



Cabinet Legislation Committee

Minute of Decision

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Legislation (Publication) (Rules Relating to Chartered Professional Engineers) Amendment Regulations 2024

Portfolio Attorney-General

On 17 October 2024, the Cabinet Legislation Committee:

- 1 **noted** that the Legislation (Publication) Regulations 2021 (the Regulations) set minimum publication and notification requirements for secondary legislation for the purposes of the Legislation Act 2019 (the Act);
- 2 **noted** that the Act preserved the previous publication requirements for all secondary legislation empowering provisions that were enacted before the Act commenced, but provided for responsible agencies to “opt-in” to the requirements in the Regulations;
- 3 **noted** that the opt-in process provides for the responsible agency to make a recommendation to the Attorney-General, who in turn may recommend an amendment to add the relevant empowering provision to a schedule to the Regulations;
- 4 **noted** that Engineering New Zealand (formally the Institution of Professional Engineers of New Zealand Incorporated) is the responsible agency for rules under section 40 of the Chartered Professional Engineers of New Zealand Act 2002, in its capacity as the registration authority;
- 5 **noted** that Engineering New Zealand wishes to opt-in to the publication requirements in the Regulations and, at the same time, responsibility for drafting the rules will transfer from the Parliamentary Counsel Office to Engineering New Zealand;
- 6 **agreed** that rules made under section 40 of the Chartered Professional Engineers of New Zealand Act 2002 become subject to the publication and notification requirements under the Regulations;
- 7 **authorised** the submission of the Legislation (Publication) (Rules Relating to Chartered Professional Engineers) Amendment Regulations 2024 [PCO 26690/2.0] to the Executive Council;
- 8 **noted** that opting-in to the Regulations is a routine matter that gives effect to the policy in the Act;
- 9 **agreed** that the Attorney-General may approve future requests by responsible agencies to opt-in to the Regulations, after consulting the responsible Minister, and may authorise drafting of the associated amendments without reference to Cabinet;

10 **noted** that the Legislation (Publication) (Rules Relating to Chartered Professional Engineers) Amendment Regulations 2024 will come into force on 21 November 2024.

Tom Kelly
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Chris Bishop (Chair)
Hon Dr Shane Reti
Hon Simeon Brown
Hon Brooke van Velden
Hon Paul Goldsmith
Hon Mark Mitchell
Hon Tama Potaka
Hon Casey Costello
Hon Nicole McKee
Hon Penny Simmonds
Hon Andrew Bayly
Hon Scott Simpson, MP
Jamie Arbuckle, MP
Todd Stephenson, MP

Officials present from:

Officials Committee for LEG
Leader of the House's Office