

New Zealand

Overview and recent developments

New Zealand has made substantive changes to its regulatory management policy as a result of introducing its regulatory stewardship approach. The expectation of regulatory stewardship applies to all regulatory agencies and involves adopting a whole-of-system, lifecycle view of regulation. It also includes an express expectation of an increased focus on international regulatory cooperation, which may help to reduce regulatory overlap and improve regulatory coherence, including with key partners such as Australia.

A revised Cabinet Manual provides that government agencies can adopt a more flexible approach in stakeholder consultation. It encourages them to develop and maintain close relationships with stakeholders throughout the regulatory policy cycle. It will be important to evaluate the effectiveness and efficiency of the consultation system over time.

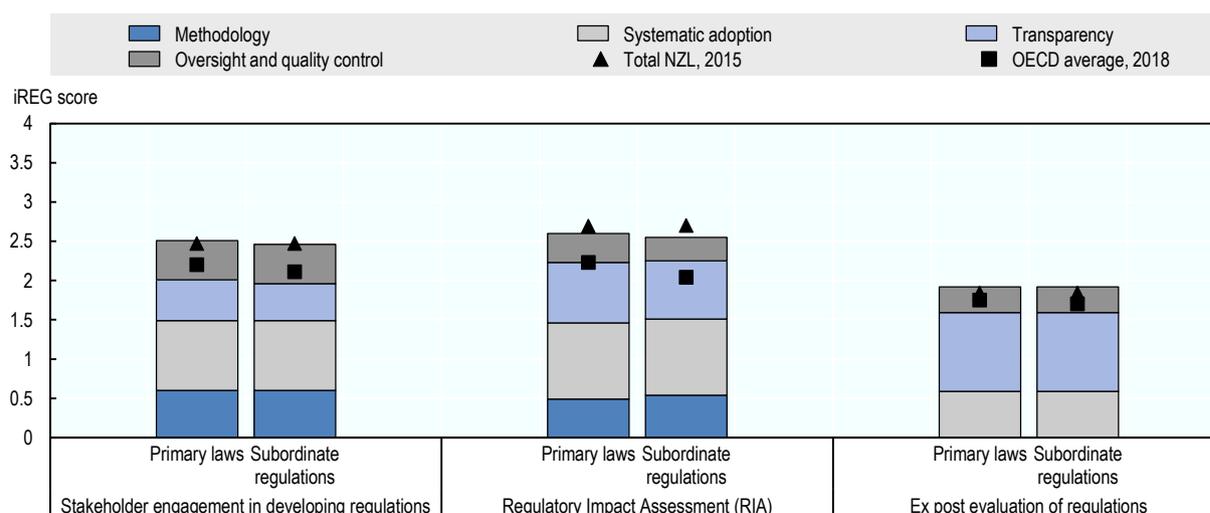
The Government's Expectations for Good Regulatory Practice, include that regulatory agencies will monitor the performance of existing regulatory systems on an ongoing basis so as to determine whether they remain fit-for-purpose. However, in practice, relatively few formal *ex post* evaluations have actually been undertaken.

New gatekeeping processes are designed to strengthen incentives for regulatory agencies to adhere to the RIA process. A requirement for a Supplementary Analysis Report (SAR) is triggered in the event that regulatory proposal is agreed despite having no RIA and no valid exemption, or when the RIA was not quality assured, or was assessed as not meeting the quality assurance criteria. RIA still requires departments to specify how they will monitor and review the changes, preferably in the context of their ongoing monitoring of the wider regulatory system, once they are implemented.

Institutional setup for regulatory oversight

The **Regulatory Quality Team** within the Treasury is responsible for the quality control of regulatory management tools and the systematic improvement of regulation. The **Legislation Design and Advisory Committee** and the **Parliamentary Counsel Office** are both responsible for advice and guidance and scrutinising the legal quality of regulations. The **New Zealand Productivity Commission** is an independent research and advisory body. It has evaluated New Zealand's regulatory policy system including RIA and regulator performance. It has undertaken a number of reviews in specific policy areas or sectors such as housing affordability, the tertiary education sector, and urban planning.

Indicators of Regulatory Policy and Governance (iREG): New Zealand, 2018



Notes: The more regulatory practices as advocated in the [OECD Recommendation on Regulatory Policy and Governance](#) a country has implemented, the higher its iREG score. The indicators on stakeholder engagement and RIA for primary laws only cover those initiated by the executive (97% of all primary laws in New Zealand).

Source: Indicators of Regulatory Policy and Governance Surveys 2014 and 2017, <http://oe.cd/ireg>.

StatLink <https://doi.org/10.1787/888933815984>

Location of regulatory oversight functions: New Zealand

Regulatory oversight functions		Centre of government	Ministry of Finance, Economy or Treasury	Ministry of Justice	Other ministries	Non-departmental body	Parliament	Office of the Attorney General	Supreme audit institution	Part of the judiciary
Quality control of...	RIA		●							
	Stakeholder engagement		●							
	Ex post evaluation									
Identifying policy areas where regulation can be made more effective			●			●		●		
Systematic improvement of regulatory policy			●			●				
Co-ordination of regulatory policy			●							
Guidance, advice and support			●			●		●		
Scrutiny of legal quality						●		●		

Notes: ● indicates that a given regulatory oversight function is covered by at least one body in a particular location. Data present the situation as of 31 December 2017 and do not reflect changes that may have taken place in 2018.

Source: Survey questions on regulatory oversight bodies, Indicators of Regulatory Policy and Governance Survey 2017, <http://oe.cd/ireg>.