



22 February 2024

Dear Chief Executives of administering agencies,

### **Secondary Legislation Access Standards**

We are writing to inform you that the ‘Secondary Legislation Access Standards’ have now been published. A PDF copy is attached, and it can also be found on our website [here](#).

The standards are issued by the Parliamentary Counsel Office (the PCO) in its legislative stewardship role as system lead for quality of and access to legislation. They are formally endorsed by the Regulations Review Committee, the Attorney-General, and the Public Service Commissioner as the leader of the Public Service.

The standards are an integral part of the PCO’s ongoing work to improve the quality of and access to secondary legislation. We want to ensure that New Zealand’s secondary legislation is easy to find, use, and understand. These standards bring together the minimum requirements and best practice guidance for agencies to ensure that they comply with their mandatory legal obligations. These standards seek to make secondary legislation more accessible to the public which, overall, leads to greater compliance with the system. We note that the standards have the status of advice and guidance issued by the PCO under section 130 of the Legislation Act 2019.

These standards set clear expectations on the publication and presentation of secondary legislation that is not drafted by the PCO. The primary audience for these standards is the legal and operational teams in administering agencies that draft and publish secondary legislation. We would be grateful for your leadership in ensuring everyone involved in drafting and publishing secondary legislation is aware of the standards and applying them rigorously.

Compliance with the legal obligations for the publication and presentation of secondary legislation is a bottom line for all administering agencies. We expect Public Service agencies and other law-making agencies to utilise the standards to comply with their legal obligations relating to the publication and presentation of secondary legislation. We also expect agencies to continually improve towards best practice.

These standards also provide a basis for the PCO to effectively monitor and report on the progress of administering agencies in meeting legal requirements and best practice in relation to secondary legislation. The PCO will be surveying agencies on their compliance with the standards at the end of

Level 13, Reserve Bank Building, 2 The Terrace | PO Box 18 070, Wellington 6160, New Zealand

Telephone 04 333 1000 | [www.pco.govt.nz](http://www.pco.govt.nz)

each financial year and publicly report on this in our Annual Report on Legislative Practices, in accordance with sections 130 and 83A of the Legislation Act. This report is presented to the House of Representatives in accordance with the Act and is examined by the Regulations Review Committee under standing order 383. If you have any queries about how to achieve compliance, please get in touch with the PCO.

These standards are consistent with the Regulations Review Committee's [briefing on the best practice for the publication of secondary legislation](#) which clarifies the committee's view on what should be done to fulfil requirements relating to the publication of secondary legislation.

We note that design and content of legislation is beyond the scope of these standards. This is part of the PCO's wider secondary legislation work programme. You may wish to encourage relevant staff to keep an eye on [the PCO website](#) for new guidance and resources.

It is important that agencies support each other in complying with these standards and share their skills, experience, and good practice across the system. We wish to establish a community of practice to enable this. Please get in touch with the PCO at [contact@pco.govt.nz](mailto:contact@pco.govt.nz), if you have any questions about this.

The more agencies that comply with these standards, the more accessible the law will be for all New Zealanders, which ultimately leads to greater law for New Zealand.

Thank you for your leadership in this area.

Yours sincerely,



Cassie Nicholson  
Tumuaki | Chief Parliamentary Counsel



Peter Hughes (he/him)  
Te Tumu Whakarae mō Te Kawa Mataaho  
Public Service Commissioner | Head of Service