

**PANEL RECOMMENDATIONS ALREADY IMPLEMENTED at TIME
of *STRIKING THE BALANCE* in December 2001**

Recommendation	Agency	Agency Comment
➤ COMPLIANCE COST PREVENTION STRATEGIES		
10 (i)	Improve businesses' understanding of the purpose and requirements of legislation by: <ul style="list-style-type: none"> • requiring that the Parliamentary Counsel continues to use and improve its plain English drafting of legislation; 	MED As stated in <i>Striking the Balance</i> , it is already Parliamentary Counsel Office policy to use and improve plain English drafting.
➤ RESOURCE MANAGEMENT ACT 1991		
15	Publish a regular best practice bulletin on the Ministry for the Environment and Local Government New Zealand websites.	MfE The Quality Planning website is regularly updated with models and examples of best practice (www.qualityplanning.org.nz)
18	Explain and confirm in writing council requests for further information from an applicant.	MfE This is already required by section 92 of the RMA. The Resource Management Amendment Act 2003 provides further guidance on the application of section 92 by local authorities. The Act also provides consent applicants with the right to appeal local authority decisions on objections to requests for further information.
26	Publish the performance of individual councils in relation to their performance on Resource Management Act processes.	MfE This is already undertaken through the RMA Survey of Local Authorities carried out by MfE. The 2001/02 Survey is targeted for release in July 2003.
44	Give extreme priority to clearing the backlog of cases through the appointment of: <ul style="list-style-type: none"> • additional permanent judges; • temporary judges; and • an increased number of commissioners to assist in mediation. 	MfE The government has already supplied additional resources to the Environment Court. Since the beginning of 2001, three new judges have been appointed; one permanent judge and two alternate judges. An additional commissioner has also been appointed. Changes have also been made to allow District Courts to help in enforcement of the Act. As noted in <i>Striking the Balance</i> , in 2001 the government allocated an additional \$2.1 million over three years to the Environment Court. In May 2002, the Court was given an additional \$1.2 million per year for the following four years. The additional funding is being used to develop administrative systems for case management, to employ additional staff, and for improved mediation services. The government has now doubled the Court's budget in the last two years from \$2 million to \$4 million per year. The additional funding is having a significant impact on delays. MfE is also considering whether further, additional resourcing is required.

			MfE and the Department for Courts are also investigating what further amendments to the RMA are required to facilitate improvements to the daily operation of the Court.
48	Encourage the Principal Environment Court Judge to engage actively with the business community to discuss and resolve case management issues, including the definition of good practice and process	MfE	The Principal Environment Court Judge from April 2001 to April 2003, Judge Joan Allin, spoke regularly with business and other interested groups. For example, she presented a paper at the New Zealand Planning Institute – Royal Australian Planning Institute Conference last year and at the NZPI AGM this year.
49	Financially penalise objectors and applicants who are not ready for a hearing	MfE	Section 285(2) of the RMA already provides for this.
50	Tighten appeal provisions for latecomers by refusing last minute appeals unless significant national interest can be asserted	MfE	The Resource Management Amendment Act 2003 tightens up provisions for parties to join appeals. It changes the timeframes, so appeals can only be joined 30 days after notification of the appeal, rather than up to 10 days before the start of the hearing.
➤ HEALTH AND SAFETY IN EMPLOYMENT ACT 1992			
57 (iii)	To achieve compliance cost reductions and increased levels of safety through achieving greater compliance OSH must: <ul style="list-style-type: none"> provide free or low-cost information and guidance to business on hazard identification 	DoL	Information and guidance on hazard identification is already provided free or at cost. Copies of this information can be obtained from OSH's head office, through any of its 14 regional offices or at: http://www.osh.dol.govt.nz/order/catalogue/index.html . Information specific to the HSE Amendment Act 2002 is available from www.workinfo.govt.nz or by calling any OSH regional office or 0800 20 90 20. As part of the programme to implement the HSE Amendment Act, OSH ran 140 seminars delivering information to approximately 6,600 participants across New Zealand. The OSH website contains an extensive range of free information to assist business with the requirements of the HSE Act, including a guide to the Act and hazard management information. The "WorkInfo" website provides specialist information on the HSE Amendment Act 2002.
59	Urgently establish a test panel, comprised of business representatives, including SME representatives, to look at the proposals arising from the current Review of the HSE Act.	DoL	A test panel comprising both labour and business representatives, including a member of the Panel, was formed in October 2001 to advise the government on operational issues arising from the implementation of the Bill. The test panel made a significant and useful contribution.
60	Prepare a RIS/BCCS for the HSE Act Review and make it available for public discussion.	DoL	A RIS/BCCS was attached to the explanatory note of the HSE Amendment Bill when it was introduced into Parliament in October 2001. The Select Committee also sought independent comment from the test panel when considering the HSE Amendment Bill.

➤ **ACCIDENT INSURANCE LEGISLATION**

74	Introduce a flexible payment system providing opportunities for businesses to match payments with cash flows. (The Panel recognise the Injury Prevention, Rehabilitation and Compensation Bill will go some way toward overcoming this issue).	DoL	As stated in <i>Striking the Balance</i> , flexible instalment arrangements are already provided for and widely used. The current premium regulations provide for employers and the self-employed to enter into instalment plan arrangements, either for payment or repayment. ACC accepts payment for premiums by credit card.
83	Require the Department of Labour to urgently undertake an information campaign aimed at addressing businesses' uncertainty and information gaps in their knowledge of the ERA. The Panel considers that the implementation of the ERA is at a critical stage and that there is a need for good quality and easily accessible information to assist with 'bedding in' this new legislation.	DoL	<p>The Employment Relations Service (ERS) has published a series of best practice booklets to supplement existing information and help reduce uncertainty regarding the requirements of the Employment Relations Act (ERA). These booklets include a guide for dealing with employment relationship problems (July 2001); a guide for employers on hiring employees under the ERA (August 2001); and a guide for good faith bargaining under collective employment agreements (October 2001). These booklets have been issued to mediators, labour inspectors, information centre staff and are also available free of charge from the ERS website. ERS has recently published a further best practice booklet – "Using Mediation Services Effectively" – and are in the process of preparing a similar publication relating to the Employment Relations Authority. ERS is also working on providing a more detailed range of sample employment agreement clauses through the info-line and websites.</p> <p>There have been other initiatives in the employment area, such as the provision of Paid Parental Leave and the Holidays Bill. Whenever any new initiative is introduced, ERS undertakes an extensive information campaign to inform employers and others affected of the changes introduced. For instance, poster information provided to GP's surgeries on Paid Parental Leave, or web based information.</p>
84	Require the Department of Labour, as part of the above initiative, to create a separate ERA interactive website containing a full spectrum of guidelines, including checklists and templates on how to comply with all aspects of the Act.	DoL	The ERS website currently provides a range of information for employers and employees, including definitions, fact sheets and sample employment agreements among other documents. The website is updated regularly and improvements will be made on an ongoing basis.
86	Increase publicity and training about the Code of Good Faith.	DoL	<p>The ERS has recently released a best practice booklet to supplement existing information on good faith duty and the Code of Good Faith. The booklet informs employers, employees and unions about the duty of good faith as it applies to collective bargaining and provides best practice suggestions and examples. The Minister of Labour made formal announcements about this information in October 2001. The booklet has been issued to mediators, labour inspectors, information centre staff and is also available free of charge from the ERS website: www.ers.dol.govt.nz or "WorkSite" (http://www.worksite.govt.nz/).</p> <p>The ERS website also contains an extensive range of free information to assist business with the requirements of Employment Relations Act 2001. Assistance can also be obtained from the ERS infoline (0800 800 863).</p>

➤ **CONSERVATION ACT 1987**

139	Review the concession provisions of the Act to establish a more equitable, timely and transparent charging regime.	DoC	<p>In order to better understand which aspects of concessions management work effectively and which aspects require improvement, the Department of Conservation (DoC) undertook an all-embracing investigation of the concessions system (including the charging regime). Around 80 interviews were conducted with stakeholders and staff. A report on the findings of this investigation was completed in late 2001.</p> <p>The investigation found there is considerable scope to improve our management of concessions. A team of departmental staff has been set up to design and co-ordinate improvements that should be completed by early 2004. However, some improvements have already been made. For example, we have reviewed or introduced several Standard Operating Procedures that should help shorten timeframes for processing applications and improve environmental monitoring.</p>
------------	--	-----	---

➤ **PRIVACY ACT 1993**

141	Fully staff the Privacy Commissioner's 0800 helpdesk during normal work hours.	OPC	During normal working hours, the OPC's 0800 helpdesk is staffed by a qualified lawyer, proficient in the Privacy Act. Further, provision exists for additional cover by a qualified lawyer when work demands require
142	Provide constructive advice to business on how to comply in practice.	OPC	<p>The OPC provides a series of workshops throughout the year. In addition we provide a current website containing information. The updating of information is ongoing.</p> <p>We have produced a publication titled "Privacy Impact Assessment Handbook" in both print and electronic formats which has been widely distributed through the private and public sectors. Public workshops were undertaken in the main centres on the subject of Privacy Impact Assessments.</p> <p>The OPC has undertaken a number of training workshops within organisations representing a wide range of business sectors.</p>

➤ **TAXATION**

150 (iii)	<p>The government should consider:</p> <ul style="list-style-type: none"> • further developing online depreciation calculation tools 	IRD	In 2001, IRD introduced an online depreciation calculator. In 2002 an enhanced rate finder was added as well as a new and improved calculator. These are an alternative to the already present hardcopy depreciation booklets and this innovation represents a major compliance cost reduction for businesses.
------------------	---	-----	--

➤ **ELECTRONIC TECHNOLOGY**

<p>159</p>	<p>Amend the ECAT terms of reference to include a specific provision for reducing compliance cost through e-technology</p>	<p>MED</p>	<p>As indicated in <i>Striking the Balance</i>, the Electronic Commerce Action Team (ECAT) included, in its terms of reference, a specific provision for reducing compliance costs through e-technology.</p> <p>The ECAT Partnership exists between government and private sector organisations such as the Bankers Association, the Institute of Chartered Accountants of New Zealand (ICANZ), the New Zealand Law Society and industry organisations such as Business New Zealand, Chambers of Commerce, Information Technology Association of New Zealand, Telecommunications Users Association of New Zealand, the Tourism Industry Association. It aims to work through sectors to encourage the uptake, use and understanding of e-commerce.</p> <p>An example of an ECAT compliance cost reduction initiative is XBRL. XBRL is managed by ICANZ and is designed to remove the cost of re-work currently associated with the preparation and supply of external financial reports that a business needs to provide to their bank, Companies Office, IRD and shareholders. XBRL will also reduce the cost of process and analysis currently incurred by the receiver of the financial information.</p> <p>Information about ECAT and its role can be accessed via its website at www.ecat.govt.nz.</p>
-------------------	--	------------	---