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REGULATIONS REVIEW COMMITTEE,

Secondary Legislation Bill

Submission, Transparency International New Zealand (TINZ), 14 February 2020

Thank you for the opportunity to submit on this matter.

We do not think it necessary for TINZ to make an oral submission.

TINZ submission:

1. TINZ supports the passing of this legislation, which will, when accompanied by the Secondary Legislation project, make secondary legislation more accessible. It will also help parliament to function more transparently than in the past and will support the sovereignty of parliament to scrutinise all regulations.
2. We note there are 150 bodies and agencies empowered to make secondary legislation, and 2500 provisions for secondary legislation (under its various terms) in 550 acts.
3. We look forward to the next phase of the project, where secondary legislation will be as publicly accessible as primary legislation.¹ We note that the Secondary Legislation Project continues to be a key undertaking (Commitment 4) in the [National Action Plan 2018–2020](#) under the [Open Government Partnership](#). However it is **the public availability to secondary legislation** that is the meat of that undertaking.
4. We note that the Regulations Review Committee has presented activity reports noting significant issues, and any complaints that it has received, and any recommendations that it has made about the application of regulations. We are unable to locate a report online since April 2017, and advocate that the Committee ensure its reports are annually produced and readily accessible.
5. We note that there will be additional exemptions for some regulations being included in the list. Whilst we understand the tension protecting sensitive information, on a first principle basis of public access to information the Regulations Review Committee should report on the number of exemptions that apply at any specific period, and the Acts to which they apply.

Our contact for this submission is:

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¹ We commented favourably on this project in our [National Integrity System Assessment 2018 update](#) (page 122).¹

About Transparency International NZ

Transparency International New Zealand (TINZ) is the recognised New Zealand Chapter of [Transparency International](#), the global civil society organisation against corruption. TINZ is a not-for-profit incorporated society with charitable status. TINZ is non-political and non-partisan.

The vision of Transparency International, provided below, means that TINZ is a caretaker of New Zealand's high trust, high integrity society. Our reports, assessment documents and facilitation of discussions have positively impacted New Zealand's approaches towards corruption and open government.

The respect given to Transparency International New Zealand is driven from documents such as our [Integrity Plus 2013 New Zealand National Integrity System Assessment \(NIS\)](#) and subsequent updates in 2015 and 2018 towards a 2nd edition, as well as the [Corruption Perceptions Index](#) produced by the global body, Transparency International. TINZ has also worked with central government agencies on initiatives to strengthen understanding on a broad range of issues around transparency, open government, and integrity systems. This includes our innovative Public Sector CEO Leadership Integrity Forums, jointly hosted with the Office of the Auditor General.

TINZ actively brings critical and constructive voices to the table wherever anti-corruption expertise, advocacy and action are needed, and has played a key role in efforts to promote integrity and transparency and to resist corruption.

The portfolio of Transparency International is wide and its approaches are focused on detecting and preventing corruption. The large network of committed stakeholders places the international body and the New Zealand chapter in the privileged position of being able to continue fighting against corruption even within a global socio-political context that feels ever more challenging.

A world with trusted integrity systems in which
government, politics, business, civil society and the daily
lives of people are free of corruption

(Transparency International New Zealand Vision)