*This is an instructional Cabinet paper template prepared by the Cabinet Office.*

[Security classification]

Office of the Minister for x
Chair, Cabinet Legislation Committee

**Title Here** [use the full title of the regulations, unless the paper deals with several sets of regulations]

**Proposal**

1. Briefly state what is proposed in the paper.

**Executive Summary**

1. An executive summary must be provided if the paper is more than four pages long, or if the paper is particularly complex. An executive summary should be a few paragraphs in length and succinctly explain the main issues.

**Policy**

1. Give a succinct statement of the policy or proposal to be implemented by the regulations. Summarise any significant background information, including any relevant financial matters, and give references to previous Cabinet and Cabinet committee decisions.
2. If the regulations are entirely routine, and do not require any new policy decisions, include a clear statement to that effect.
3. If changes to fees are proposed, give the following information:
	1. the current and proposed fees (including GST), and the percentage change;
	2. the date on which the fee was last changed;
	3. justification for the new figure, including reference to the Cabinet minute approving the change.
4. If the regulations have the effect of amending, suspending or otherwise altering a provision in any statute, explain the effect on the statute and why the amendment is necessary.

**Timing and 28-day rule**

1. Set out the timing for the making and coming into force of the regulations. If a waiver of the 28-day rule is sought, briefly explain the appropriate grounds upon which the waiver is sought, i.e. why the breach of the 28-day rule is acceptable.

**Compliance**

1. Indicate whether the regulations comply with each of the following, with reasons if the regulations do not comply (list each subheading):
	1. the principles of the Treaty of Waitangi;
	2. the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
	3. the principles and guidelines set out in the Privacy Act 1993 (if the regulations raise privacy issues, indicate whether the Privacy Commissioner agrees that they comply with all relevant principles);
	4. relevant international standards and obligations;
	5. *the LAC Guidelines on the Process and Content of Legislation* (2014 edition), which are maintained by the Legislation Design and Advisory Committee.
2. Refer to any statutory prerequisites that may exist for the making of the regulations. Briefly describe the requirements and confirm that they have been met.

**Regulations Review Committee**

1. Indicate whether there may be grounds for the Regulations Review Committee to draw the disallowable instrument or regulations to the attention of the House of Representatives under Standing Order 319.

**Certification by Parliamentary Counsel**

1. State that the draft regulations were certified by the Parliamentary Counsel Office (PCO) as being in order for submission to Cabinet. If PCO have noted any reservations, set these out.

**Impact analysis**

1. State whether an impact statement was prepared in accordance with the necessary requirements, and was submitted at the time that Cabinet approval was sought of the policy relating to the regulations. Include references to the minutes of previous consideration by Cabinet.
2. In the unlikely event that an impact statement is required for the proposal and has not previously been submitted to Cabinet or a Cabinet committee at the policy approval stage, it should be attached to the paper. The paper should provide an agency opinion on the quality of the impact analysis, which is a statement on whether the reviewer considers that the information and analysis summarised in the impact statement meets/does not meet/partially meets the quality assurance criteria. The paper should also comment on any issues that have been identified in relation to any of the dimensions of quality set out in the quality assurance guidance.
3. If an impact analysis is not required because an exemption applies, specify why the exemption applies.
4. If an impact analysis is required, but has not been developed, specify the reason why.

**Publicity**

1. Briefly set out what steps, if any, are to be taken to publicise the new regulations.

**Consultation**

1. Briefly set out the consultation that has taken place in the course of developing the policy and draft regulations. Papers on regulations must comply with the standard consultation requirements for all Cabinet papers.
2. In particular:
	1. the Treasury must be consulted if changes to fees are proposed;
	2. the Audit Office’s Guidelines to Costing and Charging for Public Sector Goods and Services should be consulted if cost recovery is involved;
	3. the Ministry of Justice must be consulted on proposals to create new or alter existing criminal offences and penalties;
	4. the Ministry of Justice must be consulted on proposals that raise issues of compliance with the New Zealand Bill of Rights Act 1990.

**Recommendations**

1. The standard wording for recommendations is as follows:

I recommend that the [name of Cabinet committee]:

1. note that on [date] the [name of Cabinet committee] agreed to [brief summary of policy decisions] [Cabinet minute reference];
2. note that the [title of regulations] will give effect to the decision referred to in paragraph 1 above;
3. authorise the submission to the Executive Council of the [title of regulations];
4. note that the [title of regulations] come into force on [date].

*If a waiver of the 28-day rule is sought, include the following recommendations below paragraph 2 above (recommendation 4 will then no longer be required):*

1. note that a waiver of the 28-day rule is sought:
	1. so that the regulations can come into force... (include information about timing, for example "as soon as possible");
	2. on the grounds that (set out the grounds for the waiver of the 28-day rule, i.e. why a breach of the 28-day rule is acceptable);
2. agree to waive the 28-day rule so that the regulations can come into force on (date);

*If the regulations can only be made once a statutory prerequisite has been met, include these recommendations after recommendation 2 above:*

1. note that (describe the statutory prerequisite, e.g. section x of the x Act requires that the responsible Minister be satisfied that consultation with x has occurred before recommending the making of an Order in Council under section x);
2. note the advice of the Minister for x that this requirement has been met.

Authorised for lodgement

Hon John Jones

Minister for X