



4 September 2024

Andrew Riddell  
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**Official information request**

**Our ref: MFR-24OIA008**

Tēnā koe Andrew

I refer to your Official Information Act 1982 (OIA) request received on 7 August 2024. You requested:

*Please provide copies of*

1. *the documentation that sets out the Ministry for Regulation's mandate and powers,*
2. *terms of reference,*
3. *operating instructions,*
4. *all directions and instructions from the Minister for Regulation, and*
5. *criteria used to assess regulations.*

**Items 1-3- Documentation, terms of reference, operating instructions**

On 1 March 2024, the Ministry for Regulation was established to provide leadership across government for improvements in the quality of regulation and the performance of regulatory systems. The Ministry is a central government agency tasked with improving the regulations imposed by the Government, to make them better, more streamlined, and easier for New Zealanders to navigate. You can access the establishing Orders in Council in the links provided in the table provided under item 4.

The Cabinet paper *Establishment of the Ministry for Regulation* is another establishing document for the Ministry and is also provided in the table. The paper sets out the roles, functions and operating expectations of the Ministry.

Establishment activities are ongoing and some of the documentation you have requested does not exist yet. A new Regulatory Standards Bill which will set out the Ministry's powers is under active consideration and the Ministry's Strategic Intentions will be publicly available soon.

Regarding your request for terms of reference, the Ministry as a whole does not have terms of reference, however we do have terms of reference for both of the regulatory reviews that are underway. The terms of reference for the early childhood education regulatory review and the agricultural and horticultural products regulatory review can be accessed through our website:

Early childhood sector: <https://www.regulation.govt.nz/regulatory-reviews/early-childhood-education-ece-regulatory-sector-review>.

Agricultural and horticultural products: <https://www.regulation.govt.nz/regulatory-reviews/agricultural-and-horticultural-products-regulatory-review>

#### Item 4- Directions and instructions from the Minister for Regulation

I have interpreted item 4 of your request as referring to directions and instructions to the whole Ministry rather than those relating to specific matters, such as responses to briefing papers or other Ministerial advice. You can find the directions and advice the Ministry follows in the documents in the table below. The forthcoming Strategic Intentions document will set out the Ministry’s objectives and priorities as agreed with the Minister.

Date	Document	Title	Website
Various-1/11/23-18/12/23	Proactive release (multiple documents)	Treasury advice on the establishment of the Ministry for Regulation	<a href="https://www.treasury.govt.nz/publications/information-release/treasury-advice-establishment-ministry-regulation">https://www.treasury.govt.nz/publications/information-release/treasury-advice-establishment-ministry-regulation</a>
12/12/23	Treasury Report	Letter to the Prime Minister outlining proposed scope and working arrangements for the Regulation portfolio	<a href="https://www.treasury.govt.nz/sites/default/files/2024-04/mfr-4954042.pdf">https://www.treasury.govt.nz/sites/default/files/2024-04/mfr-4954042.pdf</a>
17/01/24	Cabinet Paper	Establishment of the Ministry for Regulation	<a href="https://www.publicservice.govt.nz/assets/DirectoryFile/Cabinet-Paper-Establishment-of-the-Ministry-for-Regulation.pdf">https://www.publicservice.govt.nz/assets/DirectoryFile/Cabinet-Paper-Establishment-of-the-Ministry-for-Regulation.pdf</a>
15/02/24	Cabinet paper	Public Service (Ministry for Regulation) Order 2024 and Ombudsmen (Ministry for Regulation) Order 2024	<a href="https://www.publicservice.govt.nz/assets/DirectoryFile/Cabinet-Paper-Public-Service-Ministry-for-Regulation-Order-2024-and-Ombudsmen-Ministry-for-Regulation-Order-2024.pdf">Cabinet-Paper-Public-Service-Ministry-for-Regulation-Order-2024-and-Ombudsmen-Ministry-for-Regulation-Order-2024.pdf</a> (publicservice.govt.nz)

#### Item 5 – Criteria used to assess regulations

The Ministry uses the *Government Expectations for Good Regulatory Practice* to assess regulations. A copy of this document can be found at: <https://www.treasury.govt.nz/sites/default/files/2015-09/good-reg-practice.pdf>.

The Ministry is also guided by criteria developed when the regulatory oversight function resided with the Treasury, including its *2020 Regulatory Stewardship Reporting Framework*. A copy of the Framework is attached. The Treasury’s regulatory functions, including responsibility for the public service regulatory management system, transferred to the Ministry on 1 May 2024. More information and resources associated with developing and maintaining good quality regulation can still be found on the Treasury website: <https://www.treasury.govt.nz/information-and-services/regulation>.

Additionally, the Ministry's regulatory reviews are guided by terms of reference, which are linked above.

**Right of review**

If you wish to discuss this decision with us, please contact [hello@regulation.govt.nz](mailto:hello@regulation.govt.nz).

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that we may publish this letter (with your details removed) on the Ministry for Regulation website.

Ngā mihi



Aisling Risdon  
**Head of Ministerial Services**  
**Ministry for Regulation**