to the reputation of New Zealand capital markets. <p>Two practical examples of transactions which depend on the Panel exercising its exemption power (and would likely be significantly inhibited by the proposed limits on the Panel’s exemption power) are:</p> <ul style="list-style-type: none"> • the acquisition of control of a listed company, which in turn controls another listed company (with such listed companies potentially becoming “takeover proof”) – a recent example of this type of transaction was CDL Hotels Holding’s offer for NZX-listed Millenium & Copthorne Hotels; and 	MBIE - 120

				<ul style="list-style-type: none"> • any transfer or issuance of shares in companies where there are significant associated family shareholdings and interests (e.g., The Todd Corporation and Fulton Hogan Limited). The Panel is constrained in granting exemptions by section 45(6) of the Takeovers Act which requires that the Panel's reasons for granting an exemption must include: <ul style="list-style-type: none"> • why it is appropriate that the exemption is granted; and • how the exemption is consistent with the objectives of the Takeovers Code. <p>The Panel is required to state the matters referred to above in any exemption which it grants.</p> <p>In addition, each exemption must be presented to the House of Representatives which may then disallow the exemption.</p> <p>In the Panel's view, the existing requirements for it to grant an exemption under the Takeovers Act strike an appropriate balance between flexibility and fettering a regulatory power.</p> <p>In addition, the general effect of the Panel's exemption power is to reduce regulatory burden where compliance with the Takeovers Code is impossible or results in an unreasonable outcome. It would be an odd result if the Regulatory Standards Bill were to increase the regulatory burden in the context of takeovers and other change of control transactions.</p>	
Exemptions granted by the Financial Markets Authority		Y	Section 556 Financial Markets Conduct Act 2013	This section empowers the Governor-General, on the advice of the Minister given in accordance with a recommendation from the FMA, to approve electronic transfer systems for specified financial products. This power is technical and administrative in nature, and its use is unlikely to be of public interest.	MBIE - 120
Order in Council made under section 376 Approval of electronic transfer system		Y	S376 Financial Markets Conduct Act 2013	This section empowers the Governor-General, on the advice of the Minister given in accordance with a recommendation from the FMA, to approve electronic transfer systems for specified financial products. This power is technical and administrative in nature, and its use is unlikely to be of public interest.	MBIE - 120
Commerce Act (Specified Airport Services Information Disclosure) Determination 2010	S	N	Section 52P Commerce Act		MBIE - 129
Electricity Distribution Information Disclosure Determination 2012	S	N	Section 52P Commerce Act		MBIE - 130
Transpower Information Disclosure Determination 2014	S	N	Section 52P Commerce Act		MBIE - 131
Gas Distribution Information Disclosure Determination 2012	S	N	Section 52P Commerce Act		MBIE - 132
Gas Transmission Information Disclosure Determination 2012	S	N	Section 52P Commerce Act		MBIE - 133
Commerce Act (Specified Airport Services Input Methodologies) Determination 2010	S	N	Section 52P Commerce Act		MBIE - 134
Commerce Act (Electricity Distribution Services Input Methodologies) Determination 2010	S	N	Section 52P Commerce Act		MBIE - 135
Transpower Capital Expenditure Input Methodology Determination	S	N	Section 52P Commerce Act		MBIE - 136
Transpower Input Methodologies Determination	S	N	Section 52P Commerce Act		MBIE - 137
Electricity Distribution Services Input Methodologies Determination 2012	S	N	Section 52P Commerce Act		MBIE - 138

Gas Transmission Services Input Methodologies Determination 2012	S	N	Section 52P Commerce Act		MBIE - 139
Gas Distribution Services Input Methodologies Determination 2012	S	N	Section 52P Commerce Act		MBIE - 140
Orion New Zealand Limited Customised Price-Quality Path Determination 2012	S	N	Section 52P Commerce Act		MBIE - 141
Powerco Limited Electricity Distribution Customised Price Quality Path Determination	S	N	Section 52P Commerce Act		MBIE - 142
Wellington Electricity Lines Limited Electricity Distribution Customised Price-Quality Path Determination 2018	S	N	Section 52P Commerce Act		MBIE - 143
Transpower Individual Price-Quality Path Determination 2020	S	N	Section 52P Commerce Act		MBIE - 144
Aurora Energy Limited Electricity Distribution Customised Price-Quality Path Determination 2021	S	N	Section 52P Commerce Act		MBIE - 145
Electricity Distribution Services Default Price-Quality Path Determination 2025	S	N	Section 52P Commerce Act		MBIE - 146
Transpower Individual Price-Quality Path Determination 2025	S	N	Section 52P Commerce Act		MBIE - 147
Gas Distribution Services Default Price-Quality Path Determination 2022	S	N	Section 52P Commerce Act		MBIE - 148
Gas Transmission Services Default Price-Quality Path Determination 2022	S	N	Section 52P Commerce Act		MBIE - 149
Information Disclosure exemption: Disclosure of reliability information within Schedule 10	S	N	Section 53C(3)(d); clause 2.11.1		MBIE - 150
Notice of conditional exemptions from electricity distribution services information disclosures	S	N	Section 53C(3)(d); clause 2.11.1		MBIE - 151
Information Disclosure exemption: Disclosure and auditing of reliability information within Schedule 10	S	N	Section 53C(3)(d); clause 2.11.1		MBIE - 152
Notice of conditional exemptions from electricity distribution services information disclosures – related party transactions	S	N	Section 53C(3)(d); clause 2.11.1		MBIE - 153
Information Disclosure exemption: Disclosure and auditing of reliability information within Schedule 10	S	N	Section 53C(3)(d); clause 2.11.1		MBIE - 154
Response to request for extensions to the deadlines of disclosures of disclosures required under the EDB Information Disclosure Determination 2012	S	N	Section 53C(3)(d); clause 2.11.1		MBIE - 155
Information Disclosure Exemption: Disclosure and auditing of reliability information	S	N	Section 53C(3)(d); clause 2.11.1		MBIE - 156
Response to Vector's request for an exemption from an Asset Management Plan disclosure requirement under the Gas	S	N	Section 53C(3)(d); clause 2.11.1		MBIE - 157

Distribution Information Disclosure Determination 2012				
Code for Transfer of Telecommunications Services	S	N	Telecommunications Act 2001 Schedule 2, clause 10	MBIE - 158
Copper Withdrawal Code	S	N	Telecommunications Act Schedule 2A, clause 3	MBIE - 159
Fibre Information Disclosure Determination 2021	S	N	Telecommunications Act Section 170	MBIE - 160
Fibre Price-Quality Path Determination 2024	S	N	Telecommunications Act Section 170	MBIE - 161
Determination of the Duration of the Second Regulatory Period for Fibre Price-Quality Path Determination 2024	S	N	Telecommunications Act Section 170	MBIE - 162
Fibre Input Methodologies Determination 2020	S	N	Telecommunications Act Section 180	MBIE - 163
Commission 111 Contact Code	S	N	Telecommunications Act Section 238	MBIE - 164
Standard Terms Determination for Chorus' Unbundled Copper Low Frequency: Schedule 4: UCLF Operations Manual	S	N	Telecommunications Act Section 30M	MBIE - 165
Standard Terms Determination for the Designated Service Telecom's Unbundled Copper Local Loop Network	S	N	Telecommunications Act Section 30M	MBIE - 166
Standard Terms Determination for Telecom's Unbundled Copper Local Loop Network Co-Location Service	S	N	Telecommunications Act Section 30M	MBIE - 167
Standard Terms Determination for Telecom's Sub-Loop Unbundled Copper Local Loop Network Services: Service Appendix 1, Schedule 4, Subloop UCLL Operations Manual	S	N	Telecommunications Act Section 30M	MBIE - 168
Determination for the Designated Multinetwork Services of 'Local Telephone Portability Service' and 'Cellular Telephone Number Portability Service'	S	N	Telecommunications Act Section 39	MBIE - 169
Formula for the cost of delivering the services	S	N	Telecommunications Act Section 39	MBIE - 170
Terms for Local and Mobile Number Portability in New Zealand ("LMNP Terms")	S	N	Telecommunications Act Section 39	MBIE - 171
Network Terms for Local and Mobile Number Portability in New Zealand ("Network Terms")	S	N	Telecommunications Act Section 39	MBIE - 172
Determination for the Designated Multinetwork Services of 'Local Telephone Number Portability Service' and 'Cellular Telephone Number Portability Service'	S	N	Telecommunications Act Section 39	MBIE - 173
Final telecommunications development levy liability allocation determination for 1 July 2023 to 30 June 2024	S	N	Telecommunications Act Section 87	MBIE - 174
Mastercard and Visa Interchange Fee Network Standard 2025	S	N	Section 17 Retail Payment System Act 2022	MBIE - 175

Mastercard and Visa Interchange Fee Network Standard 2025	S	N	Section 17 Retail Payment System Act 2022		MBIE - 176
Mastercard and Visa Interchange Fee Network Standard 2025	S	N	Section 17 Retail Payment System Act 2022		MBIE - 177
Ministerial Directions (in general)	S	Y	s 7 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. Ministerial Directions under s7 are administrative, not substantive. They do not confer entitlements, create obligations for recipients, or impose sanctions. They are management and policy guidance tools for MSD. The exception to this are: The Ministerial Direction on Debt Recovery Direction in relation to Emergency Benefit and Benefits on Ground of Hardship.	MSD-024
Children's Commissioner Act 2022, s 37(1)(e)-(f) (General)	S	Y	Children's Commissioner Act 2022, s 37(1)(e)-(f) (General)	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations address administrative rather than substantive matters and do not impose or restrict individual rights or liberties.	MSD-003
Information rules made by the Children's Commissioner	S	Y	Children's Commissioner Act 2022, s 31	It would be an inappropriate intrusion of its independent function being an Independent Crown entity. The making of these rules is subject to statutory consultation requirements.	MSD-004
New Zealand Superannuation and Retirement Income Act 2001	S	Y	s 35A(1) New Zealand Superannuation and Retirement Income Act 2001	Applying the RSB requirements would provide minimal additional value and is not justified. This provision is minor and technical, and deal with administrative or operational matters. It does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties. This provision is intended to cover fringe emerging living situations as required.	MSD-007
OOTS Act s 57(1)(h)-(i)	S	Y	s 57(1)(h)-(i) Oversight of Oranga Tamariki System Act 2022	Applying the RSB requirements would provide minimal additional value and is not justified. Consistency assessment and review requirements would not be justified. This regulations is minor and technical, concerned solely with procedural or operational detail, and has no substantive impact on rights, obligations, or policy settings. Note (j) allows for anything incidental that is necessary for carrying out or giving full effect to this Act. If this were required to be used, it would be to ensure Parliament's intent is fulfilled.	MSD-010
Regulation 7 (Elderly victim of crime)	S	N	s 74(1)(b) Residential Care and Disability Support Services Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations address administrative rather than substantive matters and do not materially affect individual rights or liberties. It is similarly used for compassionate, or system overlap reasons, to ensure people who require residential care because of a criminal injury are not subject to the residential care means test. This is required by the Act; the regulations simply provide further detail.	MSD-013
Regulation 8 (Clothing Allowance)	S	N	s 74(1)(c) Residential Care and Disability Support Services Act 2018	Serves purely to operationalise the existing framework for residential care and disability support services. Applying the RSB requirements would provide minimal additional value and is not justified. The provision is minor and technical, addressing administrative and operational matters, and involves little or no discretion on the part of the maker. These Regulations do not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties. This regulation is adjusted annually according to long-standing policy (refer to section on AGA).	MSD-014
Regulation 10 (Allowable gifts)	S	N	s 74(1)(e) Residential Care and Disability Support Services Act 2018	The provision is minor and technical, addressing administrative and operational matters, and involves little or no discretion on the part of the maker. This regulation does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties. This regulation is adjusted periodically according to long-standing policy (only upwards, in \$500 increments, based on accrued CPI movement).	MSD-015
Regulation 11 (Gifts in recognition of care)	S	N	s 74(1)(e) Residential Care and Disability Support Services Act 2018	The provision is minor and technical, addressing administrative and operational matters, and involves little or no discretion on the part of the maker. This regulation does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties. This regulation is adjusted periodically according to long-standing policy (only upwards, in conjunction with changes in allowable gifts).	MSD-016
RCDSS Act s 74(1)(f)	S	Y	s 74(1)(f) Residential Care and Disability Support Services Act 2018	These regulations are minor and technical, and deal with administrative or operational matters. It does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties.	MSD-017

Regulation 16 and 17 (Exempt assets)	S	N	s 74(1)(g) Residential Care and Disability Support Services Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are minor and technical, and deal with administrative or operational matters. It does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties. These regulations are used primarily to make compassionate exceptions, such as to avoid capturing money received a part of Crown compensation for past wrongs, and to avoid system overlaps, and require frequent amendment as a result, often in concert with changes made to the welfare system. Although in theory it could be used to make much wider exceptions this does not happen in practice; CAS could be considered by exception.	MSD-018
Regulation 19 (Personal Allowance)	S	N	ss 24 and 74(1)(j) Residential Care and Disability Support Services Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The provision involves little or no discretion on the part of the maker. This regulation does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties. The amount of personal allowance is adjusted annually according to long-standing policy (refer to section on AGA).	MSD-021
RCDSS Act ss 61 and 74(1)(k)-(l) and (5)	S	Y	s 74(1)(k)-(l) and (5) Residential Care and Disability Support Services Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are minor and technical, and deal with administrative or operational matters. It does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties. These regulations would be used primarily to make compassionate exceptions and to avoid system overlaps. In theory it could be used to make much wider exceptions; CAS could be considered by exception.	MSD-022
Regulation 13, 14 and 15	S	N	s 74(1)(m) and (5) Residential Care and Disability Support Services Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are minor and technical, and deal with administrative or operational matters. It does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties.	MSD-023
Direction on Advance Payments of Instalments of Benefit	S	N	s 7 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The Direction is minor and technical, addressing administrative matters and providing operational guidance to MSD staff. It does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties. Applying the RSB requirements would provide minimal additional value and is not justified.	MSD-025
Direction setting approval criteria for specified early childhood education programmes for purposes of social obligations	S	N	s 7 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. This guides internal decision making and does not directly change the obligations on beneficiaries or confer rights by itself.	MSD-026
Direction in relation to new-born children and hardship assistance	S	N	s 7 Social Security Act 2018	Clarifies existing policy, and provides for additional consideration for caregivers of newborn children in a beneficial manner. Applying the RSB requirements would provide minimal additional value and is not justified. The direction is minor and technical, requiring MSD to administer hardship assistance policy settings in a way that recognises the needs of parents of newborn children. CAS and review requirements are unlikely to have a meaningful impact on decisions.	MSD-030
Direction Relating to Non-residential Spouses and Partners	S	N	s 7 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The direction is minor and technical, providing clarity of treatment for people who are unable to be joined in New Zealand by their spouse or partner. CAS and review requirements are unlikely to have a meaningful impact on decisions.	MSD-031
Direction in relation to the Preferred supply of goods and services	S	N	s 7 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. This direction is administrative and technical. It governs operational procurement decisions – as in which goods/services may be subject to preferred supplier contracts. Does not affect the rights, obligations, or policy outcomes for beneficiaries.	MSD-032
Redirection of Benefit Payments	S	N	s 7 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. This direction guides administrative discretion, rather than creating or removing entitlements. It directs how parts of an already-assigned benefit may be paid to manage financial obligations or to protect the beneficiary from misuse. The impact is primarily administration and addresses financial management.	MSD-033
Ministerial Direction – Single Living Alone Rates	S	N	s 7 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The direction is minor and technical, providing authoritative base requirements for a dwelling to be considered a house, or a mobile home. CAS and review requirements are unlikely to have a meaningful impact on decisions.	MSD-034

Special Benefit	S	N	s 7 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. No new applications for Special Benefit since Temporary Additional Support was introduced in 2006.	MSD-035
Apprenticeship Boost Initiative Programme	S	N	s 101 Social Security Act 2018	It provides a targeted financial support without altering or restricting rights and liberties. Ministerial discretion is minimal; rules are technical (eligibility, payment rates, verification). Public interest in detailed RBS scrutiny is low, as it implements a straightforward funding mechanism Applying the RSB requirements would provide minimal additional value and is not justified. This programme provides financial assistance to employers to assist them to retain apprentices. This instrument is routine and administrative in effect.	MSD-039
Away from Home Allowance Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme conveys positive rights to assistance for a small group of caregivers who are assisting a dependent 16 or 17 year old who is living away from home while attending tertiary education or an employment-related training course	MSD-040
Christchurch Mosque Attacks Welfare Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. Targeted, compassionate welfare response to a unique and catastrophic event. It operates within existing welfare parameters to extend assistance to affected individuals, with minimal policy discretion and no adverse rights implications. Its characteristics fit within the RBS exemption framework as legislation directly responding to an emergency-like event and administrative in nature, making exemption appropriate and proportionate	MSD-041
Community Costs Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme solely conveys positive rights to assistance for a small group of people who need help to meet costs in the community that they incur while participating in a short-term residential treatment programme.	MSD-042
Domestic Violence and Witness Protection (Relocation) Programme 2001	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme solely conveys positive rights to assistance for a small group of people who need assistance to relocate to another country until a threat of severe violence is averted.	MSD-043
Employment Transition Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme solely conveys positive rights to assistance for a small group of people on Supported Living Payment to enable them to trial work for a temporary period without the concern of losing financial support from the benefit system (work incentive).	MSD-044
Family Start and Early Start (Childcare Assistance) Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme solely conveys positive rights to childcare assistance to enable the children of families who are enrolled in selected Family Start or Early Start programmes (does not establish new eligibility criteria, it attaches a small, specific payment to an existing service cohort.). This is a very narrow in application affecting a small, identified group.	MSD-045
Flexible Funding Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme solely conveys positive rights to financial support to assist with meeting the educational, early childhood and wellbeing needs of families with children where additional costs are incurred because they are staying in emergency housing.	MSD-046
Home Help Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme solely conveys positive rights to assistance for a small group of people who need assistance with household management due to their exceptional or emergency circumstances.	MSD-047
New Employment Transition Grant Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme solely conveys positive rights to assistance for a small group of people with a dependent child or children who have moved off benefit into employment and had their benefit cancelled. These assistance covers the situation where within six months of the benefit being cancelled they are unable to work due to illness, illness of their partner (if any), illness of a dependent child or a breakdown in childcare arrangements. This assistance is to help incentivise people into employment	MSD-048
Orphan's and Unsupported Child's Benefit (Additional Assistance) Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme solely conveys positive rights to assistance for caregivers of children who are unable to be cared for by their parents in excess of their entitlements under primary legislation.	MSD-049

Relocate for Work Support Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. This Programme is administrative in nature, providing discretionary financial assistance to help people relocate for suitable and sustainable employment. It operates within the framework of existing benefit entitlements and does not create new rights or obligations. The programme does not restrict or otherwise affect individual rights or liberties, and involves limited discretion in its application.	MSD-050
Seasonal Work Assistance Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. While not strictly minor and technical, this programme solely conveys positive rights to assistance to people who have cancelled their benefits to enter the workforce as temporary seasonal workers at times when they are not paid due to there being no work as a result of weather conditions.	MSD-051
Social Rehabilitation Assistance Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The Programme is minor and administrative in nature, providing discretionary financial assistance to help people in approved residential social rehabilitation programmes meet the costs of treatment or care. It does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties	MSD-052
Sole Parent Assistance Study Programme	S	N	s 101 Social Security Act 2018	The Programme is minor, technical, and administrative in nature. The programme provides recoverable financial assistance to beneficiaries receiving Sole Parent Support or Young Parent Payment for employment-related study or training. It is operationally administered by MSD staff, does not create new entitlements or obligations, nor restrict or otherwise affect individual rights or liberties.	MSD-053
Special Needs Grants Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The Programme is minor, technical, and administrative in nature. The programme provides discretionary financial assistance to meet urgent or essential needs. It is operationally administered by MSD staff, does not create new entitlements or obligations, and does not restrict or otherwise affect individual rights or liberties. While issued frequently and representing significant financial cost, the programme is minor, technical.	MSD-054
Special Needs Grants Programme- Approvals granted for rural assistance	S	N	s 101 Social Security Act 2018	Legislation directly responding to a declared emergency This is assistance is provided in response to declaration of adverse climatic event or natural disaster or biosecurity incursion made by the Minister for Primary Industries in respect of the Region, District, or area concerned.	MSD-055
Special Needs (Travel Costs for Visits to Designated Health Practitioners) Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The Programme is minor, technical, and administrative in nature. The programme provides discretionary financial assistance to reimburse eligible travel costs for visits to designated health practitioners. It is operationally administered by MSD staff, does not create new entitlements or obligations, nor restrict or otherwise affect individual rights or liberties.	MSD-056
Special Transfer Allowance Programme 2000	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The Programme is minor, technical, and administrative in nature. The programme provides discretionary financial assistance to continue or replace prior support for eligible recipients affected by changes in Housing New Zealand tenancy arrangements. It is operationally administered by MSD staff, does not create new entitlements or obligations, nor restrict or otherwise affect individual rights or liberties.	MSD-057
Student Allowance Transfer Grant Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The Programme is minor, technical, and administrative in nature. The programme provides discretionary financial assistance to support people with dependants during the transition from Student Allowance to a main benefit. It is operationally administered by MSD staff, does not create new entitlements or obligations, nor restrict or otherwise affect individual rights or liberties.	MSD-058
Telephone Costs Payment Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The Programme maintains continuity of assistance for a specific group affected by earlier policy changes. It is administrative and transitional — giving effect to established entitlements within a defined limit. It does not create new obligations or restrictions.	MSD-059
Training Incentive Allowance Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The Programme is administrative in nature, providing discretionary financial assistance to eligible benefit recipients undertaking approved education or training to improve their employment prospects. The assistance is non-recoverable and targeted, with eligibility criteria and maximum payment limits defined administratively.	MSD-060

				The Programme does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties.	
Work Bonus Programme	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The Programme is administrative in nature, providing discretionary financial incentives to encourage employment among specified beneficiaries. It is operationally administered, does not create new entitlements or obligations, nor restrict individual rights or liberties.	MSD-061
Funeral grants and funeral grant rates	S	Y	s 427(3) Social Security Act 2018		MSD-094
Temporary additional support	S	Y	s 428(2)(c) Social Security Act 2018		MSD-095
Health Entitlement Cards Amendment Regulations 2025	S	Y	s 102(1)(g) Pae Ora (Healthy Futures) Act 2022		MSD-097
Issue and use of entitlement cards	S	Y	s 437(1)(b) Social Security Act 2018		MSD-098
Monitor's information rules	S	Y	s 49 Oversight of Oranga Tamariki System Act 2022	It would be an inappropriate intrusion of its independent function being an Independent Crown entity. The making of these rules is subject to statutory consultation requirements.	MSD-011
Regulation 6 (Classes of exempt persons)	S	N	s 74(1)(a) and (2)-(4) Residential Care and Disability Support Services Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations address administrative rather than substantive matters and do not impose or restrict individual rights or liberties. This regulation has been used primarily to make compassionate exceptions from the coverage of means testing for aged residential care and to avoid system overlaps. In theory it could be used to make much wider exceptions but in practice is not; CAS could be considered by exception.	MSD-012
Regulation 18 (Income exempt from means test)	S	N	s 74(1)(i) and (5) Residential Care and Disability Support Services Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are minor and technical, and deal with administrative or operational matters. It does not create new entitlements or obligations, nor does it restrict or otherwise affect individual rights or liberties. This regulation is used primarily to make compassionate exceptions and to avoid system overlaps. In theory it could be used to make much wider exceptions; CAS could be considered by exception.	MSD-020
Social Security Act – Regulations: general powers not limited by special powers (section 419)	S	N	s 419 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. Administrative and technical regulation that clarifies the reach of regulatory powers. Enabling/clarifying provisions, rather than substantive rules affecting recipients' rights, obligations, or benefits.	MSD-069
Social Security Act – regulations: effect of duties or powers to give directions (section 420)	S	N	s 420 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. Administrative and technical regulation that ensures that the legal system treats regulations as separate and co-existing with directions. Enabling/clarifying provisions, rather than substantive rules affecting recipients' rights, obligations, or benefits.	MSD-070
Work obligations - Exemptions from work-preparation, work-test or other obligation	S	N	s 431(1)(e) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These provisions are administrative and set out the procedure for granting/review/variation/revocation of exemptions – provides operational rules for MSD staff; routine processing (technical guidance).	MSD-077
Exclusion of amounts, items, payments, or income from specified source, declared not to be income	S	Y	Section 422 of the SSA 2018, for the purposes of Clause 9 of Schedule 3	As well as Ss 68(2)(c), 98, 423(1)(b), 428(2)(f), 428(4) and Schedule 2 of the Act.	MSD-112
General position –Welfare Programmes	S	N	s 101 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These Programmes generally provide smaller niche areas of assistance that have very targeted eligibility criteria. They recognise a range of particular circumstances. These programmes are substantive in the sense of providing benefits, but because they don't interact with the enforcement framework, their policy impact is limited compared with main benefits or obligations. The exception to this are: the Emergency Housing Grants Programme, the Employment and Work Readiness Assistance Programme, the Flexi-wage Employment Assistance Programme the Guaranteed Childcare Assistance Programme the Housing Support Products Programme, and the Recoverable Assistance Programme.	MSD-038

Prescribing health practitioners for certificates and medical examinations Social Security Regulations 2018, Regulations 8, 9, 11, 49, 52, 92, 93, 94, and 239.	S	N	s 418(1)(a) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The regulation currently covers only minor and technical matters.	MSD-063
Work-test obligations (when the work-test obligation applies) Social Security Regulations 2018, Regulation 73	S	N	s 418(1)(e) Social Security Act 2018 For the purposes of 143(1)(b)	Applying the RSB requirements would provide minimal additional value and is not justified. This regulation is minor, routine, and administrative. No substantive rights impact.	MSD-064
Drug test definitions Definitions of evidential drug test, pass, screening drug test Social Security Regulations 2018, Regulations 81, 82, 83, 84, 85, 86, 87, 88 and 89	S	N	ss 418(f), (g) and (h) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. 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
Youth Support Payments – Required manner of payment and exceptions Social Security Regulations 2018, Regulation 196, 198, and 199	S	N	ss 418(1)(k) and (l) Social Security Act 2018 For the purposes of ss sections 341(1) and (3)(d), 342(1)(b), 343, 344(2), and Schedule 2 of the SSA 2018.	Applying the RSB requirements would provide minimal additional value and is not justified. The regulation is routine and involving little or no discretion on the part of the maker, and is administrative rather than substantive. While this also relates to money management, it is permissive rather than restrictive, and the content is essentially dependent on the approach taken for young people who are required to be subject to money management. Specifically, the regulations relate to: When a young person may opt out of youth money management Ask MSD for redirection Elect youth money management.	MSD-066
Contracted service providers (what services can be provided by contracted providers and how they will be managed) Social Security Regulations 2018, Regulations 264, 265, 266, 267, 268, 269, 270	S	N	ss 418(1)(m), (n) and (q) Social Security Act 2018 For the purposes of section 373(1)(a)(ii) and (b), section 374(1)(c) and clause 20(2) of Schedule 6 of the SSA 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The regulation is administrative rather than substantive. These regulations set out types of services that MSD may contract for in relation to young people.	MSD-067
Relationship with the Privacy Act – Youth Service	S	N	s 418(1)(p) Social Security Act 2018 For the purposes of clause 10(3) of Schedule 6 (Information gathering, disclosure, and matching) of the SSA 2018.	Applying the RSB requirements would provide minimal additional value and is not justified. Operational and administrative in nature.	MSD-068
Social Security Regulations 2018, Regulation 7	S	N	s 421 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. This regulation is minor, routine, and administrative.	MSD-071
Social Security Regulations 2018, Regulation 7A	S	N	s 421 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. The regulation is narrow, closed-class, and humanitarian in nature, with no ongoing policy relevance.	MSD-072
Social Security Regulations 2018	S	N	ss 424(2)(b), (2)(g), (2)(i), 424(4) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are highly administrative and technical, rather than substantive. Regulations include: Hours to be calculated, Applications and evidence, Childcare subsidy usually payable to service, OSCAR subsidy payable to provider or caregiver Approval of OSCAR programmes.	MSD-074
Social Security Regulations 2018, Regulation 81, 82, 83, 86	S	N	s 431(1)(a) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. This regulation is administrative and technical, rather than substantive.	MSD-075
Drug testing – cost recovery Social Security Regulations 2018, Regulation 84 and 88	S	N	s 431(1)(c) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are administrative or technical, rather than substantive.	MSD-076

Social Security Regulations 2018, Subpart 4 – SuperGold Card	S	N	s 437(1) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. This regulation covers administrative rather than substantive matters.	MSD-078
(Issue and use of entitlement cards)	S	N	s 437(1) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. This regulation covers administrative rather than substantive matters.	MSD-079
SS Regulations and HEC Regulations	S	N	437(4) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. This regulation covers administrative rather than substantive matters.	MSD-081
Social Security Regulations 2018, Regulations 175 and 176	S	N	ss 438(2)(k) to (n) Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are administrative.	MSD-082
Social Security Act - Regulations: certain benefits granted, or granted at rate not taking account of certain insurance payments	S	N	s 439 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are administrative.	MSD-083
Social Security Regulations 2018, Regulations 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 261, and 262	S	N	s 45 Social Security Act 2018	Applying the RSB requirements would provide minimal additional value and is not justified. These regulations are procedural and administrative.	MSD-087
Social Security (Rates of Benefits and Allowances) Orders	S	Y	s 452 Social Security Act 2018		MSD-089
Social Security Amendment Regulations	S	Y	s 424(2)(c) Social Security Act 2018		MSD-093
Instrument amending Ministerial Directions and Welfare Programmes 2025	S	Y	Sections 7 Social Security Act 2018 & Sections 101 Social Security Act 2018		MSD-100
Student Loan Scheme (Repayment Threshold for 2024–25 Tax Year and Subsequent Tax Years) Regulations	S	Y	Student Loan Scheme Act 2011 – section 215 (1)(a)	Setting the annual repayment threshold above which borrowers must begin repaying their loan. Prescribes an annual income amount and set every year or two	IRD-001
Student Loan Scheme (Repayment Percentage) Regulations 2012	S	Y	Student Loan Scheme Act 2011 – section 215 (1)(c)	Prescribing the annual repayment percentage or its calculation which sets the proportion of income that must be paid towards the loan. set every year or two	IRD-002
Specifying the information requirements under sections 10(2)(d), 13(i), 16(2)(a)(viii), 16A(1)(e), or 107A(2)(e).	S	Y	Student Loan Scheme Act 2011 – section 215 (1)(d)	These relate to borrower identification and contact details.	IRD-003
Specifies the student loan establishment fee under section 14, or how it may be calculated.	S	Y	Student Loan Scheme Act 2011 – section 215 (1)(e)		IRD-004
Specifies alternative thresholds or repayment obligations to those in section 110(2)–(4), which apply to overseas-based borrowers.	S	Y	Student Loan Scheme Act 2011 – section 215 (1)(f)		IRD-005
Specifies the level of unpaid amount that triggers late payment interest under section 139(1), or how it may be calculated	S	Y	Student Loan Scheme Act 2011 – section 215 (1)(g)		IRD-006
Specified the annual administration fee under section 189, or how it may be calculated. This fee is charged annually to borrowers.	S	Y	Student Loan Scheme Act 2011 – section 215 (1)(h)		IRD-007
Specifies any other matters contemplated by the Act, necessary for its administration,	S	Y	Student Loan Scheme Act 2011 – section 215 (1)(i)		IRD-008

or necessary to give it full effect. This is a general catch-all provision.					
Order in Council amending Schedule 27 of the Income Tax Act 2007	S	Y	Section 225B Tax Administration Act 1994	Orders of Council may be issued to amend Schedule 27 of the ITA to specify countries and types of income with unrecognised tax, which is a technical matter.	IRD-012
Reportable jurisdictions for CRS standard and Part 11B	S	Y	Section 226D Tax Administration Act 1994	Regulations, by Orders in Council, may be made providing that a territory outside New Zealand is a reportable jurisdiction for the purposes of the Common Reporting Standard (CRS) applied standard, which is a technical matter. Adding jurisdictions to the reportable jurisdictions list is non-controversial and largely a mechanical exercise which needs to be repeated periodically as jurisdictions continue to join the Automatic Exchange of Information (AEOI) initiative at the OECD level and complete implementation. Adding a country is required to fulfil our international obligations. Sections 91AAU and 91AAV provide that the Commissioner may determine that a territory outside New Zealand is a participating jurisdiction for the purposes of the CRS applied standard and Part 11B or determine that a reportable jurisdiction (made under an Order in Council) is not to be treated as a reportable jurisdiction. A determination of the Commissioner under these sections is secondary legislation.	IRD-013
Application of changes to CRS standard	S	Y	Section 226E Tax Administration Act 1994	The Governor-General may, by Order in Council, make regulations relating to a change in the Common Reporting Standard (and crypto-asset reporting framework [not yet in force]), which is a technical matter. The CRS Standard has been incorporated into domestic law by reference, including any subsequent amendments. As a safeguard, section 226E allows Orders in Council to be made, if necessary, to facilitate, block or defer particular CRS changes that would otherwise flow automatically into the domestic legislation.	IRD-014
Application of changes to commentary or guidance relating to global anti-base erosion model rules	S	Y	Section 226G Tax Administration Act 1994	The Governor-General may, by Order in Council made on the recommendation of the Minister of Revenue, make regulations providing for the non-application of changes in relation to the global anti-base erosion model rules developed by the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting, including guidance on the interpretation or administration of the global anti-base erosion model rules. These changes would be expected to be technical in nature (i.e., administrative and unlikely to impact on rights/liberties of New Zealanders).	IRD-015
Proceeds of share disposal by qualifying foreign equity investor	S	Y	CW 12(6) Income Tax Act 2007	The Governor-General may, by Order in Council, approve or withdraw a territory of residence for the purpose of this section of the Income Tax Act 2007. These changes are technical in nature. Section CW 12 was introduced to facilitate increased offshore venture capital investment into New Zealand. One of the requirements is that the investor must be from a jurisdiction approved by the Governor-General by Order in Council. Broadly, a jurisdiction will be approved only if effective exchange of information arrangements are in place with New Zealand.	IRD-017
New Zealand companies operating in Niue: Order in Council declaring Niue development project	S	Y	subpart 5, CW 59 Income Tax Act 2007	An amount of income derived by a company incorporated in New Zealand from a business or enterprise that the company carries on in Niue can be exempt income if the business or enterprise is declared a development project. The Governor-General may make an Order in Council declaring a business or enterprise to be a development project for the purposes of this section of the Income Tax Act 2007, which is a technical interpretation.	IRD-018
Deemed rate of return method (Foreign Investment Funds)	S	Y	EX 55 (4)(b) or (6)(b) Income Tax Act 2007	A person may use the deemed rate of return method for calculating Foreign Investment Fund (FIF) income or loss from an attributing interest in a FIF. The “deemed rate” used in the standard formula is set by the Governor-General by Order in Council for this section for the relevant income year. This is a technical matter.	IRD-019
Application of changes to model reporting standards for digital platforms	S	Y	Section 226F Tax Administration Act 1994	The Governor-General may, by Order in Council, make regulations relating to the cancellation, reversal or non-application of a change in the model reporting standards for digital platforms, which is a technical matter.	IRD-022
Income Tax (Fringe Benefit Tax, Interest on Loans) Amendment Regulations	S	Y	Section RA 21(3) of the Income Tax Act 2007	This section allows for Orders in Council to set prescribed rates of interest on employee loans reflecting movements from time to time in RBNZ home first mortgage rates	IRD-023
The Taxation (Use of Money Interest Rates) Amendment Regulations 2024	S	Y	S120H Tax Administration Act 1994	Allows for Orders in Council to set use of money interest rates for both underpayment and overpayment of tax, when RBNZ index increases or decreases.	IRD-024
Income Tax (Deemed Rate of Return on Attributing Interests in Foreign Investment Funds, 2024–25 Income Year) Order 2025	S	Y	EX 55 Income Tax Act 2007	This power is used to set an annual rate for the deemed rate of return option for foreign investment fund investors.	IRD-025
Exemption granted by the Commissioner	S	Y	s6E Tax Administration Act 1994	Exemption granted by the Commissioner	IRD-032

Variation of employee income information requirements	S	Y	Tax Administration Act 1994 23Q	Variation of employee income information requirements	IRD-036	
Variation of tax code requirements	S	Y	Tax Administration Act 1994 24IB	Variation of tax code requirements	IRD-037	
Variation of investment income requirements	S	Y	Tax Administration Act 1994 25R	Variation of investment income requirements	IRD-038	
Changes to information required from foreign investors	S	Y	Tax Administration Act 1994 28D	Changes to information required from foreign investors	IRD-039	
Exemption from electronic filing	S	Y	Tax Administration Act 1994 36BD	Exemption from electronic filing	IRD-040	
Variation to trust reporting requirements	S	Y	Tax Administration Act 1994 59BA	Variation to trust reporting requirements	IRD-041	
Requiring trust information after 2013-14 income year	S	Y	Tax Administration Act 1994 59BA	Requiring trust information after 2013-14 income year	IRD-042	
Determinations in relation to [old] financial arrangements	S	Y	Tax Administration Act 1994 90(1)	Determinations in relation to financial arrangements	IRD-043	
Determination relation to relocation payments	S	Y	Tax Administration Act 1994 91AAR		IRD-045	
Suspension of reportable jurisdiction determination	S	Y	Tax Administration Act 1994 91AAV		IRD-047	
Determination of non-reporting financial institutions and excluded accounts (CRS - exclusions)	S	Y	Tax Administration Act 1994 91AAW	The Commissioner may determine that, for the purposes of the CRS applied standard and requirements under Part 11B,—(a) a financial institution, or type of financial institution, is a non-reporting financial institution: (b) a financial account, or type of financial account, is an excluded account. ²¹ currently in force	IRD-048	
Accounting and rates determinations for AIM methods	S	Y	Tax Administration Act 1994 91AAX	Administrative provisions for Tax Administration Act 1994	IRD-049	
AIM methods - taxpayers excluded	S	Y	Tax Administration Act 1994 91AAY		IRD-050	
Accounting income method (AIM) information	S	Y	Tax Administration Act 1994 91AAZ		IRD-051	
Kilometre rates for the business use of vehicles	S	Y	Income Tax Act 2007 DE 12		IRD-052	
Livestock - National Average Market Values	S	Y	Income Tax Act 2007 EC 15		IRD-053	
Livestock - Chatham Islands herd value ratio	S	Y	Income Tax Act 2007 EC 19		IRD-054	
Livestock - National Standard Costs	S	Y	Income Tax Act 2007 EC 23		IRD-055	
Livestock - Methods for calculation of costs of livestock	S	Y	Income Tax Act 2007 EC 24		IRD-056	
Livestock - Standard values of non-specified livestock	S	Y	Income Tax Act 2007 EC 29		IRD-057	
Livestock - Depreciation percentage for high-price livestock	S	Y	Income Tax Act 2007 EC 33		IRD-058	
Approved methods for currency conversions	S	Y	Income Tax Act 2007 YF 1		IRD-059	
Provisions relating to unpublished Critical direct supplier	S	Y	S20E Overseas Investment Act 2005		Administrative	TSY-002
Overseas Investment Regulations 2005-Subpart 4—Information for tax purposes	S	N	S38a Overseas Investment Act 2005		Exemption sought as minor and not cost-effective to review.	TSY-005
Orders in Council to amend financial settings	S	Y	S 153 Natural Hazards Insurance Act 2023	Exemption sought as relates to emergency powers. This is because a future event may mean we need to amend our financial settings under urgency so it would be good to keep that process as streamlined and efficient as possible. (In addition, the NHI Act has a built-in process for regular reviews)	TSY-011	

Regulations prescribing form of infringement notices and any other particulars to be contained in them	S	Y	S 63 Cadastral Survey Act 2002	Administrative with low rights impacts and cost of a review would exceed public value (ground 4)	LINZ-001
Standards/directives in relation to operation of land register	S	Y	S236 Land Transfer Act 2017	Standards – Predominantly administrative and technical in nature (ground 4)	LINZ-005
Valuers Regulations 1949	S	Y	S44 Valuers Act 1948	Administrative, professional regulation Applicability of the Board's independence	LINZ-007
Minister-issued exemptions from farmland offer criterion	S	Y	Overseas Investment Act 2005 - 20(1)(b) Exemptions from farmland offer criterion	Administrative – minor and technical	LINZ-009
Statement relating to compliance with consent requirement	S	Y	S51B Overseas Investment Act 2005	Administrative – basic form about providing statement – not worth reviewing	LINZ-011
Instruments authorised by regulations granting an exemption, waivers, refunds, or discounts generally or to a class of non-named persons	S	Y	Overseas Investment Act 2005 61(h)	Relate to administrative matters (waivers/refunds/discounts in reliance on authority in regulations)	LINZ-014
Regulations - requirements for notification of call-in transaction	S	Y	S87 Overseas Investment Act 2005	This should be exempt on ground 4 as relates to the form and content of notification forms	LINZ-016
Rules on authorised property made under section 45A	S	Y	S45A Corrections Act 2004	These administrative rules are set by the CE of Corrections (or the Commissioner of Police in relation to police jails) declaring the items of property that prisoners may be issued with or allowed to keep. The intention of these rules is to ensure that no items that could impact the safety and security of prisons is allowed within prisons. These administrative rules and do not create substantive rights or obligations beyond the Act.	COR-004
Prison rules	S	Y	S33 Corrections Act 2004	Prison managers are authorised by the CE of Corrections to set rules for the management of the prison and for conduct and safe custody of the prisoners. These administrative rules are tailored to the operational need of each prison and do not create substantive rights or obligations beyond the Act.	COR-005
Community Work Rules	S	Y	S31 Corrections Act 2004	These administrative rules set operational requirements for offenders sentenced to community work. The purpose is to ensure safe and effective management of community work sentences rather than to create substantive rights or obligations beyond what the Act provides.	COR-006
Sentencing Act rules	S	Y	S80ZT Sentencing Act 2002	These rules are administrative and procedural, prescribing testing methods and devices and related requirements for offenders subject to drug or alcohol conditions. They do not create substantive rights or obligations beyond the Act; their purpose is to ensure consistent and safe implementation of testing requirements.	COR-007
Parole Act Rules	S	Y	S74A Parole Act 2002	These rules are administrative and procedural, prescribing testing methods and devices and related requirements for offenders subject to drug or alcohol conditions under parole or returning offender regimes. They do not create substantive rights or obligations beyond the Act; their purpose is to ensure consistent and safe implementation of testing requirements.	COR-008
Public Safety (Public Protection Orders) (Alcohol and Drug Testing) Rules.pdf	S	Y	S 103C Public Safety (Public Protection Orders) Act 2014	These rules are administrative and procedural, prescribing testing methods and devices and related requirements for individuals subject to drug or alcohol conditions under protective supervision orders. They do not create substantive rights or obligations beyond the Act; their purpose is to ensure consistent and safe implementation of testing requirements.	COR-009
Guidelines issued by the Chief Executive regarding the use of coercive powers under the Public Safety (Public Protection Orders) Act 2014	S	Y	Section 120 Public Safety (Public Protection Orders) Act 2014	These guidelines are administrative and procedural, setting standards for exercising coercive powers under the Act. Their purpose is to ensure lawful, safe, and consistent application of these coercive powers.	COR-010

Matawhāiti Residence Community Rules (not publicly available; sample can be provided on request)	S	Y	Section 119 of the Public Safety (Public Protection Orders) Act 2014	The residence manager is authorised by the CE of Corrections, under the Public Safety (Public Protection Orders) Act 2014 to make rules that the manager considers appropriate for the management of the residence and for the conduct and safe custody of the residents. These rules are administrative and operational, setting standards to ensure the safety, security, and the orderly day-to-day functioning of the residence. They do not create substantive rights or obligations beyond what is authorised by the Act. For example, as stated in section 119(7), the rules “may regulate the exercise of coercive powers conferred by this Act, but may not confer any additional coercive powers”. Additionally, under section 119(3), the rules “may authorise the manager to permit residents to possess prohibited items, subject to limits specified in the rules and subject to the manager being satisfied of certain matters specified in the rules concerning the protection of the order of the residence and the health and safety of any person.	COR-011
Part C - Use of word ANZAC - Schedule 2 Orders and notices	Secondary	Yes	S 17 Flags, Emblems, and Names Protection Act 1981	The Governor-General may from time to time, by Order in Council, 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 under s 18	Secondary	Yes	S18 Flags, Emblems, and Names Protection Act 1981	Unauthorised use of name Returned Services' Association	MCH-005
Regulations under s18A	Secondary	Yes	S18A Flags, Emblems, and Names Protection Act 1981	Unauthorised use of words and emblems relating to 28th Māori Battalion	MCH-006
Regulations under section 19	Secondary	Yes	S19 Flags, Emblems, and Names Protection Act 1981	Protection of names, uniforms, etc, of Girl Guides Association and Toc H, Incorporated	MCH-007
Flags, Emblems, and Names Protection Orders	S	Y	S20 Flags, Emblems, and Names Protection Act 1981	Unauthorised use of certain commercial names	MCH-008
Regulations under Heritage New Zealand Pouhere Taonga Act 2014	S	Y	S99 Heritage New Zealand Pouhere Taonga Act 2014	Appears to be mainly administrative except for the setting of offences and fines.	MCH-009
All orders made under section 9 of the Airport Authorities Act 1966	S	Y	S 9 Airport Authorities Act 1966	Approves bylaws, which local or airport authorities are allowed to make under section 9. Class exemption sought	MoT-002
All regulations made under section 330 of the Maritime Transport Act: Infringement offences relating to navigation bylaws	S	Y	S330 Maritime Transport Act 1994	Implements infringement offences and fees for bylaws	MoT-008
Road User Charges (Temporary RUC Reduction Scheme Extension) Order 2022	S	N	S42A Road User Charges Act 2012	Secondary legislation to set meaning of temporary reduction period and second temporary reduction period	MoT-010
All orders made under section 12(1) of the Submarine Cables and Pipelines Protection Act 1996	S	Y	S 12 Submarine Cables and Pipelines Protection Act 1996	The Orders describe protected areas in respect of all ships – technical identification of these areas	MoT-014
Power of Minister in cases of doubt	S	Y	Reserves Act 1977, s6(2B)	Minor and technical – power in cases of doubt to declare a nature or scientific reserve.	DOC-013
Power of Minister in cases of doubt	S	Y	Reserves Act 1977, s6(3)	Minor and technical – power to resolve errors of description.	DOC-014
Levy orders made under Infrastructure Funding and Financing Act	S	Y	S29 Infrastructure Funding and Financing Act 2020 s	orders under this section must only be made on the terms in the recommendation report, and therefore there is little or no discretion on the part of the maker as to the content of the order. It would not be cost-effective or valuable to do a CAS. Under section 27 the responsible Minister must only take the mandatory considerations into account when deciding whether to recommend a levy.	HUD-005
Regulations under CDEM section 115	S	Y	S115 Civil Defence Emergency Management Act 2002	The regulation making powers set out in the CDEM Act are administrative or routine in nature rather than substantive. Note there are currently no regulations in place but these provisions enable regulation making powers for these purposes.	NEMA-006
civildefence.govt.nz/assets/Uploads/documents/publications/ndrs/National-Disaster-Resilience-Strategy-10-April-2019.pdf	S	N	Civil Defence Emergency Management Act 2002 No 33 (as at 27 August 2025), Public Act – New Zealand Legislation	The strategy sets out the Crown’s goals and objectives for emergency management in New Zealand rather than imposing restrictions.	NEMA-007

Revocation of protection or revocation of appointment of person responsible	S	Y	S 56(1) Health Practitioners Competence Assurance Act 2003 N	56(1) The Minister may at any time— (a) revoke a notice issued under section 54; or (b) by written notice, revoke the appointment of a person responsible for a protected quality assurance activity if, in the Minister’s opinion, the person has neglected his or her duties or is not able to perform those duties or has ceased to be suitable for appointment under section 55(3).	MOH-10
Consent to the Distribution of New Medicines	S	Y	s 20 of the Medicines Act 1981	Notices under this section are issued routinely and are administrative in nature – being consents to the distribution of new medicines, made under delegation to Medsafe. Requiring compliance with the consistency assessment and review requirements would significantly impair the ability of Medsafe to approve new medicines in a timely manner.	MOH-15
Provisional consent to the Distribution of New Medicines	S	Y	section 23(1) of the Medicines Act 1981	Notices under this section are issued routinely and are administrative in nature – being provisional consents to the distribution of new medicines, made under delegation to Medsafe. Requiring compliance with the consistency assessment and review requirements would significantly impair the ability of Medsafe to approve new medicines in a timely manner.	MOH-16
Notices made under s20 of the medicines act referred under section 24 (5) : EG Consent to the Distribution of New Medicines (referred under section 24(5))	S	Y	Section 24(5) Medicines Act 1991	Notices under this section are issued routinely and are administrative in nature – being consents to the distribution of new medicines, made under delegation to Medsafe. Requiring compliance with the consistency assessment and review requirements would significantly impair the ability of Medsafe to approve changes to medicines in a timely manner. Notice made under s 20 of the Medicines Act 1981 for medicines referred under section 24(5) of the Act.	MOH-17
Revocation of Consent to the Distribution of a Medicine	S	Y	section 35(1)(c) Medicines Act 1981	Notices under this section are administrative in nature, being revocations or suspensions of the consents above	MOH-18
Classification of medicines	S	Y	s 106(1) Medicines Act 1981	Notices under this section are issued routinely and are administrative in nature – being classifications of medicines as prescription, restricted or pharmacy -only medicines, made under delegation by Medsafe. Requiring compliance with the consistency assessment and review requirements would significantly impair the ability of Medsafe to approve new medicines in a timely manner.	MOH-19
Regulations under s 55 of the Child Protection (Child Sex Offender Government Agency Registration) Act 2016	S	Y	Section 55 Child Protection (Child Sex Offender Government Agency Registration) Act 2016	The empowering provisions are administrative in nature rather than substantive, 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-02
Data and Statistics Act 2022	P	N/A	N/A	Future amendments to the Data and Statistics Act 2022 are unlikely to be cost-effective as (given the below context) it is unlikely any review would result in changes to the scope or content of the Act. As such, the costs of any review are unlikely to be justified in the public interest. The main concern for the public’s rights and liberties under the Act is that they must respond to mandatory data requests when made, which can limit their freedom of expression. There are a range of checks associated with mandatory data requests; for example, requests can only be made for producing official statistics; the Minister must approve mandatory requests for individuals and organisations; and the Act includes legislative requirements to ensure confidentiality (and prevent use for other purposes such as regulatory compliance or enforcement). While some requests are voluntary, mandatory requests are essential to ensure high-quality official statistics. Given the public purpose of requests and the controls on how they are made, the option of using mandatory requests is supported by infringement offences and associated penalties for failure to comply with a request. This arrangement is necessary as, without reliable data, the government can’t effectively report on the economy or advance its economic goals. Although this requirement affects public rights, it’s unlikely to change following any review of the Act, because it’s part of a broader system where the Minister can still set statistical priorities, and the Government Statistician has flexibility (i.e. options) in how data is collected. The rest of the Act is administrative vis-à-vis public rights and liberties.	STATS-01
Census orders	S	Y	Section 34 Data and Statistics Act 2022	As part of census modernisation, we plan to repeal (by mid-2026) section 34(3) relating to census orders and the 2023 Census Order (and offences relating to a failure to respond to census). This will be replaced by a requirement on the Statistician to notify in the Gazette a “reference date” for future censuses. This notice is not secondary legislation and, in any case, is administrative rather than substantive in nature.	STATS-01

Regulations relating to infringement notices	S	Y	Section 101e Data and Statistics 2022	The regulations issued under section 101 are administrative rather than substantive; within an upper bound set by legislation, the regulations set the penalty for defined offences. Consultation with the Ministry of Justice offence and penalty team is sufficient for setting the quantum of penalty and review of regulations made under this section would not lead to changes in the scope or content of regulations.	STATS-03
Regulations made under New Zealand Sign Language Act 2006	S	Y	S 13 New Zealand Sign Language Act 2006	<p>We consider that future regulations made under section 13 of the New Zealand Sign Language (NZSL) Act 2006 should be exempt from consistency assessments and review requirements for the reasons set out below.</p> <p>Minor and technical: Section 13(1)(a) of the NZSL Act enables the creation of technical regulations prescribing competency standards for NZSL interpreters in legal proceedings. This is a narrowly scoped provision that supports access to justice by ensuring interpreter quality. It reflects the NZSL Act's core intent to uphold NZSL users' rights (set out in section 7 of the Act). It will not involve new policy development beyond setting technical professional standards.</p> <p>Administrative rather than substantive: Section 13(1)(b) of the NZSL Act enables the creation of regulations necessary for administering the Act or giving it full effect. It is not intended to be used for substantive matters (such as restrictions on rights and liberties) or have new policy effect.</p> <p>For the reasons above, we consider that a consistency assessment under the Regulatory Standards Bill is unlikely to identify any impacts on rights and liberties.</p> <p>While NZSL interpreter standards would likely be a matter of public interest, the technical nature of the regulation-making power under section 13(1)(a) means any regulations proposed are unlikely to generate significant public concern or debate.</p> <p>Regulations necessary for administration or giving full effect to the Act under section 13(1)(b) would be unlikely to generate significant public interest as they would not have new policy effect.</p>	WKH-001
Notices under 96, 97 of the Customs and Excise Act Prohibition on other imports or exports by Order in Council	S	Y	S96 Customs and Excise Act 2018	Notices and Orders are made routinely (multiple times per year) under ss 96 and 97 of the Customs and Excise Act in order to add new prohibited goods to NZ's Strategic Goods List. The cumulative impact on the public as new goods are added is minor in scope and limited to a number of entities.	MFAT-004
Instructions on operation of enrolment schemes	S	Y	Education and Training Act 2020 Schedule 20, Clause 3(1)	Procedural, not substantive. Purpose is administrative; it relates to instructions and guidelines on operation of enrolment schemes.	MOE-17
Guidelines on operation of enrolment schemes	S	Y	Education and Training Act 2020 Schedule 20, Clause 3(3)	Procedural, not substantive. Purpose is administrative; it relates to instructions and guidelines on operation of enrolment schemes.	MOE-18
Notices issued by the Secretary of Education defining types of state schools that enrolment scheme requirements don't apply to	S	Y	Education and Training Act 2020 Schedule 20, clause 16	Administrative rather than substantive; purpose is admin/procedure, it relates to modifications of enrolment schemes of certain State schools	MOE-19
Determinations made by the Secretary of Education about the threshold for financial interests that disqualify people from being board members	S	N/A	Education and Training Act 2020 Schedule 23, clause 10(1)(a)	Administrative rather than substantive; It maintains governance standards rather than altering rights or policy outcomes. It concerns financial interests that disqualifies persons from being members of school boards.	MOE-20
Authorisations, requirements, conditions, or restrictions made by the Secretary of Education in relation to the use of national student numbers	S	Y	Education and Training Act 2020 Schedule 24, clause 4(1)	Administrative, it regulates use of student numbers/data. There is no undue impact on individual rights. The legislation maker has limited discretion.	MOE-21
Notice by the Minister of Education to declare international students of a specified kind or description to be entitled to enrol at State schools or charter schools.	S	Y	Education and Training Act 2020 Section 520	Administrative rather than substantive. It does not impact rights or liberties of students or have large-scale policy impact.	MOE-26
Notice by the Minister of Education to set refund requirements for international students withdrawing from study	S	Y	Education and Training Act 2020 Section 530	Administrative rather than substantive. It sets out refund requirements educational institutes need to follow for international students. It does not impact rights or liberties or have large-scale policy impact. It also requires consultation with impacted parties.	MOE-27

Regulations relating to school risk management schemes	S	Y	Section 642 Education and Training Act 2020	This provides for administrative schemes to support school boards in the case of loss or damage to property. Provides for fees to be set but only sufficient to cover costs. Does not unduly diminish individual's rights and discretion is constrained by the purpose	MOE-28
Regulations relating to national student numbers	S	Y	Section 649 Education and Training Act 2020	This is an administrative provision that allows the use of National Student Numbers between government entities such as MSD for operational purposes. There is also the requirement to consult with the Privacy Commissioner to ensure right to privacy is not unduly diminished. As such we consider that this should be exempted.	MOE-30
Payment of salaries of relieving teachers and employment-based trainee teachers	S	Y	Education and Training Act 2020 Section 581(3)	This empowering provision allows for central payment for salaries for a relieving teacher or an employment-based trainee teacher when justified. This is a minor, administrative provision that has no policy impact or public interest.	MOE-32
Conditions on Courses, work experience, and visits outside school premises	S	Y	Section 53(3) Education and Training Act 2020	A review is unlikely to result in changes to the scope and content of legislation. The intent of this Act is minor and technical, with no impacts on rights and liberties. A consistency review of this Act is unlikely to garner public interest.	MOE-33
Restrictions on enrolment at distance school	S	Y	Section 68(1) Education and Training Act 2020	The Minister may, by notice, fix criteria for enrolment in early childhood, primary, and secondary education at a distance school. This provision is administrative and supports the functioning of the education sector. It does not impose any restrictions on rights and liberties. There are clear parameters that limit the Minister's power and discretion. The review is of little to no public interest.	MOE-35
Code of conduct for board members	S	Y	Section 166(1) Education and Training Act 2020	This provision is administrative rather than substantive. It is also minor and technical as it is used in alignment with existing provisions. Rights, liberties and property are unaffected.	MOE-38
Minister may recognise categories of private training establishments	S	Y	Section 342 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-41
Minister must determine design of funding mechanisms	S	Y	Sections 419(1) 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-42
Variation of determination of design of funding mechanisms	S	Y	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-43
Rent for teachers' residences	S	Y	Section 562 Education and Training Act 2020	This is technical and administrative provision that allows the Minister to prescribe rent for teachers and principals living in school residences. It does not impose fee/levy or impact rights or liberties.	MOE-44
Exemptions	S	Y	Section 528 Education and Training Act 2020	This provision allows the NZQA to exempt programmes and micro-credentials of duration of 3 months or lesser to allow the enrolment of international students to these programmes/micro-credentials. Given this, the policy impact of these decisions and the level of discretion held by the NZQA are limited. A review is unlikely to contribute to the intended outcomes of the RSB.	MOE-45
Accreditation to provide approved programmes	S	Y	Section 441 Education and Training Act 2020	This provision allows the NZQA to exempt some organisations from accreditation requirements. A review under the RSB is unlikely to result in changes to this provision as exemptions are necessary in some cases.	MOE-48
Exemption from requirement to submit proposed plan	S	Y	Schedule 18 clause 9 Education and Training Act 2020	This is an administrative provision. Reviewing this provision against the RSB principles will not be valuable as the assessment is unlikely to provide results that are inconsistent.	MOE-49
Accountability for funding received under section 425	S	Y	Schedule 18 clause 13 Education and Training Act 2020	This is minor and technical provision relating to annual reporting requirements. Reviewing secondary legislation resulting from this provision will not be a cost-effective exercise.	MOE-50
Accountability for funding received under section 428	S	Y	Schedule 18 clause 25 Education and Training Act 2020	This is minor and technical provision relating to annual reporting requirements. Reviewing secondary legislation resulting from this provision will not be a cost-effective exercise.	MOE-52
NZQA may make rules for the matters set out in 452(1)	S	Y	Education and Training Act 2020 s 452 (1)	These are rules on the process to make applications for the various approvals, accreditations and consents NZQA is responsible for under the Act, the criteria to be met to gain them (required by paragraph (b)), and the criteria to maintain them (required by paragraph (c)). NZQA has 7 sets of rules for these. See sections 344-361, and sections 433-454A in relation to the statutory regime for giving or withdrawing those approvals etc. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. The rules simply set out details so decisions can be made under the Act. Entry and exit is determined under the Act not the rules. 	MOE-53

452(1)(d) prescribing the amount of, or the method of determining, the annual registration fee required under section 349:	S	Y	Education and Training Act 2020 s 452 (1)	Annual registration fee (PTEs). The fee is required to be paid under s.349. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. Simply sets the fee required to be paid by the Act. 	MOE-54
(e) prescribing the requirements for the protection of student fees that must be met by a private training establishment, any person to whom section 355 applies, any agent or person purporting to act as an agent for a student or private training establishment, and any independent trustee:	S	Y	Education and Training Act 2020 s 452 (1)	Student fee protection rules. Required by the Act (see sections 355-359). The origins for student fee protection (SFP) in the Act were the collapse of several PTEs who had enrolled Chinese students and those students lost their money. The Chinese government required NZ to have SFP if it wished to provide education to Chinese students coming to NZ. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties, except for protecting students. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest in the technical detail. • Administrative rather than substantive. These rules set out the mechanisms that are available to be used by PTEs to protect student fees, as required by the Act. 	MOE-55
(f) prescribing matters relating to the general operation of the Qualifications and Credentials Framework and the Directory of Assessment and Skill Standards:	S	Y	Education and Training Act 2020 s 452 (1)	Operation of the Qualifications and Credentials Framework and the Directory of Assessment and Skill Standards. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. Simply sets out the process and details for a qualification, micro-credential or standard to be listed, roles of qualification and micro-credential developers and standard setting bodies, and for awarding qualifications and micro-credentials. 	MOE-56
(g) prescribing the quality assurance requirements that must be met by providers of adult and community education:	S	Y	Education and Training Act 2020 s 452 (1)	Quality Assurance requirements for providers of adult and community education. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. No rules have been made and it is unlikely any rules will be made. They would simply set out requirements to protect students. 	MOE-57
(h) prescribing the amount of, or the method of determining, the annual fee payable by a workforce development council and when and how that fee is payable:	S	Y	Education and Training Act 2020 s 452 (1)	ISB annual fee. Required to be paid under s.374. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. Simply sets the fee required to be paid by the Act. There are only 8 ISBs so it has very limited application. 	MOE-58
(i) prescribing quality assurance requirements for workforce development councils, including (without limitation) requirements relating to the performance of the relevant functions of workforce development councils:	S	Y	Education and Training Act 2020 s 452 (1)	Prescribing quality assurance requirements for Industry Skill Boards (ISBs). Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. As noted above there are only 8 ISBs so this has very limited application. This rule making power is complemented by the requirement on ISBs to work collaboratively with NZQA, in relation to moderation, qualifications and micro-credentials development, programme endorsement, and developing, setting, or maintaining skill standards or national curricula, which are the main functions NZQA would seek to quality assure (see section 369(2)(c)(iii)). 	MOE-59

(k) providing for the review, amendment, removal, or alteration of the status of qualifications, micro-credentials, and standards, including their components (including where amendments to titles occur, consequential amendments to approved programmes of study or training titles, micro-credential approval titles, accreditations to provide approved programmes or approved micro-credentials, and consents to assess against standards):	S	Y	Education and Training Act 2020 s 452 (1)	Providing for the review, amendment, removal, or alteration of the status of qualifications, micro-credentials, and standards (and consequential matters). Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. Rules for this purpose are technical detail and are included in the rules made under paragraphs (a)(vii) & (viii), (b) and (c) for qualification and micro-credential listing and standards listing. 	MOE-60
(l) providing any special requirements for NCEA and other secondary school qualifications or awards for the purposes of the Qualifications and Credentials Framework:	S	Y	Education and Training Act 2020 s 452 (1)	Providing any special requirements for NCEA and other secondary school qualifications or awards for the purposes of the Qualifications and Credentials Framework. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. No rules have been made, but if any were made they would be just technical detail about the qualifications for the purposes of the Qualifications and Credentials Framework. 	MOE-61
(m) providing for the conduct of assessments and examinations relating to any qualifications or awards:	S	Y	Education and Training Act 2020 s 452 (1)	Providing for the conduct of assessments and examinations relating to any qualifications or awards. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. These rules contain the technical detail for running NCEA assessment and exams and only require NZQA Board sign off (see section 452(5)). 	MOE-62
(n) prescribing the details for credits, cross-credits, recognition of prior learning, and moderation:	S	Y	Education and Training Act 2020 s 452 (1)	Prescribing the details for credits, cross-credits, recognition of prior learning, and moderation. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. These matters are technical detail and included in rules made under paragraphs (a) – (c). 	MOE-63
(o) prescribing requirements for qualifications in respect of which NZQA is the qualifications developer:	S	Y	Education and Training Act 2020 s 452 (1)	Prescribing requirements for qualifications in respect of which NZQA is the qualifications developer. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. No rules have been made under this paragraph but if rules were made they would be technical detail in relation to any such qualifications. 	MOE-64

(q) providing for the following matters for the purposes of section 361: (i) the kinds of enrolment and academic records that must be kept: (ii) the manner in which the records must be kept: (iii) how long the records must be kept:	S	Y	Education and Training Act 2020 s 452 (1)	Providing for PTEs keeping student enrolment and academic records as required by section 361 of the Act. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. These rules are technical detail for record-keeping primarily to protect student interests, as required by section 361 of the Act. 	MOE-65
(r) prescribing reporting requirements that institutions or workforce development councils must comply with in relation to the student's record of achievement that is maintained by NZQA:	S	Y	Education and Training Act 2020 s 452 (1)	Prescribing reporting requirements that institutions or industry skills boards must comply with in relation to a student's record of achievement that is maintained by NZQA. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. These requirements are included in rules made under paragraphs (a) – (c) and only relate to student achievement details to go on their record of achievement. 	MOE-66
(s) for the purposes of rules made under paragraph (r), specifying the qualifications or standards for which institutions or workforce development councils are required to report the credits gained by students undertaking or who have undertaken study or training towards those qualifications or standards:	S	Y	Education and Training Act 2020 s 452 (1)	For the purposes of rules made under paragraph (r), specifying the qualifications and standards for which institutions or industry skills boards are required to report the credits gained by students who are undertaking or who have undertaken study or training towards those qualifications or standards. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. As noted for paragraph (r) these details are included in rules made under paragraphs (a) – (c) and only relate to student achievement details to go on a student's record of achievement. 	MOE-67
(t) prescribing the quality assurance requirements for tertiary education bodies in respect of which NZQA grants approvals or consents under this subpart:	S	Y	Education and Training Act 2020 s 452 (1)	Prescribing the quality assurance requirements for tertiary education bodies in respect of which NZQA grants approvals or consents under this subpart. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. These requirements relate to the technical details for providers' quality management systems and NZQA monitoring. 	MOE-68
(u) prescribing the types of programmes and micro-credentials that are exempt from the requirements specified in section 356(1):	S	Y	Education and Training Act 2020 s 452 (1)	Prescribing the types of programmes and micro-credentials that are exempt from the requirements specified in section 356(1). Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest. • Administrative rather than substantive. This provides for NZQA to make rules to allow for PTEs to not need to have student fee protection arrangements in place for low value courses. 	MOE-69

452 (1)(UA) prescribing the process that an institution must follow in order to make one of the specified types of transitions	S	Y	Education and Training Act 2020 s 452 (1)	Prescribing the process that an institution must follow in order to make transitions from a programme to a national curriculum, or between a national curriculum and a replacement curriculum. Not cost effective or valuable. <ul style="list-style-type: none"> • No impact on rights or liberties. • Gives effect to provisions of the Act. • Minor and technical. • Little public interest • Administrative rather than substantive. This rule making power relates to technical detail for transitions from one education teaching manual to another, and is primarily aimed at continuity of student learning. 	MOE-70
Customs and Excise (Border Security) Amendment Bill (Amendment to the Customs and Excise Act 2018)	P	N/A	N/A	Required for border security to address Transnational, serious and organised crime (TSOC) group threat. Border Security Bill. Regulations will also be made under this Bill (when enacted).	NZCS-004
Section 96 – import and export prohibition orders	S	Y	Customs and Excise Act 2018 - 96 Prohibition on other imports or exports by Order in Council	This section can be used for safety reasons (ie regulating dangerous lasers or flammable kids pyjamas or steel ladders). Also used for trout / pounamu / fisheries /CITES compliance. So sometimes is a mechanism by which to achieve international compliance.	NZCS-005
Export prohibition Notice Prohibition on exports by notice: nuclear, biological, and chemical weapons, etc	S	Y	S 97 Customs and Excise Act 2018	Some orders are situations where this section is needed for urgent or international compliance reasons.	NZCS-006
Customs Regulations	S		S403 Customs and Excise Act 2018	This is Customs broad regulation making power.	NZCS-008
Border Processing Levy Orders	S	Y	S413 Customs and Excise Act 2018	Administrative and technical setting of levies / fees. Application of legislative formula – no discretion by Customs. NZCS has no drafting discretion in the formation of these orders, which follow a strict legislative formula for regular CPI increases.	NZCS-009
Current Customs Rules	S	Y	S421 Customs and Excise Act 2018	Administrative and technical details of how to engage with Customs and information to be provided to Customs systems. These rules are mostly administrative and technical (ie lists of fields of information to be provided on forms to Customs).	NZCS-010
Motor Spirits Duty Amendment Orders	S	Y	Customs and Excise Act 2018 - 23(1)	These orders facilitate administrative and technical setting of levies / fees/ duties. Provides for excise on motor spirits to be increased	NZCS-017
Motor Spirits Duty Financial Year Determinations	S	Y	Customs and Excise Act 2018 23(3)	These orders facilitate administrative and technical setting of levies / fees/ duties	NZCS-018
EEDT International Organisation Order	S	Y	Sch 3, cl 27 Customs and Excise Act 2018	These orders facilitate administrative and technical setting of levies / fees / duties for international organisations based in New Zealand.	NZCS-021
Fast-track Approvals Act 2024	P	N/A	N/A	The act is “administrative, rather than substantive”. FTAA in itself does not impose regulatory restrictions on rights and liberties. Rather it provides an alternative one-stop-shop consenting / approvals pathway for particular types of projects, as an alternative to applying under relevant ‘parent legislation’. The relevant regulatory controls from which approvals are sought are made under the parent legislation, not the FTAA. It is entirely discretionary for individual/groups to opt to apply for approvals via FTAA (or parent legislation)	MFE-003
Fast-track Approvals (Cost Recovery) Regulations 2025	S	N	s108, s109, s116 of Fast Track Approvals Act 2024	Fast-track Approvals (Cost Recovery) Regulations 2025 are only relevant to parties that choose, in their own discretion, to apply for approvals under the Fast-track Approvals Act 2024. These regulations are part of ensuring the FTAA system operates on a user pays basis i.e. not taxpayer subsidised	MFE-004
Climate Change (Pre-1990 Forest Land Allocation Plan) Order 2010	S	N	S70 Climate Change Response Act 2002	This relates to the free allocation of emissions units to owners of pre-1990 forests, and therefore is necessary to give effect to agreements already entered into by the Crown.	MFE-006
Power to require information	S	Y	S16D Climate Change Response Act 2002	This only requires provision of information. We consider all secondary legislation made under this empowering provision should be exempt from the RSB.	MFE-007
Regulations relating to methodologies and verifiers.	S	Y	S163(1)(d) Climate Change Response Act 2002	Minor and technical Administrative rather than substantive	MFE-008

Regulations relating to unique emissions factors	S	Y	S 164 Climate Change Response Act 2002	Minor and technical Administrative rather than substantive	MFE-009
Regulations relating to fees and charges - Climate Change (Emissions Rulings: Fees and Charges) Regulations 2010	S	Y	S167 Climate Change Response Act 2002	Administrative rather than substantive	MFE-010
Regulations relating to methodologies and mapping standards	S	Y	S167A Climate Change Response Act 2002	Farm to forestry conversions only re: property-scale assessment and mapping standards. Provision to keep these current.	MFE-011
Regulations relating to LUC class 6 land permits - Climate Change (Forestry) Amendment Regulations (No 2) 2025	S	Y	S167B Climate Change Response Act 2002	Administrative rather than substantive. Farm to forestry conversions only re: ballot for LUC Class 6 land permits. However, this provision is new and will be monitored through its implementation in 2026.	MFE-012
Regulations about exemptions for deforestation of land with tree weeds: Climate Change (Forestry) Regulations 2022	S	Y	S180G Climate Change Response Act 2002	Minor and technical. Administrative rather than substantive. While the majority of the regulations are technical and administrative in nature (provide the information to allow the assessment), these regulations define which trees weed areas are eligible for the exemption. This regulation allows a person to apply to be exempted from the liability from deforestation of tree weeds, increasing their ability to change land use.	MFE-013
Regulations for P90 offsetting Climate Change (Forestry) Regulations 2022	S	Y	Climate Change Response Act 2002-181W Regulations for P90 offsetting	These regulations work to bring together other parts of the regulations for forestry, which are then modified slightly to align with P89 offsetting. An assessment against the principles would be unlikely to result in changes to the scope and content of the legislation because of the technical nature.	MFE-014
Regulations for P89 offsetting Climate Change (Forestry) Regulations 2022	S	Y	S192U Climate Change Response Act 2002	These regulations work to bring together other parts of the regulations for forestry, which are then modified slightly to align with P90 offsetting. An assessment against the principles would be unlikely to result in changes to the scope and content of the legislation because of the technical nature.	MFE-015
Regulations for temporary adverse events for example Climate Change (Forestry) Regulations 2022	S	Y	S193R Climate Change Response Act 2002	Minor and technical - An assessment against the principles would be unlikely to result in changes to the scope and content of the legislation because of the technical nature.	MFE-016
Regulations for input returns	S	Y	S194B Climate Change Response Act 2002 -194B Regulations for input returns	Input returns automate the calculation of changes in carbon for emissions returns. These regulations provide minor and technical details about the information otherwise collected for emissions returns calculated by the participant.	MFE-017
Regulations for forestry classifications	S	Y	S196F Climate Change Response Act 2002	These exemptions future proof in case there ever were any regulations	MFE-018
Regulations specifying levy rates	S	Y	S245 Climate Change Response Act 2002	Minor and technical - Levy rates are calculated in accordance with the formula in s 233	MFE-020
Regulations relating to synthetic greenhouse gas levy	S	Y	S246 Climate Change Response Act 2002	Technical and administrative - Regulations enable the calculation of levy payment obligations	MFE-021
Animal Products Act 1999	P	N/A	N/A	A key object of the Act is to facilitate the entry of animal material and products into overseas markets and to safeguard official assurances for entry into those markets. The Act also provides for overseas market access requirements, which are set by overseas markets, and New Zealand doesn't control	MPI-003
All notices under s 11, 13, 14, 14A 14B, 14C, 15 and 16 Fisheries Act 1996	S	Y	S 11, 13, 14, 14A, 14B, 14C, 15 and 16 Fisheries Act 1996	Sets catch limits for fish species. These measures are technical and very routine. A high volume of routine measures under these sections is progressed each year under extremely tight timelines. Consistency assessment of notices and orders under these sections would not be cost-effective and would be unlikely to change content.	MPI-013

Animal Products Act 1999 Regulated Control Schemes	S	Y	Animal Products Act 1999 s38, 60, and 167(1)	Export requirements set out destination market or country requirements exporters need to meet when exporting, Requirements are issued by countries/markets and New Zealand agrees to recognise these. MPI therefore has no discretion as the maker, as they are determined by overseas markets. Regulated control schemes under s 38(2)(b)(ii) of the APA provide for special provisions required for export requirements Therefore, export requirements and supporting regulated control schemes directly give effect to agreements already entered into by the Crown.	MPI-014
Organic Products and Production Act 2023 s63 and 143(1)	S	Y	Organic Products and Production Act 2023 s63 and 143(1)	Export requirements set out destination market or country requirements exporters need to meet when exporting, Requirements are issued by countries/markets and New Zealand agrees to recognise these. MPI therefore has no discretion as the maker, as they are determined by overseas markets. Regulated control schemes under s 38(2)(b)(ii) of the APA provide for special provisions required for export requirements Therefore, export requirements and supporting regulated control schemes directly give effect to agreements already entered into by the Crown.	MPI-015
Wine Act 2003	S	Y	Wine Act 2003 s41 and 120(1)	Export requirements set out destination market or country requirements exporters need to meet when exporting, Requirements are issued by countries/markets and New Zealand agrees to recognise these. MPI therefore has no discretion as the maker, as they are determined by overseas markets. Regulated control schemes under s 38(2)(b)(ii) of the APA provide for special provisions required for export requirements Therefore, export requirements and supporting regulated control schemes directly give effect to agreements already entered into by the Crown.	MPI-016
Biosecurity Act 1993 Import Health Standards	S	Y	Biosecurity Act 1993 s24A s24B	Import health standards (IHSs) specify requirements to be met to effectively manage risks associated with importing risk goods. They are highly technical and science based (a chief technical officer recommends the issuing of the standards). Consistency assessment is unlikely to change content. IHSs can also be necessary to meet international agreement obligations. In developing standards, the chief technical officer (who develops standards) must : <ul style="list-style-type: none"> • have regard to NZ's obligations under international agreements - s23(4)(b)(iv); and • be satisfied that proposed requirements for inclusion in the standard are consistent with NZ's obligations under the SPS Agreement – s23(4)(c); 	MPI-021
Biosecurity Act 1993 Craft Risk Management standards	S	Y	Biosecurity Act 1993 s24G s24H	Craft risk management standards specify requirements to be met for the effective management of risks that: <ul style="list-style-type: none"> • are associated with the entry of craft into NZ territory or in the EEZ; and • are not already covered by an import health standard. The Standards are highly technical and science based. Consistency assessment is unlikely to change content. The Standards can also be necessary to meet international obligations. In developing standards, the chief technical officer (who develops standards) must have regard to NZ's obligations under international agreements – s24F(4)(b)(iv)	MPI-022
Biosecurity Act 1993 Notifiable Organisms	S	Y	Biosecurity Act 1993 s45	These are highly technical and just list organisms. Consistency assessment unlikely to change content. These orders can relate to international obligations. Normally notifiable organisms support an international reporting obligation	MPI-023
Biosecurity Act 1993 orders declaring organisms	S	Y	Biosecurity Act 1993 s2(1)	Highly technical and entirely science based. Consistency assessment unlikely to change content.	MPI-024
MPI Standard Places of First-Arrival	S	Y	Biosecurity Act 1993 s37(10)	The PoFA standard is technical and science based. It specifies the requirements for a PoFA to manage biosecurity risks, such as facilities and hygiene requirements. Consistency assessment is unlikely to change content	MISSING CODE
Transitional Facilities Standards NZ Government	S	Y	Biosecurity Act 1993 s39	These standards are technical, and science based. They specify requirements for building, maintaining and operating a transitional/containment facility, including hygiene and disease surveillance requirements. Consistency assessment is unlikely to change content	MPI-025
All circulars empowered under Fisheries Regulations	S	Y	Reg 10 of the Fisheries (Benthic Protection Areas) Regulations 2007 Regs 48 52C, 58A, 58CA, 80C and 81D of	These circulars supplement regulations (that is all that the empowering provisions for making the circulars allow them to do) and provide technical specifications and standards. Consistency assessment unlikely to change content	MPI-029

			<p>the Fisheries (Commercial Fishing) Regulations 2001</p> <p>Reg 47 of the Fisheries (Reporting) Regulations 2017</p> <p>Reg 13 of the Fisheries (Electronic Monitoring on Vessels) Regulations 2017</p> <p>Reg 6 of the Fisheries (Geospatial Position Reporting) Regulations 2017</p>		
All recreational management controls notices	S	N	Reg 5A of the Fisheries (Amateur Fishing) Regulations 2013	These are technical and just supplement regs. They set or vary any daily limits, accumulation limits, minimum or maximum legal sizes, or other recreational fishing management controls for any fish, aquatic life, or seaweed. Consistency assessment unlikely to change content.	MPI-030
Landings and discards exceptions notices	S	Y	s 72A (2) and Schedule 1AA, Part 3, clause 7 of the Fisheries Act 1996	These notices are technical. They only specify the fish and animals subject to the quota management system that commercial fishers either may or must return to the sea or other waters. Consistency assessment is unlikely to change content	MPI-031
All other fisheries notices under the Fisheries Act	S	Y	S 17B, 18, 33, 113ZD, 271, 307, 312, 313, 368, 368A, 369 Fisheries Act 1996	Notices under the Fisheries Act are technical and supplement provisions in the Act. Consistency assessment would be unlikely to change content	MPI-032
All notices under 167(1) of the Animal Products Act	S	Y	167(1) of the of the Animal Products Act 1999	<p>These are technical and can only set requirements or specify matters that are already permitted by the Act to be made by notice . For instance, prescribe details, processes or forms related to regulations in the Act.</p> <p>If the Animal Products Act is reviewed for consistency, the contents of these notices would have already been reviewed in their permitting sections of the Act. This would mean that the same content would be reviewed for consistency twice, which is not cost effective</p>	MPI-033
All supplementary notices under s 167 of the Animal Products Act	S	Y	S167(2) of the Animal Products Act 1999	These notices are technical and can only supplement regulations. Section 167(3) provides that the notices can only set out matters of detail to elaborate on regulations; procedures, methodologies, forms or other administrative matters; how requirements in regulations are met; or otherwise supplement regulations.	MPI-034
All notices under section 405(1)(a) of the Food Act	S	Y	S405(1)(a) of the Food Act 2014	These are technical and can only set requirements or specify matters that are already permitted by the Act to be made by notice. For instance, sets out requirements or matters permitted by the Act or to supplement regulations. Requirements for Registered Food Importers and Imported Food for Sale	MPI-035
Supplementary notices under the Food Act	S	Y	s405(1)(b) of the Food Act 2014	These notices are technical and can only supplement regulations. Section 405(1)(b) provides that the notices can only set out matters of detail to elaborate on regulations; procedures, methodologies, forms or other administrative matters; how requirements in regulations are met; or otherwise supplement regulations	MPI-036
Supplementary notices under the ACVM Act	S	Y	S 44ZN, S 76A of the Agricultural Compounds and Veterinary Medicines Act 1997	These notices are technical and can only supplement regulations. Section 76A provides that the notices can only set out matters of detail to elaborate on regulations; procedures, methodologies, forms or other administrative matters; how requirements in regulations are met; or otherwise supplement regulations. For instance, Agricultural Compounds Exempt from Registration	MPI-037
Supplementary notices under the Organic Products and Production Act	S	Y	s 143(2) of the Organic Products and Production Act 2023	These notices are technical. Section 143(2) provides that the notices can only set out matters of detail to elaborate on regulations; procedures, methodologies, forms or other administrative matters; how requirements in regulations are met; or otherwise supplement regulations	MPI-038
Notices under the Organic Products and production Act	S	Y	S 143(1) of the Organic Products and Production Act 2023	<p>Similar to s143(2) above. These are technical and can only set requirements or specify matters that are already permitted by the Act to be made by notice.</p> <p>If the Organic Products and Production Act is reviewed for consistency, the contents of these notices would have already been reviewed in their permitting sections of the Act. This would mean that the same content would be reviewed for consistency twice, which is not cost effective</p>	MPI-039

All supplementary notices under 120 of the Wine Act	S	Y	S120(2) of the Wine Act 2003 Link: Wine Act 2003	These notices are technical and can only supplement regulations. Section 120(3) provides that the notices can only set out matters of detail to elaborate on regulations; procedures, methodologies, forms or other administrative matters; how requirements in regulations are met; or otherwise supplement regulations	MPI-040
All supplementary notices under 120(1) of the Wine Act	S	Y	S120(1) of the Wine Act 2003	These are technical and can only set requirements or specify matters that are already permitted by the Act to be made by notice. If E405the Wine Act is reviewed for consistency, the contents of these notices would have already been reviewed in their permitting sections of the Act. This would mean that the same content would be reviewed for consistency twice, which is not cost effective	MPI-041
All exemptions under the Agricultural Compounds and Veterinary Medicines (Fees, Charges, and Levies) Regulations 2015	S	Y	Agricultural Compounds and Veterinary Medicines (Fees, Charges, and Levies) Regulations 2015 S6	Consistency assessment would not be cost-effective and would be unlikely to change content. Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation).	MPI-042
All exemptions under the Food Act	S	Y	S 33, 103(1)(b), 208, 343, 345, 347, 381(6) and (7), of the Food Act 2014	Consistency assessment would not be cost-effective and would be unlikely to change content. Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-043
All exemptions under the Wine Act and Wine Regulations	S	Y	S6, 11, 15D, 39, 92, 119A(1)(c) D-G exemption of the Wine Act 2003 Reg 128 of the Wine Regulations 2021	Consistency assessment would not be cost-effective and would be unlikely to change content. Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-044
All exemptions under the Biosecurity Act	S	Y	S7A, 7B, 67, 166(4) of the Biosecurity Act 1993	Consistency assessment would not be cost-effective and would be unlikely to change content. Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-045
All technical standards and exemptions issued by NAIT organisation	S	Y	s 14, 19, 20 of the National Animal Identification and Traceability Act 2012	These standards and exemptions are technical and MPI has no discretion over these. The standards specify requirements for NAIT identification devices/systems and their operation	MPI-046
All notices issued by NAIT	S	Y	s34 of the National Animal Identification and Traceability Act 2012	Notices under this section are technical and MPI has little discretion over these. The notices only notify of alternative time limits to those prescribed by regulations made under the NAIT Act for the provision of information by any person in charge of an animal	MPI-047
All exemptions and waivers under the Animal Products Act and Animal Products Regulations	S	Y	S9, 14, 50, 60B, 121, 166A(1)(c) Reg 9 of the Animal Products (Fees, Charges, and Levies) Regulations 2007 Reg 15 of the Animal Products (Dairy Industry Fees, Charges, and Levies) Regulations 2015	Consistency assessment would not be cost-effective and would be unlikely to change content. Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-048
All exemptions and waivers under the Fisheries Act and regulations	S	Y	S186Q, 192A of the Fisheries Act 1996 Reg 83 of the Fisheries (Commercial Fishing) Regulations 2001	Consistency assessment would not be cost-effective and would be unlikely to change content. Exemptions are administrative rather than substantive (not new policy, rather removal of application of legal obligation)	MPI-049
Codes of Welfare under the Animal Welfare Act 1999	S	Y	Codes of Welfare – Part 5 of the Animal Welfare Act 1999	Consistency assessment would not be cost-effective and would be unlikely to change content. Codes of Welfare are technical and science-based.	MPI-050
Declarations by Notice (of pests, animals, etc.)	S	Y	s2(4) of the Animal Welfare Act 1999	Consistency assessment would not be cost-effective and would be unlikely to change content. Declarations are technical and science-based.	MPI-051
Declarations of Manipulation	S	Y	s3 of the Animal Welfare Act 1999	Consistency assessment would not be cost-effective and would be unlikely to change content. Declarations that a procedure is not a manipulation are technical and science-based.	MPI-052
Declarations relating to traps	S	Y	s32 of the Animal Welfare Act 1999	Consistency assessment would not be cost-effective and would be unlikely to change content. Declarations prohibiting traps are technical and science-based.	MPI-053
Exemption from requirement to export animals with animal welfare export certificate	S	Y	s48 of the Animal Welfare Act 1999	Consistency assessment would not be cost-effective and would be unlikely to change content. Exemptions from export certificate requirements are technical and science-based	MPI-054
All commodity levies orders For example - Commodity Levies (Blackcurrants) Order 2025	S	Y	S 4 Commodity Levies Act 1990	Commodity levy orders are voted on by industry and are industry good orders. MPI therefore has little discretion over these.	MPI-057

Notices regarding levies under s 35,36	S	Y	S35, 36 of the Pork Industry Board Act 1997	These notices are issued by the Board. MPI therefore has no discretion over these.	MPI-059
Deer Industry New Zealand Regulations 2004	S	Y	Primary Products Marketing Act 1953	The regulations are minor and technical – they establish Deer Industry NZ as a marketing authority and set out their functions and membership provisions. Consistency assessment is unlikely to change content	MPI-060
Notice under Farm Debt Mediation Act 2019	S	Y	S 49 of the Farm Debt Mediation Act	These notices relate to requirements for approval of mediation organisations and mediators. They are administrative in nature.	MPI-062
Notices under Veterinarians Act 2005	S	Y	s88 Veterinarians Act 2005	Veterinary Council of New Zealand makes these notices prescribing matters to be notified and available for inspection.	MPI-065
Order in Council under Forests Amendment Act 2004	S	Y	s21 Forests Amendment Act 2004	These orders are technical and specify criteria and method of assessment in relation to payment of assistance. Consistency assessment is unlikely to change content.	MPI-067
Trust Framework for Digital Identity Rules	S	N	S 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 DISTF Rules are: i. minor and technical covering the technical requirements to be an accredited digital identity services. ii. Routine and involving limited discretion on the part of maker. DISTF Rules are amended approximately once or twice a year to keep up with technology changes in internationally accepted standards for digital identity services and remain fit-for-purpose, with limited discretion on the part of the maker as to what the changes need to be. iii. Administrative rather than substantive (i.e. not imposing restrictions on rights and liberties)	DIA-001
Electronic Identity Verification Act 2012	P	N/A	N/A	Routine and involving little or no discretion on the part of the maker. The EIV Act is extremely detailed and prescriptive. It prescribes a process, and/or decision making threshold for all substantive decisions. Administrative not imposing restrictions on rights and liberties. The EIV Act enables a person to choose to apply for a RealMe® verified identity but does not require them to.	DIA-002
Electronic Identity Verification Regulations 2013	S	N	Sections 67(1), 69(1), and 70 of the 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
Electronic Identity Verification Amendment Regulations 2025	S	N	S67 Electronic Identity Verification Act 2012	Regulations relating to participating agencies Routine and involving little or no discretion on the part of the maker Administrative not imposing restrictions on rights and liberties. This added new participating agencies to the EIV Regs 2013.	DIA-005
Identity Information Confirmation Act 2012	P	N/A	N/A	The IIC Act does not involve natural persons at all. Routine and involving little or no discretion on the part of the maker. The IIC Act is extremely detailed and prescriptive. It prescribes a process for organisations to authenticate identity information with DIA. Administrative not imposing restrictions on rights and liberties. The IIC Act does not involve natural persons at all. An organisation seeking to authenticate a natural person's identity information must have their consent.	DIA-006
National Library Requirement (Phonographic Documents) Notice 2017	S	Y	National Library of New Zealand (Te Puna Mātauranga o Aotearoa) Act 2003 - 31 Notice of requirement for public documents	Section 31 of the Act empowers the responsible Minister to require publishers of public documents to give a specified number of copies of the public document to the National Librarian, at the publisher's own expense. Section 36 requires that, before the responsible Minister publishes a notice, the Minister must consult the publishers (or their representatives) likely to be affected by the proposed requirement. It would therefore be unlikely that a CAS would identify impacts on the rights and liberties of the impacted parties. In addition, the three notices made under this section can be considered administrative and routine in nature as they specify the process for providing copies of the public document (books and periodicals; electronic documents; and phonographic documents, respectively) to the National Librarian, such as specifying the address for delivery of copies.	DIA-007

Notification of Exemption From National Library Requirements	S	Y	S38 National Library of New Zealand (Te Puna Mātauranga o Aotearoa) Act 2003	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. Section 38 requires the exemption to be given by published notice. A CAS would be unlikely to identify impacts on rights and liberties or result in changes to the scope and content of the Act. The two exemption notices made under this section are administrative as they fulfil the process requirement to publish the exemption notice.	DIA-008
Births, Deaths, Marriages, and Relationships Registration (Prescribed Information) Regulations 1995	S	N	S 144 Births, Deaths, Marriages, and Relationships Registration Act 2021	The prescribed information required for certificates, notices and applications is administrative. It requests the information necessary to provide a completed product to the applicant or complete the change requested by the applicant. The availability of these products or changes are provided for through the primary legislation.	DIA-009
Citizenship Regulations 2002	S	N	S28 Citizenship Act 1977	The regulations are all the administrative steps involved in applying for, recording and renouncing citizenship, and are therefore considered minor and technical. The settings that govern the requirements are all in the primary legislation – Citizenship Act 1977 and the Citizenship (Western Samoa) Act 1982.	DIA-010
Fire and Emergency New Zealand (Local Advisory Committees) Regulations 2018	S	N	S 188 Fire and Emergency New Zealand Act 2018	.Regulations relating to operating processes for local advisory committees. Regulations under this empowering provision provide for how Local Advisory Committees will operate (e.g. issuing notices of meetings). The regulations are administrative in nature.	DIA-011
Passport (Fees) Regulations 2015	S	N	S40 Passports Act 1992	The fees set in the regulations are an administrative step in applying for a passport. There is some discretion involved under regulation 7 to waive the fees in certain cases, but the circumstances in which the fee is able to be waived are narrow and specified, so involve little discretion.	DIA-012
Exemption orders- allows a territorial authority that establishes, intends to establish, or has established a water organisation to apply to the Secretary for an exemption from specified requirements.	S	N	S66 Local Government (Water Services) Act 2025	Allows for an Order in Council exempting a territorial authority from certain specified requirements for a water organisation, including that it should be an incorporated company; be restricted in services to be provided; and certain ownership restrictions (see s 64). Any such orders will not have a general impact but will be particular to specific individual situations, and administrative in nature.	DIA-013
Water Services Authority may declare provision for water to be a drinking water supply, or not.	S	Y	S 9 Water Services Act 2021	These are minor and technical notices to clarify the provision of water by a person or class or persons is or is not a drinking water supply. While it affects whether someone is covered by the Act or not, it is a clarification tool that is largely determined on the facts.	DIA-014
Declaration of notifiable risk or hazard. Duty to notify Water Services Authority.	S	Y	S 35 Water Services Act 2021	This power enables the Water Services Authority to specify additional risks or hazards that drinking water suppliers are required to notify to the Authority when they arise. While the notification requirements are a significant component of public safety, they will not affect individual rights and liberties and require administrative compliance by the drinking water supplier. 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 – as such, the power can be seen as administrative.	DIA-015
Drinking Water Acceptable Solutions Notice 2025	S	Y	S 50 Water Services Act 2021	Acceptable solutions are not mandatory, they provide an alternative method of compliance that drinking water suppliers can choose to follow to meet certain duties in the Act. Arguably they do not impede on rights and liberties.	DIA-016
General exemptions	S	Y	S57 Water Services Act 2021	General exemptions are routine and may be minor and technical – for example, a general exemption has been granted for the Department of Conservation's remote huts and campsites which have limited power supply and rely on boil water notices.	DIA-017
residual disinfection	S	Y	Water Services Act 2021	This is an exemption from using chlorine in a drinking water supply network. These are only granted when it is consistent with the purpose of the Act and all other legislative requirements are met. While these are not as minor and technical as general exemptions, arguably as it is an exemption from requirements it does not restrict rights and liberties.	DIA-018
National code of practice	S	Y	Water Services Act 2021 - 971 National codes of practice	A national code of practice provides a means of compliance with National Engineering Design Standards. As compliance is not mandatory, it does not impact on rights and liberties.	DIA-022