



REGULATIONS REVIEW COMMITTEE

8 April 2019

Peter Mersi
Chief Executive
Ministry of Transport
PO Box 3175
WELLINGTON 6140

Dear Mr Mersi

Complaint E-Scooters (Declaration Not to be Motor Vehicles) Notice 2018

The Regulations Review Committee has received two complaints from Barry Preddle and from Jane Carrigan regarding the E-Scooters (Declaration Not to be Motor Vehicles) Notice 2018. The complaints were considered at a meeting of the Regulations Review Committee on 3 April 2019. A copy of both complaints is enclosed.

Committee's jurisdiction

The committee's jurisdiction in relation to regulations is set out in the Standing Orders of the House of Representatives. Under Standing Order 318(5), the committee may investigate complaints about the operation of regulations, and may report on complaints to the House of Representatives. Where a complaint relates to one of the grounds set out in Standing Order 319(2), the committee can draw the regulation to the special attention of the House and take the step of recommending that a regulation be disallowed under the Legislation Act 2012. However, any decision to disallow a regulation is made by the House and the committee can make only a recommendation.

The complaints

We consider that, on the face of them, the complaints appear to relate to one of the grounds on which the committee may draw a regulation to the special attention of the House, in this case Standing Order 319(2)(a)—that the regulation is not in accordance with the general objects and intentions of the enactment under which it

is made. Accordingly, the committee has resolved to forward it to the Ministry of Transport and the New Zealand Transport Agency (NZTA) for response. We ask that the Ministry respond to matters raised by the complainants in writing, within the time frame below. Once the committee has considered the Ministry's and NZTA's responses, it may decide to proceed to hear oral evidence on this complaint from ministry officials, the complainants, and any other relevant parties.

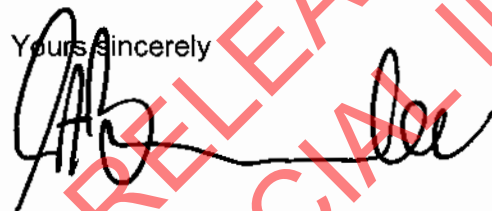
Your response

Natural justice obliges us to put the complaints to the public agency responsible for the matters referred to in the complaints. It appears to use that the Ministry and NZTA are the appropriate agencies from which to seek responses in this instance. Please let us know if you do not agree. Otherwise, we invite a response to the complaint.

In order to act transparently, the committee's practice is to receive responses as written evidence. Under Standing Orders, written evidence eventually becomes public, including being posted on the Parliament website. However, committees do have power to receive evidence in private, or to confer secrecy. You may apply for any or all of your evidence to be received in private or secret. Committees normally require reasons before agreeing to such requests. Please contact the clerk of the committee at rr@parliament.govt.nz if you wish to make such an application or if you have any other questions.

Please address your response to Hon Gerry Brownlee, Chairperson and email it to rr@parliament.govt.nz by 12pm Thursday 25 April 2019.

Yours sincerely



Hon Gerry Brownlee
Chairperson
Regulations Review Committee