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Policy Development Toolkit went live on 31 March

What is the Policy Development Toolkit?

The Policy Development Toolkit (PDToolkit) is an access point to existing policy development guidance material and websites. PDToolkit went live on 31 March on the Public Sector Intranet but is still under development – the final version will be released later this year. You can access PDToolkit at <https://psi.govt.nz/pdtoolkit>. The site was created by the Ministry of Economic Development but is also supported by the State Services Commission.

The purpose of the Toolkit is to improve public sector policy development capability. The Toolkit has pages that link to guidance material on:

- problem definition
- objective setting
- options and design
- consultation
- research
- Cabinet
- Drafting
- Parliamentary process
- implementation, monitoring, and evaluation.

There is also a "Useful links" page, which provides links to things that are not strictly

about policy development, but are likely to be useful to public sector analysts.

Who is the Policy Development Toolkit for?

PDToolkit is primarily aimed at New Zealand public sector policy analysts, whatever your level of experience.

If you are a new analyst, we recommend that you browse the site - get familiar with the different topics and types of documents that are out there.

If you are an experienced analyst, the Toolkit will contain documents that you visit regularly and will broaden your knowledge base.

If you are a manager, we think you should tell your analysts about the Toolkit - it will save them time and improve their knowledge.

If you are in human resources, we suggest that you promote the Toolkit to government employees when they start, whatever their level of experience. The Toolkit can save them time and improve their knowledge of the material that is out there.

Willie Lewis

Report released - Australia's Taskforce on Reducing Regulatory Burdens on Business

Last year the Australian Government established a Taskforce on Reducing the Regulatory Burden on Business. One of the Taskforce's objectives was to identify areas of Commonwealth Government regulation that are unnecessarily burdensome, complex, redundant, or duplicative, and to provide practical options for improving the process for developing and enforcing regulation.

The Taskforce recently released its final report. The report makes recommendations across a range of areas of regulation, from corporate and financial regulation to health regulation.

The report also makes recommendations about improving the process for making and enforcing regulations. The Taskforce's recommendations in this area include the following.

- More rigorous cost benefit analysis and risk analysis of options.
- More quantification of compliance costs.
- The use of consultation RISs.

- More emphasis on the need to show why existing regulations are insufficient to deal with the problem being addressed by regulations.
- More stringent adequacy requirements for Australian Commonwealth RISs.
- Greater clarity about the policy objective of regulations to help guide enforcement.
- More systematic and structured review of regulations over time.

The final report of the Taskforce is available at <http://www.regulationtaskforce.gov.au>

Ashley Tomlinson

Ministerial Review of Regulatory Frameworks

The Minister of Commerce, at the request of the Prime Minister, is leading a Ministerial Group to undertake a Review of Regulatory Frameworks. The primary goal of the review is to ensure that New Zealand has a regulatory environment that promotes economic growth, business confidence, globally competitive firms and social wellbeing.

The Review will have a particular focus on the implementation of regulation, including the interaction of regulatory frameworks and the impact of this on business. This will involve an assessment of how government co-ordinates its regulatory functions as well as the role of local government in implementing particular regulations. In addition, MED will be conducting vertical reviews into the

compliance and regulatory issues facing particular sectors (for example, the food and beverage sector). The studies should offer the opportunity to explore the cumulative impact of regulation on the sectors and the effect of this on their growth and expansion.

Ministers have also indicated that the Regulatory Impact Analysis regime should be strengthened as a means to promote the quality of regulation going forward. This reflects the view that regulation is typically only as good as the processes leading up to its implementation.

Robyn Henderson

The Regulatory Review

The COAG Regulatory Impact Assessment regime

The Council of Australian Governments (COAG) is the peak intergovernmental forum in Australia, comprising the Prime Minister, State Premiers, Territory Chief Ministers and the President of the Australian Local Government Association. It requires regulatory impact statements (RISs) to be prepared for regulatory proposals. Where a trans-Tasman issue is involved, the Australian Government Office of Regulation Review (ORR) refers the RIS to New Zealand's Regulatory Impact Analysis Unit (RIAU) for comment.

The table below illustrates some of the key differences and similarities between the COAG regime and New Zealand's RIS regime.

COAG made a significant change to its regime on 10 February 2006. It agreed to a National Reform Agenda which incorporates a regulatory reform stream focused on reducing the regulatory burden imposed by the three levels of government. One of the important decisions made at the time was that governments should establish and maintain "gate keeping mechanisms" as part of the decision-making process. This is to ensure that the regulatory impacts of proposed regulatory instruments are made fully transparent to decision-makers in advance of decisions being made and to the public as soon as possible.

	New Zealand	COAG
Which proposals require a RIS?	All policy proposals that are submitted to Cabinet and will result in government Bills or statutory regulations.	All regulatory proposals. A RIS also has to be prepared for all national (intergovernmental) standards which require agreement by Ministerial Councils or standard-setting bodies.
What is the RIS review body?	The RIAU, in the Ministry of Economic Development.	The ORR, which is part of the Productivity Commission and shares its statutory independence.
When must a RIS be prepared?	At the time "in principle" or final decisions are required from Cabinet.	A draft should be sent to the ORR as soon as practicable and before the RIS is made available for public comment.
Are implementation and review covered in the RIS?	No – an implementation and review section is proposed.	Yes – there is a "Review" section in which consideration should be given to how the regulation will be monitored for amendment or removal.
What are the consequences of non-compliance with the regime?	A statement is included in the Cabinet paper and the RIAU briefs the Minister of Commerce.	The ORR reports to the Commonwealth-State Committee on Regulatory Reform on inconsistencies with COAG Guidelines. The attention of Heads of Government can be drawn to seriously inadequate RISs.

Will Murray

Team changes

The Regulatory Policy team said farewell to Patrick Nolan in February. Patrick is now working at the office of the Minister for Economic Development.

Bronwyn Turley has shifted temporarily to work on Kiwisaver.

Regulatory Policy Team seeks Analysts or Senior Analysts

We are so popular here in the Regulatory and Competition Policy Branch of MED that our people are sought after by other work areas within our Ministry and also by Ministers' offices. It's not really surprising that our analysts are so keenly pursued because the experience they gain in dealing with regulatory policy in general and in reviewing a wide range of regulatory impact statements provides them with a very good understanding of policy development processes and machinery-of-government issues. We are also currently co-ordinating a Ministerial review of regulatory frameworks, involving several government departments. It's these kinds of experiences we are expecting will interest and attract applications from a wide range of experienced senior/analysts to enquire about opportunities in our team. It is also the experience and capability building which would be useful to other government agencies and their analysts who may be interested in considering secondment options.

Subscribing to and unsubscribing from the mailing list

To be removed from the mailing list, email theregulatoryreview@med.govt.nz with "unsubscribe" in the subject line. To subscribe

RIS publication requirements

The Cabinet Step-By-Step Guide requires that all RISs that contain a BCCS be:

- attached to the press statement announcing the new policy;
- lodged on the websites of the responsible department and MED; and
- included in the Explanatory Note to Bills that are introduced into the House of Representatives.

If you have any questions, contact Elizabeth McDonald on (04) 470 2311 or at elizabeth.mcdonald@med.govt.nz.

We are currently seeking Analysts or Senior Analysts who are interested in improving the quality of regulation, carrying out sector studies, reviewing regulatory frameworks, building public sector capability in regulatory design, and minimising compliance costs for business. Experience in developing policy analysis is essentially what is required however we are also interested particularly in anyone with an understanding of regulatory economics.

If you're looking for a new challenge and a way of enhancing your career please submit your resume to Helen Wilson in our Human Resources team at helen.wilson@med.govt.nz or phone 474 2189 if you have any queries or require further information about these exciting opportunities

Contact us

Email theregulatoryreview@med.govt.nz

Information on writing RISs and BCCSs

Visit <http://www.med.govt.nz/regulatory-impact/>

to The Regulatory Review, send an email with "subscribe" in the subject line.