



# Subordinate Legislation Confirmation Bill (No 2)

159—1

Report of the Regulations Review  
Committee

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## Subordinate Legislation Confirmation Bill (No 2)

### Recommendation

The Regulations Review Committee has examined the Subordinate Legislation Confirmation Bill (No 2) and has found no reason why the instruments specified in the bill should not be confirmed. The committee recommends that it be passed without amendment.

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### Introduction

The purpose of the bill is to confirm subordinate legislation made under various Acts. In passing this bill, the House would approve the instruments in the bill in order to allow them to continue in force.

The purpose of this bill is to confirm certain instruments that, if not confirmed by a specified date, would be revoked or, in the case of the Social Security (Rates of Benefit and Allowances) Order 2016, considered invalid for their past operation.

Clauses 7 to 18 would confirm certain subordinate legislation that would lapse unless confirmed by an Act of Parliament. Of the 17 instruments that would be confirmed, 6 would expire at the close of 31 December 2016, and 11 would expire at the close of 30 June 2017.

### Confirmation is warranted

We wrote to the six government departments with responsibility for administering the instruments in the bill, inviting them to explain why the instruments should be confirmed.<sup>1</sup> They all considered confirmation necessary to prevent the instruments from lapsing and thus ceasing to be legally enforceable.

### Our consideration

After considering the responses received, we found no reason why the instruments should not be confirmed. We thank the departments for their comprehensive responses to our questions.

### Process for scrutiny

In previous reports to the House on confirmation bills, the Regulations Review Committee has discussed the process for scrutinising these bills. In particular, we have advocated for these bills to be introduced earlier in the calendar year in order that time is available to refer specific policy issues raised by the bill to subject select committees.

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<sup>1</sup> The six departments are the Ministry for Primary Industries, the Ministry of Social Development, the Ministry of Transport, the New Zealand Customs Service, the Department of Internal Affairs, and the Ministry of Business, Innovation and Employment.

This bill was introduced on 18 August 2016 and referred to us on 23 August 2016. Unfortunately, that timing meant that we did not have time to refer any policy issues to subject select committees for examination. We have previously recommended that these bills be introduced no later than 1 August in order to increase the time available for our consideration of the bill, including seeking advice from subject select committees.<sup>2</sup> We recommend that, in future, confirmation bills are introduced earlier than this year's bill.

### **Conclusion**

We found no reason why confirmation of the relevant instruments should not occur. Therefore we recommend that the bill be passed without amendment.

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<sup>2</sup> See Regulations Review Committee, Subordinate Legislation (Confirmation and Validation) Bill (57-1), 26 October 2012.

## **Appendix**

### **Committee process**

The Subordinate Legislation Confirmation Bill (No 2) was referred to the committee on 23 August 2016. We invited written submissions from the relevant government departments with responsibility for administering the subordinate legislation in the bill. We received advice from the Office of the Clerk of the House of Representatives.

### **Committee membership**

Hon David Cunliffe (Chairperson)

Andrew Bayly

Hon Chester Burrows

Christopher Bishop

Hon David Parker