

GOVERNANCE

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FIND OUT WHAT'S BEHIND NEW LEGISLATION

With the unceasing flow of new legislation impacting on the functions and operation of local authorities, there is a consistent need to comment upon and make submissions on new legislation.

This has now been made somewhat easier with the establishment of an administrative trial by the Parliamentary Counsel Office to provide online disclosure statements about bills and substantive supplementary order papers.

The site <http://disclosure.legislation.govt.nz/> contains background information about the development and content of new legislation, and the Parliamentary Counsel Office says that legislation is being developed to implement the disclosure regime. The statements, prepared by the department responsible for the Bill, contain a wealth of information including:

- Policy statements
- Background material and policy information
 - published reviews or evaluations
 - relevant international treaties
 - regulatory impact analysis
 - extent of impact analysis available
- Testing of legislative content
 - consistency of New Zealand's international obligations
 - consistency with the Government's Treaty of Waitangi obligations
 - consistency with the New Zealand Bill of Rights Act 1990
 - offences, penalties and court jurisdictions
 - privacy issues
 - external consultation
 - other testing of proposals

- Significant legislative features
 - compulsory acquisition of private property
 - charges in the nature of a tax
 - retrospective effect
 - strict liability or reversal of the usual burden of proof for offences
 - civil or criminal immunity
 - significant decision making powers affecting individuals
 - powers to make delegated legislation.

Where appropriate, links are provided to relevant background material and reports. Although it does not appear at this stage that there will be active links to relevant Cabinet Papers, these are often available on the Department of Internal Affairs website: http://www.dia.govt.nz/Pubforms.nsf/wpg_CabinetPapers_LGAREV?OpenView

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