

Departmental Disclosure Statement

Fire and Emergency New Zealand Bill

The departmental disclosure statement for a government Bill seeks to bring together in one place a range of information to support and enhance the Parliamentary and public scrutiny of that Bill.

It identifies:

- the general policy intent of the Bill and other background policy material;
- some of the key quality assurance products and processes used to develop and test the content of the Bill;
- the presence of certain significant powers or features in the Bill that might be of particular Parliamentary or public interest and warrant an explanation.

This disclosure statement was prepared by the Department of Internal Affairs.

The Department of Internal Affairs certifies that, to the best of its knowledge and understanding, the information provided is complete and accurate at the date of finalisation below.

29 June 2016

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Part One: General Policy Statement

New Zealand's fire services legislation has not fundamentally changed since the 1940s. This Bill is intended to enable—

- “fit-for-purpose” 21st century fire services that are flexible, modern, effective, and efficient; and
- fire services that work well, are funded appropriately, and value the paid and volunteer workforce.

This Bill repeals the 2 Acts governing fire services, the Fire Service Act 1975 and the Forest and Rural Fires Act 1977, to give effect to a single, unified fire services organisation for New Zealand.

The organisation continued as Fire and Emergency New Zealand (**FENZ**) will combine urban and rural fire services and will have local committees to ensure FENZ is responsive to the risks and needs of the communities in which it serves.

The Bill is the result of 2 reviews of the fire services undertaken by the Government in 2012 and 2015 that looked at mandate, rural and urban governance and support structures, legislation modernisation, funding, and co-ordination with other emergency services.

A discussion document released in 2015 asked for public feedback on ways to improve support for firefighters, reflect local needs, align funding, and enhance the governance of fire services. Stakeholders agreed that—

- changing expectations and circumstances are putting the fire services under pressure (for example, public and societal expectations, and environmental circumstances such as changing weather patterns):
- there is a lack of co-ordination within and among urban and rural fire services, unclear accountability for non-fire response activities, and variable leadership (multiple governance structures):
- investment is inconsistent with some communities' needs and is driven by who delivers the service rather than by risk:
- there are cultural differences between urban and rural fire services and between volunteer and career firefighters that can generate operational issues and grievances:
- the Fire Service levy does not adequately align costs to where potential use of services lies, is out of date and ambiguous, and is not adequately aligned to performance.

A clear view emerged from the 2 reviews that change was needed and welcomed. There has been extensive consultation with stakeholders and agreement on the type of fire services needed in New Zealand and how best those services should be supported and funded, given the risks that fire services and communities face.

This Bill gives the existing Crown entity, the New Zealand Fire Service Commission, expanded functions and a new name that reflects the wide range of services that firefighters provide for communities, including call-outs to road accidents, natural disasters, and medical emergencies. Local committees will be set up to provide local input to FENZ's national planning.

The levy (paid on insurance for property) will become the principal source of funding for FENZ. It will replace a variety of funding sources for rural fire services.

The Bill enables the levy to be broadened to include insurance for material damage, not just fire damage, to better reflect the range of services that FENZ will provide. The levy on motor vehicle insurance will be extended to include third party insurance.

There will be public consultation at least every 3 years on the level of the levy, making the funding of fire services more transparent and allowing the funding of FENZ to be aligned to its strategic and business planning processes.

The Bill introduces a range of changes and new measures for the detailed design and operational policy of FENZ, including the following:

- an updated offences and penalties regime, including a new infringement offence scheme:
- removal of powers to recover the cost of rural fires:
- new powers for managing hazardous substances incidents:
- new measures to encourage compliance among levy-payers and to protect the integrity of the levy:
- new powers for firefighters to enter premises to investigate the causes of fires and to take a sample or samples of objects for analysis.

The Bill provides that the existing paid and volunteer workforce will retain its existing entitlements. Volunteers will move into a direct relationship with FENZ, and there is provision for independent advocacy services and support for FENZ volunteers, at no charge to those volunteers. FENZ will be required to develop a framework for supporting volunteers, based on modern volunteer principles.

The Bill also contains provisions empowering FENZ to develop a new code of practice to ensure adequate firefighting water supplies, and a new dispute resolution scheme. The code and the scheme will be developed with input from stakeholders. As these are powers to make disallowable instruments, they will be approved by the responsible Minister, notified in the *Gazette*, and presented to the House of Representatives under section 41 of the Legislation Act 2012.

The Bill also provides for new provisions for evacuation schemes for relevant buildings. These provisions will come into force on 1 July 2018, if not brought into force by Order in Council earlier. This approach is intended to allow time to consult with the sector on new regulations to update Part 2 of the Fire Safety and Evacuation of Buildings Regulations 2006.

Named roles will no longer be specified in legislation. However, the Bill enables the delegation of powers and functions to appropriately qualified or trained personnel. Firefighters will still have the powers to act decisively and competently in emergency situations.

The Bill will make the firefighting assets (fire engines, fire equipment, etc) of current fire services available to FENZ to use to perform its fire and emergency functions. The transfer of assets will be determined using a principles-based approach and in collaboration with the owner of the asset.

Part Two: Background Material and Policy Information

Published reviews or evaluations

2.1. Are there any publicly available inquiry, review or evaluation reports that have informed, or are relevant to, the policy to be given effect by this Bill?	YES
Report of the Fire Review Panel, Fire Review Panel, 11 December 2012, accessible at the following link, under the heading "Report of the Fire Review Panel": Earlier Fire Services reviews - dia.govt.nz	

Relevant international treaties

2.2. Does this Bill seek to give effect to New Zealand action in relation to an international treaty?	NO
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Regulatory impact analysis

2.3. Were any regulatory impact statements provided to inform the policy decisions that led to this Bill?	YES
<p>The following three RISs are accessible at www.dia.govt.nz/Resource-material-Regulatory-Impact-Statements-Index and at http://www.treasury.govt.nz/publications/informationreleases/ris</p> <p>"Fire Services Review", Department of Internal Affairs, 29 October 2015. Two bullet points in table 7 of this RIS have been withheld on the basis that the information was provided in confidence, and that it gives away private details on public entity insurance arrangements. To release this information would be prejudicial to the entities' commercial activities, and should be withheld under section 9(2)(i) and section 9(2)(ba) of the Official Information Act.</p> <p>"Fire Services Review – costs of change and new funding arrangements", Department of Internal Affairs, 22 March 2016.</p> <p>"Fire Services Review: detailed policy design", Department of Internal Affairs, 7 April 2016. Paragraph 84 of this RIS has been withheld on the basis of s18(c)(i) of the Official Information Act (i.e. making the information available would be contrary to the provisions of a specified enactment, being s51B of the Fire Service Act 1975).</p>	

2.3.1. If so, did the RIA Team in the Treasury provide an independent opinion on the quality of any of these regulatory impact statements?	YES
<p>Appendix 1 of this disclosure statement sets out in full the RIA Team's independent opinion on the three RISs, being:</p> <p>QA Statement "Fire Services Review" (accompanying Cabinet paper "Fire Services Review: Agreeing Future Directions and Next Steps"), 28 October 2015;</p> <p>QA Statement "Fire Services Review – cost of change and new funding arrangements"; and</p> <p>QA Statement "Fire Services Review: detailed policy design", 6 April 2016).</p>	

2.3.2. Are there aspects of the policy to be given effect by this Bill that were not addressed by, or that now vary materially from, the policy options analysed in these regulatory impact statements?	NO
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Extent of impact analysis available

2.4. Has further impact analysis become available for any aspects of the policy to be given effect by this Bill?	NO
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2.5. For the policy to be given effect by this Bill, is there analysis available on:	
(a) the size of the potential costs and benefits?	YES
(b) the potential for any group of persons to suffer a substantial unavoidable loss of income or wealth?	NO
<p>(a) The Bill gives effect to policy decisions for unifying fire services, and for new funding arrangements. The RIS “Fire Services Review – costs of change and new funding arrangements” contains analysis of the costs of change (being new support costs and transition costs), and the likely benefits expected from them (see RIS heading “The change will cost \$303 million over four years”).</p> <p>(b) The RIS “Fire Services Review – costs of changes and new funding arrangements” also contains impact analysis of the preferred funding arrangements on specific stakeholder groups. Individuals and entities will be impacted in different ways, but overall, every levy payer will pay slightly more to cover the transition costs and the new organisation’s ongoing costs (see RIS heading “impact analysis of the preferred funding arrangements”). The changes in the way the levy is calculated could result in significant levy increases for large public and private entities, though at this point there is insufficient information to analyse the potential for this to occur. As a result, the Bill includes a regulation making power to cap or smooth levy increases, in order to address any potential affordability issues for large entities.</p>	

2.6. For the policy to be given effect by this Bill, are the potential costs or benefits likely to be impacted by:	
(a) the level of effective compliance or non-compliance with applicable obligations or standards?	YES
(b) the nature and level of regulator effort put into encouraging or securing compliance?	YES
<p>(a) The costs or benefits could be impacted by the level of compliance with the new funding arrangements, including obligations relating to the levy.</p> <p>The benefits from reducing fire risk by deterring certain conduct through the Bill’s updated offences and penalties could also be impacted by the level of compliance.</p> <p>(b) The potential benefits and costs referred to in 2.6(a) from the new funding arrangements policy could be impacted by efforts to encourage or secure compliance. However, for compliance with levy obligations, the Bill gives effect to a modified Inland Revenue tax integrity model, including suitable anti-avoidance measures (see “Part 1B: Future state – Fire levy integrity” of the RIS “Fire Services Review: detailed policy design”).</p> <p>To encourage and secure compliance to reduce fire risk, the new organisation will be impacted by the cost of developing and implementing a comprehensive compliance and enforcement strategy that identifies all of the tools available, including prosecutions (see Part 1A: Future state – modernising current legislative details” of the RIS “Fire Services Review: detailed policy design”).</p>	

Part Three: Testing of Legislative Content

Consistency with New Zealand's international obligations

3.1. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with New Zealand's international obligations?
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No relevant international obligations were identified. This was confirmed by referring to Appendix 3 of the Legislation Advisory Committee, <i>Guidelines on Process and Content of Legislation</i> (2001 edition), which contains a list of legislation that implements various treaties. Also referred to was the Ministry of Foreign Affairs and Trade treaties website: New Zealand Treaties Online - Search (http://www.treaties.mfat.govt.nz/search)
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Consistency with the government's Treaty of Waitangi obligations

3.2. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with the principles of the Treaty of Waitangi?

The principles of the Treaty of Waitangi were considered during the policy development, and development of the Bill. No issues in relation to the Treaty of Waitangi were identified. A number of government agencies and stakeholders were consulted during the policy development stage, and where there may be potential issues these have been addressed. For example when entering a marae, the power of entry must take account of the kawa of the marae, as far as is practicable in the circumstances.
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Consistency with the New Zealand Bill of Rights Act 1990

3.3. Has advice been provided to the Attorney-General on whether any provisions of this Bill appear to limit any of the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990?	YES
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The Department understands the Ministry of Justice provided its advice to the Attorney-General on Tuesday 28 June 2016; the Department is not aware of any provisions in the Bill creating unjustified limitations on the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990.
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Offences, penalties and court jurisdictions

3.4. Does this Bill create, amend, or remove:	
(a) offences or penalties (including infringement offences or penalties and civil pecuniary penalty regimes)?	YES
(b) the jurisdiction of a court or tribunal (including rights to judicial review or rights of appeal)?	YES
<p>(a) This Bill creates new mens rea offences with associated penalties (see cl 50 knowingly or recklessly lighting a fire when prohibited; cl 51 knowingly or recklessly doing a prohibited activity; cl 52 knowingly or recklessly doing a restricted activity; cl 54 knowingly or recklessly lighting a fire in a prohibited season; cl 55 knowingly or recklessly lighting a fire in a restricted season; cl 56 knowingly or recklessly permitting a fire to spread to vegetation; cl 57 knowingly or recklessly leaving a burning or smouldering substance in open air to cause a fire hazard in vegetation; cl 66 knowingly failing to provide and maintain an evacuation scheme; cl 84 knowingly failing to provide a return; cl 85 knowingly failing to keep specified records; cl 86 knowingly failing to provide information; cl 90 knowingly providing false or misleading information; cl 119 knowingly giving false alarm of fire; cl 120 knowingly interfering with exercise of powers and duties under Act; cl 121 knowingly or recklessly storing spontaneously combustible material; cl 152 knowingly failing to maintain a means of escape from a prescribed building). This Bill also creates an infringement offence regime (with infringement offences to be set out in regulations), and provides for a civil penalty regime, being levy shortfall penalties at cl 93-98.</p> <p>(b) This Bill removes the appeal right to the District Court for hearings from rural fire mediators' decisions on the rural fire levy (as the rural fire levy will no longer exist). However, the Bill provides for a new dispute resolution scheme to be developed for disputes under the new Act. Appeals from a decision made by an adjudicator or other decision maker under the dispute resolution scheme may be appealed to the District Court. Levy related disputes have a separate dispute resolution process, but decisions can also be appealed to the District Court (and to the High Court where levy disputes relate to sums greater than \$200,000).</p>	

3.4.1. Was the Ministry of Justice consulted about these provisions?	YES
<p>The consultation involved meeting to discuss the various offences and the infringement regime, with amendments to ensure mens rea offences provided sufficient certainty over the conduct and the infringement regime was in line with s21 of the Summary Proceedings Act. The civil penalty regime was also briefly discussed, with no changes suggested. The new dispute resolution scheme was discussed with the Ministry, through early drafts of the bill, and the provisions enabling the scheme were amended to ensure appeal rights to the court from scheme decisions.</p>	

Privacy issues

3.5. Does this Bill create, amend or remove any provisions relating to the collection, storage, access to, correction of, use or disclosure of personal information?	YES
<p>The auditing powers in the Fire Service Act 1975 have been removed, and the Bill (cl 86) contains a new power for FENZ to require the provision of any information (including a return or records) within a person's knowledge, possession or control that FENZ considers is necessary or relevant for any purpose relating to the administration of the fire levy. Clause 88 prohibits publication or disclosure of such information, except in specified circumstances.</p>	

3.5.1. Was the Privacy Commissioner consulted about these provisions?	YES
The Office of the Privacy Commissioner was consulted and noted that the criteria to enable disclosures of information/documents appears to fall within the scope of the exceptions to principle 11 of the Privacy Act.	

External consultation

3.6. Has there been any external consultation on the policy to be given effect by this Bill, or on a draft of this Bill?	YES
<p>Consultation occurred throughout the policy development process. For example, the Minister and officials visited various fire stations around the country while a discussion document on the structure, governance and funding of fire services was out for public consultation from May to July 2015. The Department received 235 submissions on the discussion document. Overall, submissions demonstrated support for change (see Fire Services Review - dia.govt.nz under the heading "Read the submissions on the Fire Services Review").</p> <p>A limited number of employees of the NZFS Commission were consulted on various drafts of this Bill.</p>	

Other testing of proposals

3.7. Have the policy details to be given effect by this Bill been otherwise tested or assessed in any way to ensure the Bill's provisions are workable and complete?	YES
The policy details to be given effect by this Bill have been discussed with stakeholders.	

Compulsory acquisition of private property

4.1. Does this Bill contain any provisions that could result in the compulsory acquisition of private property?	YES
The Bill (cl 155) provides that FENZ may acquire (and hold) land, as if it were a local authority, under the Public Works Act 1981. This is a necessary modernisation of the equivalent existing provision under the Fire Service Act 1975 (see s4).	

Charges in the nature of a tax

4.2. Does this Bill create or amend a power to impose a fee, levy or charge in the nature of a tax?	YES
<p>The power to impose a levy already exists under the Fire Service Act 1975, but the power in the Bill (cl 69 onwards) extends the levy so that it is imposed on property insurance for material damage perils, and on all motor vehicle insurance (i.e. including third party insurance). Further, while some properties are exempt from the levy under the Fire Service Act 1975, the Bill will not contain these exemptions; any new exemptions will be made by way of regulations.</p> <p>The power to impose a levy is necessary, as the levy is the main source of funding for FENZ with the levy being universal, so that FENZ's costs are generally shared among all who benefit from the potential to use FENZ's services.</p> <p>Safeguards to ensure the power is appropriately constrained include: a requirement to review the levy every three years, with the public being consulted on the Government's setting of the fire levy rate. The Bill contains a regulation making power to cap the amount levied from property insurance holders. Regulations will also be developed for levy disputes.</p>	

Retrospective effect

4.3. Does this Bill affect rights, freedoms, or impose obligations, retrospectively?	NO
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Strict liability or reversal of the usual burden of proof for offences

4.4. Does this Bill:	
(a) create or amend a strict or absolute liability offence?	NO
(b) reverse or modify the usual burden of proof for an offence or a civil pecuniary penalty proceeding?	NO

Civil or criminal immunity

4.5. Does this Bill create or amend a civil or criminal immunity for any person?	YES
See cl 122-126. The Fire Service Act 1975 and Forest and Rural Fires Act 1977 both contain immunities for certain organisations and persons in certain circumstances. However, with firefighters concerned about their liability for actions associated with their work, the clauses in the Bill ensure that those carrying out (in good faith) the broader functions of FENZ are immune.	

Significant decision-making powers

4.6. Does this Bill create or amend a decision-making power to make a determination about a person's rights, obligations, or interests protected or recognised by law, and that could have a significant impact on those rights, obligations, or interests?	YES
The Bill (Part 3) provides for the determination of a person's levy liability. Within this Part, to counteract a levy advantage obtained from a levy avoidance arrangement (cl 92), FENZ has a power to determine a levy payer's liability in a way FENZ considers appropriate. For general dispute resolution, there is a new dispute resolution scheme to be developed (cl 138), which can include decision making by an adjudicator or other decision maker (cl 140), with appeal rights to the District Court (cl 146). However, participation in the scheme is voluntary.	

Powers to make delegated legislation

4.7. Does this Bill create or amend a power to make delegated legislation that could amend an Act, define the meaning of a term in an Act, or grant an exemption from an Act or delegated legislation?	YES
The Bill contains a regulation making power that may provide for exemptions for property/class of property from the levy (cl 104(3)(d)), but this is balanced by having the criteria for exemptions in the Bill (cl 104(4)). The Bill also contains a regulation making power (cl 148(1)(h) and (i)) for defining types of barbeque, container or place for the definition of "open fire" and "open air" in the Bill, and for defining "spontaneously combustible material" for cl 121 in the Bill. A regulation making power (cl 152) is also provided for prescribing buildings (as referred to in the Act) for which escape routes must be maintained.	

4.8. Does this Bill create or amend any other powers to make delegated legislation?	YES
<p>The Bill creates the following powers to make delegated legislation:</p> <ul style="list-style-type: none"> • cl 63 code of practice for firefighting water supplies (disallowable instrument); • cl 104 levy regulations; • cl 142 dispute resolution scheme rules (disallowable instrument); • cl 148 general regulation making power (including for offences and penalties, public notification of documents, and for any matters contemplated by the new Act that are necessary for its administration or for giving it full effect); • cl 149 regulations relating to operating processes for local committees; • cl 150 regulations relating to fire plans; • cl 151 regulations relating to permits; • cl 152 regulations relating to fire safety and evacuation procedures in relation to buildings; • cl 153 regulations relating to evacuation schemes for relevant building; • Sch 1, cl 20-21 regulations for giving effect to transfer arrangements, and enabling FENZ. <p>These powers are necessary as the matters above are generally matters of detail for which it is not appropriate to use Parliamentary time, and for which some flexibility is required. While a power to make delegated legislation for serious offences can be difficult to justify, the regulation making power is envisaged for less serious, infringement offences with penalties appropriate to the seriousness (i.e. no imprisonment).</p> <p>The safeguards for these powers to make delegated legislation include: procedural safeguards that apply to the making of delegated legislation. More specifically, a safeguard for the levy regulations is the requirement to publicly consult on the fire levy rate (see cl 106); this ensures the delegated legislation is prepared after considering the views of those who would be subject to it.</p>	

Any other unusual provisions or features

4.9. Does this Bill contain any provisions (other than those noted above) that are unusual or call for special comment?	YES
<p>Although mentioned previously in this document, the anti-avoidance and shortfall penalty regime, is essentially borrowed from the tax regime, and as such is unusual in its application towards avoidance of levy payments. The anti-avoidance regime and shortfall penalties are required in order to prevent gaming of the levy payment rates that has previously occurred in the context of the fire service levy.</p>	

Appendix One: Further Information Relating to Part Two

Regulatory impact analysis – question 2.3.1

QA Statement “Fire Services Review” (accompanying Cabinet paper “Fire Services Review: Agreeing Future Directions and Next Steps”), 28 October 2015

The Regulatory Impact Analysis (RIA) requirements apply to the proposal in this paper and a Regulatory Impact Statement (RIS) has been prepared and is attached.

The Regulatory Impact Analysis Team (RIAT) has reviewed the RIS prepared by the Department of Internal Affairs, and considers that the information and analysis summarised in the RIS *partially meets* the quality assurance criteria.

The RIS follows a review of Fire Services and comprehensive stakeholder consultation. It considers a range of options to reform the governance and the funding of the New Zealand Fire Service and Rural Fire Authorities.

For various reasons, exacerbated by the current independence of rural fire districts and inconsistent data collection, there is limited evidence about a) the magnitude of problems related to governance, and b) the probability that identified risks will eventuate. It is therefore difficult to weigh the costs of reforms against expected benefits.

A number of problems identified in the RIS relate to current funding arrangements and a convincing case for reform is presented. However the preferred solution does not address some of the problems identified, such as incentives on levy payers to avoid insurance costs. Careful consideration will be needed during the levy design stage and further analysis will be required to ensure that funding sources align with cost drivers as much as is feasible.

QA Statement “Fire Services Review – cost of change and new funding arrangements

The Regulatory Impact Analysis (RIA) requirements apply to the proposal in this paper and a Regulatory Impact Statement (RIS) has been prepared and is attached.

The Regulatory Impact Analysis Team at the Treasury (RIAT) has reviewed the RIS prepared by the Department of Internal Affairs, and considers that the information and analysis summarised in the RIS *meets* the quality assurance criteria.

A number of problems identified in the RIS relate to current funding arrangements and a convincing case for reform is presented. Overall, RIAT considers the preferred option represents an improvement on the status quo.

For various reasons, exacerbated by the current independence of rural fire districts and difficulties in data collection, there is limited evidence about the extent to which current revenue streams are aligned with current and future use of fire services. Greater transparency about existing insurance contracts, costs and the ability to align funding sources with cost drivers would strengthen the conclusion that the proposed arrangements are optimal. Careful consideration of these issues is expected through the levy design stage.

The proposal to broaden the number of levy payers provides a closer proxy for taxpayers generally, reducing (but not removing) the potential for public good elements to be under-recovered as a proportion of total activities. RIAT notes that the preferred

option includes enabling a future Crown contribution to cover public good aspects, but the paper does not include recommendations about funding these identified costs.

QA Statement “Fire Services Review: detailed policy design”, 6 April 2016

The Regulatory Impact Analysis (RIA) requirements apply to the proposal in this paper and a Regulatory Impact Statement (RIS) has been prepared and is attached.

The Regulatory Impact Analysis Team at the Treasury (RIAT) has reviewed the RIS prepared by the Department of Internal Affairs, and considers that the information and analysis summarised in the RIS adequately informs some of the policy decisions recommended in the Cabinet Paper “Fire Services Review: detailed policy design” but not others. As such RIAT considers that the RIS *partially meets* the quality assurance criteria.

The RIS establishes at a high level and clearly explains the problems that need to be addressed and the decisions that need to be taken in order to make progress with the proposed restructuring of the Fire Service, although it is not able to provide quantitative data due to the decentralised current arrangements.

The rationale for the specific proposals for changes to cost recovery powers and for a more comprehensive range of compliance and enforcement powers, including the creation of infringement offences, is clearly explained.

In other areas, where the intention is to continue to work with other interested parties to develop a way forward, the RIS provides enough analysis to support the broad direction of travel; but it will be important to continue close collaboration in finalising the detail. Notably, the involvement of the Ministry of Justice will be essential in determining the extent of powers to enter premises and to destroy property, and a fuller understanding of the concerns of local government will be important in finalising the requirements of the proposed mandatory Code of Practice and ensuring that these are not unnecessarily onerous.

The RIS does not provide sufficient analysis to support the recommendations set out in the Cabinet Paper concerning levy integrity (recommendations 39 – 53) and transitional provisions (recommendations 58 – 69):

- While a high-level case is made for an adapted version of IRD’s existing tax integrity model, the level of specificity set out in the Recommendations is not supported by an appropriate level of analysis.
- While the case is made for a phased transition to the new arrangement, with some changes subject to a longer term change management plan, the specific provisions for the existing workforce set out in the Cabinet Paper appear to pre-empt that intention.

Given the high and inevitable level of uncertainty about the likely impacts of some proposals, it will be important to have comprehensive monitoring arrangements in place and to be ready to review where monitoring reveals unintended effects. RIAT notes the proposal in the RIS for a formal post-implementation review within two years of the changes and would endorse this.