In Confidence

Office of the Minister of [xx]

Cabinet Legislation Committee

**Government Examples Bill: Request for Priority in the 2018 Legislation Programme**

**Summary information**

1. Give the following details about the bid for legislation:
   1. the portfolio of sponsoring Minister;
   2. the department responsible (include a departmental contact name and phone number);
   3. the title of the proposed Bill (or the Bill in which these legislative changes are to be included);
   4. the proposed ranking of Bill within the bids from this portfolio; and
   5. whether the Bill is estimated to be small/medium/large and whether of low/medium/high complexity; and
   6. the proposed priority.
2. The summary information is required for bids prepared in response to the [annual request](https://www.dpmc.govt.nz/publications/general-process-development-and-approval-bills) for bids. For papers to LEG seeking a priority outside this process, the "summary information" section should be replaced with a "proposal" section that succinctly states what Ministers are being asked to decide.

**Policy**

1. Briefly summarise the policy to be implemented by the Bill. (Give [references](https://www.dpmc.govt.nz/publications/cabnet-published-cabinet-minutes) and dates of relevant Cabinet and Cabinet committee decisions.)
2. Indicate any aspects of the Bill that are likely to be contentious.
3. Note any policy issues that have not yet been agreed and state the dates by which these are expected to be resolved by Cabinet.

**Need for legislation**

1. Why is legislative action needed to implement the policy? (Please attach or refer to legal advice.)
2. Indicate the suggested [priority](https://www.dpmc.govt.nz/publications/about-legislation-programme). Is it essential that legislation be enacted in the period under consideration, or simply desirable? If it is essential, explain why.
3. If the proposal is for amending legislation, has the principal Act been amended in the last year or will it be amended in the near future? If so, explain why this amendment is needed now.

**Compliance**

1. Indicate whether the Bill complies with each of the following, with reasons if the Bill does not comply (list each sub-heading):
   1. the principles of the Treaty of Waitangi;
   2. the rights and freedoms contained in the [New Zealand Bill of Rights Act 1990](https://www.dpmc.govt.nz/publications/cabinet-policy-paper-additional-requirements) and the Human Rights Act 1993;
   3. the principles and guidelines set out in the Privacy Act 1993 (if the legislation raises privacy issues, indicate whether or not the [Privacy Commissioner](http://www.privacy.org.nz/about-us/) agrees that it complies with all relevant principles);
   4. the relevant international standards and obligations; and
   5. the *LAC* [*Guidelines on Process and Content of Legislation*](http://www.lac.org.nz/guidelines/lac-revised-guidelines/)(2014 edition), which are maintained by the Legislation Design and Advisory Committee.

**Binding on the Crown**

1. At the policy development stage a decision will be required by a Cabinet committee on whether the Bill should include a provision that the Act should be binding on the Crown. Provide advice, if possible, on what is likely to be recommended. (See the Cabinet Office circular CO (02) 4 *Acts Binding the Crown: Procedures for Cabinet Decision*).

**Consultation**

1. Summarise the [consultation on policy issues](https://www.dpmc.govt.nz/publications/why-when-and-who-cabinet-paper-consultation) that has already taken place or will be needed with each of the following groups, as well as the results of any consultation that has already taken place:
   1. [relevant government departments or other public bodies](https://www.dpmc.govt.nz/publications/cabinet-paper-consultation-departments); and
   2. [relevant private sector organisations](https://www.dpmc.govt.nz/publications/cabinet-paper-consultation-interest-groups) and public consultation processes.
2. If consultation on policy issues has not yet been completed, indicate the date by which it is expected to be completed.
3. Indicate whether the proposed Bill will be referred to the Legislation Design and Advisory Committee for advice and, if not, explain why. If consultation is indicated, this should be factored into the legislative timeframe.
4. Indicate whether an exposure draft of the Bill will be released for consultation before the Bill is introduced and, if so, provide details.
5. Summarise the consultation that has already taken place or will be needed with the [government caucus](https://www.dpmc.govt.nz/publications/general-process-development-and-approval-bills)es and [other parties represented in Parliament](https://www.dpmc.govt.nz/publications/general-process-development-and-approval-bills).

**Associated regulations**

1. Are regulations likely to be needed within 12 months of the Bill being enacted to give effect to the provisions in the Bill? If so, summarise briefly the regulations that will be needed, their likely timing (taking into account the [28-day rule](https://www.dpmc.govt.nz/publications/submitting-regulations-executive-council)), and the likely size of the drafting task involved to develop them.

**Timeline**

1. If it is critical that the Bill come into force by a particular date, give the date and explain why. If it is proposed that the Bill be expedited faster than standard timeframes (see below) explain why.
2. Summarise the proposed timing for the legislation in chronological order, as follows. Provide Cabinet or Cabinet committee references where any deadlines have been established by Cabinet or Cabinet committee decision:

|  |  |  |
| --- | --- | --- |
| *Step* | *Proposed date* | *Consistency assurance* |
| Date on which final policy approvals were, or will be, obtained from Cabinet. |  | Describe process before or since this date (e.g. consultation, discussion documents).  If a Bill had a place on an earlier Legislation Programme but did not proceed, provide assurance that proposed timelines can be met this year. |
| Date on which final drafting instructions were or will be sent to the Parliamentary Counsel Office or other drafter. |  | Note the period between submission of instructions and approval for introduction provides for drafting and consultation on the draft Bill – relate your estimate for this phase to the expected length and complexity of the Bill.  This date should be in the first quarter of the year if it is critical that the Bill be passed during the year.  This date should be by the second quarter of the year if it is critical that the Bill be introduced during the year.  This date should be at least 3 months (depending on expected length and complexity of the Bill) before the date on which the Bill will be provided to Justice (see next date). If not, give reasons.  Note any concerns expressed by PCO. |
| Date by which the Bill will be released for exposure draft (if an exposure draft is planned). |  | Allow adequate time for amending the Bill in response to comments from the exposure draft before the Bill is assessed for consistency with the New Zealand Bill of Rights Act 1990. |
| Date by which the Bill will be provided to the Ministry of Justice (or the Crown Law Office if applicable) for an assessment of consistency with the New Zealand Bill of Rights Act 1990. |  | This date must be at least two weeks prior to the paper being consider by LEG. |
| Dates on which the Bill will be before LEG and Cabinet for approval for introduction. |  |  |
| Date by which any policy decisions for associated regulations will be before Cabinet. |  | This date should be before the first reading of the Bill. Give reasons if not. |
| Date requested for introduction of the Bill. |  | This date should be May or earlier if it is critical that the Bill be passed during the year. |
| Date on which final policy approvals will be obtained from Cabinet for any substantive SOP to Bill (if already introduced) |  | Describe process before or since this date (e.g. consultation, discussion documents). |
| Date on which final drafting instructions were or will be sent to the Parliamentary Counsel Office or other drafter for any substantive SOP to Bill (if already introduced). |  | This date should be at least 2 months (depending on expected length and complexity of the Bill) before the date on which the substantive SOP will be provided to Justice.  Note any concerns expressed by PCO. |
| Date by which any substantive SOP will be provided to the Ministry of Justice (or the Crown Law Office if applicable) for an assessment of consistency with the New Zealand Bill of Rights Act 1990. |  | This date must be at least two weeks prior to the SOP being considered by LEG. |
| Date of report back from select committee. |  | Allow 6 months for the select committee process (or, at a minimum, 4 months). Give reasons if a period of less than 6 months is proposed.  If new policy is proposed to be added to a Bill at select committee, this date should be no less than 6 months from 1R and a select committee extension should be sought it if has an earlier report back date set at present. |
| Date by which final drafting instructions for any associated regulations will be sent to the Parliamentary Counsel Office. |  | This date should be before the committee of the whole House stage of the Bill. Give reasons if not. |
| Date of enactment. |  |  |
| Date of commencement. |  |  |

**Recommendations**

1. The Minister of x recommends that the Committee:
   1. note that the [title] Bill will [briefly summarise the policy to be implemented by the Bill];
   2. approve the inclusion of the [title] Bill in the 2018 Legislation Programme, with a priority [xx] ([give priority number and brief description of priority](https://www.dpmc.govt.nz/publications/about-legislation-programme));
   3. note that drafting instructions will be provided to the Parliamentary Counsel Office by [date];
   4. note that the Bill should be introduced no later than [date];
   5. note that the Bill should be passed no later than [date].

Authorised for lodgement

[Name of Minister]  
[Title of Minister]