

Hon Aupito William Sio
Associate Minister of Justice

Proactive release of documents relating to the Statutes Amendment Bill

Date of issue: 14 February 2022

The following documents have been proactively released in accordance with Cabinet Office Circular CO (18) 4.

No.	Document	Comments
1	Statutes Amendment Bill: Approval for Introduction <i>Cabinet paper</i> Ministry of Justice	Released in full.
2	LEG-21-MIN-0224 <i>Cabinet Committee Minute</i> Cabinet Office Meeting date: 16 December 2021	Released in full.

Chair, Cabinet Legislation Committee

Statutes Amendment Bill 2021: Approval for Introduction

Proposal

- 1 I seek Cabinet's approval for the Statutes Amendment Bill (the Bill) to be introduced to the House of Representatives.

Policy

- 2 Standing Order 266(1)(f) provides for omnibus bills that consist entirely of amendments to Acts. Cabinet Office Circular CO (20) 11 invited departments to submit potential items for inclusion in the Bill.
- 3 The proposed amendments are technical, short, and non-controversial. There are no outstanding policy issues to be resolved.
- 4 The Bill holds a category three priority on the 2021 Legislation Programme.
- 5 The Bill makes amendments to the following Acts:
 - 5.1 Agricultural Compounds and Veterinary Medicines Act 1997;
 - 5.2 Animal Products Act 1999;
 - 5.3 Animal Welfare Act 1999;
 - 5.4 Anti-Money Laundering and Countering Financing of Terrorism Act 2009;
 - 5.5 Biosecurity Act 1993;
 - 5.6 Canterbury Earthquakes Insurance Tribunal Act 2019;
 - 5.7 Care of Children Act 2004;
 - 5.8 Courts Security Act 1999;
 - 5.9 COVID-19 Recovery (Fast-track Consenting) Act 2020;
 - 5.10 Crown Entities Act 2004;
 - 5.11 Crown Forest Assets Act 1989;
 - 5.12 Customs and Excise Act 2018;
 - 5.13 Dog Control Act 1996;

- 5.14 Equal Pay Act 1972;
- 5.15 Equal Pay Amendment Act 2020;
- 5.16 Evidence Act 2006;
- 5.17 Family Violence Act 2018;
- 5.18 Fire and Emergency New Zealand Act 2017;
- 5.19 Food Act 2014;
- 5.20 Government Roding Powers Act 1989;
- 5.21 Infrastructure Funding and Financing Act 2020;
- 5.22 Land Transport Act 1998;
- 5.23 Legislation Act 2019;
- 5.24 Local Government Official Information and Meetings Act 1987;
- 5.25 Maritime Transport Act 1994;
- 5.26 National Animal Identification and Tracing Act 2012;
- 5.27 Oaths and Declarations Act 1957;
- 5.28 Port Companies Act 1988;
- 5.29 Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009;
- 5.30 Prisoners' and Victims' Claims Act 2005;
- 5.31 Privacy Act 2020;
- 5.32 Public Finance Act 1989;
- 5.33 Railways Act 2005;
- 5.34 Residential Tenancies Act 1986;
- 5.35 Resource Management Act 1991;
- 5.36 Retirement Villages Act 2003;
- 5.37 Returning Offenders (Management and Information) Act 2015;
- 5.38 Sale and Supply of Alcohol Act 2012;
- 5.39 Senior Courts Act 2016;
- 5.40 Te Awa Tupua (Whanganui River Claims Settlement) Act 2017;

5.41 Unit Titles Act 2010; and

5.42 Wine Act 2013.

- 6 A proposal to amend the Ngāti Manuhiri Claims Settlement Act 2012 is likely to be sought through the departmental report at the Select Committee stage. Ngāti Manuhiri are seeking to amend their settlement legislation to remove a statutory right of access for Māori to protected sites from a discrete area within the South Mangawhai Forest. There are currently no protected sites within this discrete area, so the right of access has no practical effect.
- 7 The amendment would enable Ngāti Manuhiri to realise their commercial aspirations for this land. This proposal will require cross-party agreement before it can be included in this Bill at the Select Committee stage.

Regulatory impact analysis

- 8 Regulatory Impact Statements are not required for Statutes Amendment Bills.

Financial implications

- 9 No financial implications are expected as a result of the amendments in this Bill.

Compliance

- 10 The Bill complies with the following:
- 10.1 the principles of the Treaty of Waitangi;
 - 10.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993, subject to final Attorney General confirmation;
 - 10.3 the principles and guidelines set out in the Privacy Act 2020;
 - 10.4 relevant international standards and obligations; and
 - 10.5 the [Legislation Guidelines](#) (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 11 As per section 105 of the Legislation Act 2019, disclosure statements are not required for Statutes Amendment Bills.

Consultation

- 12 All other parties represented in Parliament have been consulted and have agreed to the proposed amendments.
- 13 The Minister of Justice has been consulted and agrees with the submission of this paper.
- 14 The following government departments and private and public bodies have been consulted:

Act amended	Lead agency, and relevant government departments and public bodies consulted	Proposing Minister
1. Agricultural Compounds and Veterinary Medicines Act 1997	<u>Ministry for Primary Industries</u>	Minister for Food Safety Hon Dr Ayesha Verrall
2. Animal Products Act 1999	<u>Ministry for Primary Industries</u>	Minister for Food Safety Hon Dr Ayesha Verrall
3. Animal Welfare Act 1999	<u>Ministry for Primary Industries</u>	Minister of Agriculture Hon Damien O'Connor
4. Anti-Money Laundering and Countering Financing of Terrorism Act 2009	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi
5. Biosecurity Act 1993	<u>Ministry for Primary Industries</u>	Minister of Biosecurity Hon Damien O'Connor
6. Canterbury Earthquakes Insurance Tribunal Act 2019	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi
7. Care of Children Act 2004	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi
8. Courts Security Act 1999	<u>Ministry of Justice</u>	Minister for Courts Hon Aupito William Sio
9. COVID-19 Recovery (Fast-track Consenting) Act 2020	<u>Ministry for the Environment</u>	Minister for the Environment Hon David Parker
10. Crown Entities Act 2004	<u>Treasury</u>	Minister of Finance Hon Grant Robertson
11. Crown Forest Assets Act 1989	<u>Treasury</u>	Minister of Finance Hon Grant Robertson
12. Customs and Excise Act 2018	<u>New Zealand Customs Service</u>	Minister of Customs Hon Meka Whaitiri
13. Dog Control Act 1996	<u>Department of Internal Affairs</u>	Minister of Local Government Hon Nanaia Mahuta
14. Equal Pay Act 1972	<u>Ministry for Business, Innovation and Employment</u>	Minister for Workplace Relations and Safety Hon Michael Wood
15. Equal Pay Amendment Act 2020	<u>Ministry for Business, Innovation and Employment</u>	Minister for Workplace Relations and Safety Hon Michael Wood
16. Evidence Act 2006	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi
17. Family Violence Act 2018	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi
18. Fire and Emergency New Zealand Act 2017	<u>Department of Internal Affairs, Fire and Emergency New Zealand</u>	Minister of Internal Affairs Hon Jan Tinetti
19. Food Act 2014	<u>Ministry for Primary Industries</u>	Minister for Food Safety Hon Dr Ayesha Verrall

Act amended	<u>Lead agency, and relevant government departments and public bodies consulted</u>	Proposing Minister
20. Government Rooding Powers Act 1989	<u>Ministry of Transport</u>	Minister of Transport Hon Michael Wood
21. Infrastructure Funding and Financing Act 2020	<u>Ministry of Housing and Urban Development</u>	Minister of Housing Hon Dr Megan Woods
22. Land Transport Act 1998	<u>Ministry of Transport</u>	Minister of Transport Hon Michael Wood
23. Legislation Act 2019	<u>Parliamentary Counsel Office</u>	Attorney-General Hon David Parker
24. Local Government Official Information and Meetings Act 1987	<u>Department of Internal Affairs</u>	Minister of Local Government Hon Nanaia Mahuta
25. Maritime Transport Act 1994	<u>Ministry of Transport</u>	Minister of Transport Hon Michael Wood
26. National Animal Identification and Tracing Act 2012	<u>Ministry for Primary Industries</u>	Minister of Agriculture Hon Damien O'Connor
27. Oaths and Declarations Act 1957	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi
28. Port Companies Act 1988	<u>Ministry of Transport</u>	Minister of Transport Hon Michael Wood
29. Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009	<u>Te Arawhiti</u>	Minister for Māori Crown Relations: Te Arawhiti Hon Kelvin Davis
30. Prisoners' and Victims' Claims Act 2005	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi
31. Privacy Act 2020	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi
32. Public Finance Act 1989	<u>Treasury</u>	Minister of Finance Hon Grant Robertson
33. Railways Act 2005	<u>Ministry of Transport</u>	Minister of Transport Hon Michael Wood
34. Residential Tenancies Act 1986	<u>Ministry of Housing and Urban Development</u>	Associate Minister of Housing Hon Poto Williams
35. Resource Management Act 1991	<u>Ministry for the Environment</u>	Minister for the Environment Hon David Parker
36. Retirement Villages Act 2003	<u>Ministry of Housing and Urban Development</u>	Associate Minister of Housing Hon Poto Williams
37. Returning Offenders (Management and Information) Act 2015	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi
38. Sale and Supply of Alcohol Act 2012	<u>Ministry of Justice</u>	Minister of Justice Hon Kris Faafoi

Act amended	Lead agency, and relevant government departments and public bodies consulted	Proposing Minister
39. Senior Courts Act 2016	<u>Ministry of Justice, Rules Committee (Part 38 clause 116)</u>	Minister for Courts Hon Aupito William Sio
40. Te Awa Tupua (Whanganui River Claims Settlement) Act 2017	<u>Te Arawhiti</u>	Minister for Māori Crown Relations: Te Arawhiti Hon Kelvin Davis
41. Unit Titles Act 2010	<u>Ministry of Housing and Urban Development</u>	Associate Minister of Housing Hon Poto Williams
42. Wine Act 2003	<u>Ministry for Primary Industries</u>	Minister for Food Safety Hon Dr Ayesha Verrall

Binding on the Crown

15 The Statutes Amendment Bill is an omnibus bill containing minor and technical amendments to existing legislation only. The individual status of each principal Act amended will continue to apply after the Bill is enacted. For this reason, the Bill does not include a provision stating that the Act will bind the Crown.

Creating new agencies or amending law relating to existing agencies

16 The Bill does not create any new agencies.

Allocation of decision making powers

17 The Bill does not allocate decision-making powers between the executive and judiciary.

Associated regulations

18 Regulations are not required to bring the Bill into operation.

Other instruments

Definition of Minister/Department

19 The Bill does not contain a definition of Minister, Department (or equivalent government agency) or Chief Executive of a department (or equivalent position).

Commencement of legislation

20 The amendments contained within the Bill will come into force on the day after the date of Royal assent.

Parliamentary stages

21 The Bill should be introduced in December 2021 and passed in 2022 if possible.

22 It is proposed that the Bill be referred to the Government and Administration Committee.

Proactive release

- 23 I intend to release this Cabinet paper, and related Minute, following the introduction of the Bill.

Recommendations

The Associate Minister of Justice recommends that the Committee:

- 1 **note** that the Statutes Amendment Bill holds a category three priority on the 2021 Legislation Programme;
- 2 **note** that the Bill makes technical, short, and non-controversial amendments to Acts administered by various government agencies;
- 3 **note** that the Parliamentary Counsel Office may make final editing amendments to the Bill prior to introduction;
- 4 **note** that a proposal to amend the Ngāti Manuhiri Claims Settlement Act 2012 will likely be sought through the departmental report
- 5 **approve** the proposed amendments in the Bill;
- 6 **approve** the Bill for introduction, subject to the final approval of the government caucus and sufficient support in the House of Representatives;
- 7 **agree** that the Bill be introduced in December 2021; and,
- 8 **agree** that the government propose that the Bill be:
 - 8.1 referred to the Government and Administration Committee for consideration;
 - 8.2 enacted in 2022, if possible.

Authorised for lodgement

Hon Aupito William Sio

Associate Minister of Justice



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Statutes Amendment Bill: Approval for introduction

Portfolio Associate Justice (Hon Aupito William Sio)

On 16 December 2021, the Cabinet Legislation Committee:

- 1 **noted** that the Statutes Amendment Bill holds a category three priority on the 2021 Legislation Programme;
- 2 **noted** that the Bill makes technical, short, and non-controversial amendments to Acts administered by various government agencies;
- 3 **noted** that a proposal to amend the Ngāti Manuhiri Claims Settlement Act 2012 will likely be sought through the departmental report
- 4 **approved** for introduction the Statutes Amendment the Bill [PCO 22602/5.0], subject to the final approval of the government caucus and sufficient support in the House of Representatives;
- 5 **agreed** that the Bill be introduced in December 2021;
- 6 **agreed** that the government propose that the Bill be:
 - 6.1 referred to the Governance and Administration Committee for consideration;
 - 6.2 enacted in 2022, if possible.

Rebecca Davies
Committee Secretary

Present:

Hon Chris Hipkins (Chair)
Hon Andrew Little
Hon Poto Williams
Hon Kris Faafoi
Hon Kiri Allan
Hon Meka Whaitiri
Kieran McAnulty MP

Officials present from:

Office of the Prime Minister
Officials Committee for LEG