



OPEN GOVERNMENT PARTNERSHIP NEW ZEALAND

Commitment 6: Improving access to legislation

Date: December to February 2018

Lead agency: Parliamentary Counsel office (PCO)

To improve access to legislation by publishing all secondary legislation, regardless of who drafts it, on the New Zealand Legislation (NZL) website. The result will be a single, comprehensive, official, public source of all New Zealand’s legislation.

Milestones		Stage
1	Consultation and engagement with all involved actors, including all government and regulatory agencies and Crown entities that produce secondary legislation <i>End date: Ongoing through project</i>	
2	Consideration for approval by Cabinet.	

-  underway
-  completed
-  some delays.

WHAT HAVE WE BEEN DOING?

- The Legislation Bill received its first reading on 5 December and was referred to the Justice select committee:
 - submissions on the Bill closed on 23 February
 - the committee is currently considering the Bill.
- We have concluded discussions with 33 government agencies (mainly departments) who administer Acts of Parliament. Discussions have included work to clarify which provisions, in the Acts they administer, empower the making of secondary legislation and which empower the making of administrative instruments (ie, clarifying the boundary between what is legislative and what is administrative).
- Initial drafting instructions have been provided for the second Bill that will amend each of the identified provisions in each Act to expressly state which provisions empower the making of secondary legislation. This will be a very large Bill – preliminary analysis indicates that it could amend approximately 1500 Acts.

- We have engaged an agency to carry out end-user research on accessibility of secondary legislation, which will inform the development of IT systems.

LINKS

[List of agencies that can create regulations](#)

[Access to Subordinate Legislation Project news](#)

WHAT'S NEXT?

- Complete discussions with agencies, continuing our engagement with agencies that administer primary legislation containing empowering provisions, and deepening our engagement with the wider set of agencies that administer secondary legislation.
- Continue to provide drafting instructions.
- Consider end-user research and incorporate findings into development of IT systems.
- We need agencies which administer secondary legislation to identify and locate all of their secondary legislation that is made under the existing empowering provisions.
- We will be encouraging agencies that administer secondary legislation to produce a list of all secondary legislation made by them that is in force.