MAKING A COMPLAINT TO THE
REGULATIONS REVIEW COMMITTEE

Office of the Clerk of the House of Representatives

Te Tari o te Manahautū o te Whare Māngai

2014
About this guide

New Zealand’s system of parliamentary democracy provides citizens with opportunities for input into the legislative process. One aspect of the work of the Regulations Review Committee is the investigation of complaints from people or organisations aggrieved at the operation of a regulation.

This guide is designed to help anyone making a complaint to the Regulations Review Committee to ensure that it contains all the necessary information and is easily understood by the members of the committee. It also covers the committee’s procedures for considering complaints, provides guidance on how to present a complaint orally, and outlines natural justice provisions regarding select committees.
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## What are regulations?

<table>
<thead>
<tr>
<th><strong>Parliament can delegate some law-making powers</strong></th>
<th>You may be surprised to learn that most of the legislation created each year is not made directly by Parliament. Legislation enacted by Parliament itself, as Acts of Parliament or statutes, is known as primary legislation. Parliament may also delegate its law-making power to other persons or bodies by authorising the making of delegated legislation or regulations.</th>
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<tbody>
<tr>
<td><strong>Delegated legislation is generally not subject to public debate before it is implemented</strong></td>
<td>Generally speaking, neither Parliament nor the House of Representatives has a direct role in making delegated legislation. Parliament plays its part by passing the primary legislation that authorises the making of delegated legislation. Unlike primary legislation, there are no general procedures to ensure that delegated legislation is subject to public debate and scrutiny before it is made.</td>
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<tr>
<td><strong>“Regulations” as a term covers many types of delegated legislation</strong></td>
<td>There are many kinds of delegated legislation. The most common are Orders in Council made by the Governor-General on the advice of the Executive Council, also known as regulations. The word “regulations” is also used to describe refer to delegated legislation more broadly, as it is used in this guide.</td>
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<tr>
<td><strong>Acts of Parliament cannot set out every detail of a regulatory regime</strong></td>
<td>The public rightly expects Acts of Parliament to set out legal requirements clearly and specifically. However, it would be difficult for an Act of Parliament to cover absolutely everything necessary to implement a policy initiative. This would take up too much of the House’s time, and it would be almost impossible to predict all of the details necessary to make a piece of legislation work in practice. So the details of how an Act of</td>
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Parliament will be implemented are usually delegated to regulations.

<table>
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<tr>
<th>Statutory definition in appendix</th>
<th>Appendix 1 explains how regulations are defined in statute.</th>
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<tr>
<td>Disallowable instruments that are not legislative instruments</td>
<td>Regulations are usually developed in the government department responsible for administering the Act of Parliament that delegates the power to make the particular regulations. The Parliamentary Counsel Office, as the Government’s law drafting agency, drafts legislation, including many but not all regulations. The regulations that are not drafted by the Parliamentary Counsel Office are known by various names, including disallowable instruments that are not legislative instruments (DINLIs), other instruments, and agency regulations. In this guide, they will be referred to as DINLIs.</td>
</tr>
<tr>
<td>Some legal instruments are prepared outside central government</td>
<td>Examples of DINLIs are land transport rules, civil aviation rules, maritime rules, rating valuation rules, privacy codes of practice, financial reporting standards, animal welfare codes, and food standards.</td>
</tr>
<tr>
<td>Some examples of deemed regulations</td>
<td>Most DINLIs are not published in the annual Legislative Instruments (LI) series. This means that they are not always as easy to find as other regulations. If you want to obtain a copy of a DINLI:</td>
</tr>
<tr>
<td>Not all deemed regulations are published</td>
<td>- check the NZ legislation website, <a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>; using the “advanced search” function, search under “other instruments”</td>
</tr>
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<td></td>
<td>- check the responsible agency’s website</td>
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<td>- check the New Zealand Gazette at</td>
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The committee treats all complaints the same

The committee treats all complaints about regulations in the same way, whether they relate to legislative instruments, DINLIs, or other regulations.

Public access to regulations, Acts, reports, and other Government publications

Acts and regulations online

Acts and regulations can be found at www.legislation.govt.nz. Copies can also be found in the larger libraries.

Acts, regulations, committee reports, and other official publications can be purchased

Vicbooks Pipitea (23 Lambton Quay, Wellington (04) 463 6160) and various other bookshops throughout New Zealand stock Acts, regulations, select committee reports and Government publications.

If you call Legislation Direct on 04 568 0005, staff will be able to inform you of the stockist nearest to you; or you can place an order with them over the phone or at www.legislationdirect.co.nz.
# What is the Regulations Review Committee?

Select committees are appointed by the House

Select committees are appointed by the House of Representatives to undertake business on its behalf. They derive their powers from the House and report their findings to it. Their membership reflects the balance of parties in the House.

Regulation-making needs monitoring

The Regulations Review Committee is a specialist committee appointed at the beginning of each parliamentary term. The House has an interest in monitoring the use of regulation-making powers to ensure they are being exercised within the limits Parliament intended.

The committee is chaired by an opposition member

The committee is, by convention, chaired by an opposition member. It also tries to reach a consensus view across party lines.

The committee recognises the separation of powers

The committee is mindful of the separation of powers between the legislature, the executive, and the judiciary. It recognises that the executive has a legitimate role in the determination of Government policy. Similarly, the committee does not directly make findings on whether regulations are outside the scope of the power delegated by Parliament (ultra vires) because, ultimately, these are matters for the courts to determine.

## Functions of the committee

The Regulations Review Committee examines all regulations, investigates complaints about the operation of regulations, and ensures that regulations are subject to effective parliamentary scrutiny and control. Unlike the other select committees, which deal with legislation according to subject matter, the Regulations Review
Committee does not examine matters of policy. It carries out technical scrutiny of regulations on behalf of the House, checking them against criteria listed in the Standing Orders (see Appendix 2). The committee is not concerned with whether a regulation represents good policy, but rather whether it represents good law.

**Functions and powers set out in the Standing Orders**

The functions and powers of the Regulations Review Committee are set out in the Standing Orders of the House of Representatives, which are the rules by which the House and its committees operate. The Standing Orders specifically concerned with the Regulations Review Committee are set out in Appendix 2. The general procedures for the operation of select committees also apply to the Regulations Review Committee. A summary of them is included under the heading “Operation of select committees” below.

**Complaints investigated must relate to an existing regulation**

The committee can investigate any complaint about a regulation at any time after the regulation has been made. It cannot investigate complaints about proposed regulations but may examine draft regulations referred to it by a Minister (see Standing Order 318(2), in Appendix 2).

The committee may receive complaints about any kind of regulations. It is for the committee to decide whether an instrument falls within its jurisdiction.
## How to set out a complaint

### Getting started

<table>
<thead>
<tr>
<th>No time limit</th>
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<tr>
<td>There are no time limits on lodging a complaint about a regulation.</td>
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<th>Presentation is important</th>
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<tr>
<td>While there is no set format for a complaint, you should aim to present your material in a way that is orderly and easy to read. A suggested format is included in Appendix 3. Your aim in writing a complaint is to demonstrate how you or the organisation you represent are aggrieved at the operation of a regulation.</td>
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### Setting out your complaint

<table>
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<tr>
<th>Specify the complaint, the regulations, and the Standing Order grounds</th>
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<tr>
<td>Indicate that you are making a complaint to the Regulations Review Committee and include the full title of the regulations you are writing about and the Standing Order 319(2) ground or grounds on which the complaint is based. The committee may return a complaint that fails to address a specific regulation or regulations, or fails to specify the relevant Standing Order ground or grounds, so ensure that these are clear.</td>
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<tr>
<th>Who is it from?</th>
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<tr>
<td>You should provide the following information in a covering letter: your name or the name of the organisation you are representing; an email address; a contact address; and a daytime telephone number. If you provide this information in the complaint itself, please be aware that it will be published with the rest of the complaint on the Parliament website.</td>
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<th>Who will appear before the committee</th>
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<td>If the committee decides to investigate your complaint, it is required to offer you an opportunity to speak to the committee in person. If you wish others to appear with you in support, include their names and, if they represent an</td>
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</table>
organisation, designations.

Provide brief details of the organisation you represent

If you are writing for an organisation, give brief details of the organisation’s aims, membership, and structure. Make sure that you have the authority to speak on behalf of the organisation and note your position within it.

Who else supports you?

Indicate how widely you have consulted in preparing the complaint. Include the names of other interested parties you think the committee may wish to contact in its investigation.

What other action have you taken?

The committee will be interested to know what steps you have already taken to address the issues you are raising. In particular, you should alert the committee if the issue is being, or will be, considered by the courts.

Hard copy layout

Printed if possible

Where possible, your complaint should be printed on white A4 paper. Double-sided printing is acceptable. Handwritten complaints are acceptable but can be difficult to read.

Page layout

Provide adequate margins on both sides of the text, and spacing between paragraphs.

Use headings and paragraphs

Use headings and group your paragraphs under them. The grounds in Standing Order 319(2) make useful headings (see Appendix 2).

Number and staple pages

Number each page clearly and staple the pages together in the top left-hand corner.

Sending your complaint

One copy required

The committee requires one copy of each complaint. Email your complaint to select.committee@parliament.govt.nz or address your complaint to:
Clerk of the Regulations Review Committee
Select Committee Services
Bowen House
Parliament Buildings
Wellington 6160.
Content of your complaint

**Staying relevant to the committee’s jurisdiction**

**Focus on effects rather than policy**

A complaint should not focus on the merits of the Government policy behind the regulations. Rather, it should address one or more of the following:

- the relationship between the Act authorising the making of the regulations and the regulations themselves
- the practical operation of the regulations
- the implementation of the policy in the regulations
- the regulation-making process itself.

**Address the Standing Order grounds**

Structure your complaint according to the relevant grounds in Standing Order 319(2) (see Appendix 2, and then marginal headings in the section below). This will focus attention on the main issues and help facilitate a speedy investigation. Some general guidance on the application of the grounds in Standing Order 319(2) follows.

**Examples of issues that can be addressed**

**General objects and intentions of the Act**

A regulation must implement the policy stated in the empowering Act and not exceed the limits of the power delegated by Parliament.

**Undue trespass on personal rights and liberties**

Regulations may infringe someone’s personal rights and liberties in some way. The committee’s role is to assess whether a regulation affects individuals, or a class of people, in ways that are unfair or unreasonable. This ground has two aspects. A complaint must first establish that a pertinent personal right or liberty exists. It must then demonstrate that the right or liberty is subject to an undue trespass as a result of the
regulation. The committee may balance the needs of the general public against the rights and liberties of those affected.

**Unusual or unexpected use of regulation-making powers**

Even where there is clear authority to make a regulation, the regulation-making power may have been used in an unusual or unexpected way. The committee will determine whether the power has been used consistently with Parliament’s intentions.

**Rights and liberties unduly dependent on decisions not subject to independent review**

Where an administrative decision affects a person’s legal rights, privileges, or legitimate expectations, the committee will examine whether there should be a right of appeal to, or review by, an independent person or body.

**Excludes jurisdiction of the courts without authority**

As a general rule, regulations should not attempt to limit the review of administrative decisions by the courts unless Parliament has specifically authorised the limitation. This principle preserves the constitutional checks and balances of the separation of powers between the legislature, the executive, and the judiciary.

**Contains matter more appropriate for parliamentary enactment**

A regulation-making power may be so wide that it authorises the making of legislation that properly falls within the role of Parliament itself to make. Regulations should be limited to the detail and implementation of policy. Matters of significant policy and principle are more appropriate for inclusion in the principal Act.

**Retrospective without authority**

The law should be clear and certain at all times. Parliament may authorise retrospective legislation; but this is an exception to the general principle that legislation should deal with future acts and not alter the character of past transactions carried out lawfully. Regulations should not be retrospective unless clear authority
has been given under an Act of Parliament.

**Not in compliance with notification and consultation procedures**

Some statutes require specific consultation or notification procedures be carried out before regulations are made. Where there are such requirements, the committee will check for compliance with the requirements of the principal Act.

**Form or purport call for elucidation**

A regulation should clearly state what it purports to do and what is required to comply with its provisions. The committee will examine regulations to see whether they are drafted in plain English and are expressed directly and clearly.

**Remedies for your complaint**

If you seek a specific remedy you should make it clear. The committee is unlikely to endorse suggestions entirely concerned with matters of Government policy. You may wish to suggest that regulations be amended or revoked by the Government or disallowed by the House. The executive can revoke regulations by executive action, while the House’s power to disallow regulations is provided for in the Legislation Act 2012.

Section 42 of the Legislation Act 2012 gives the House the authority to pass a resolution disallowing regulations. In addition, section 43 of the Act sets out a specific procedure for dealing with a disallowance motion lodged by a member of the Regulations Review Committee. If the motion is not disposed of within 21 sitting days of the House, the regulations will be automatically disallowed. If a disallowance motion is moved in the House, voted on, and defeated, the regulations will not be disallowed.
**Disallowance means the regulation has no effect**

The legal result of disallowance is that the regulations cease to have any effect and any pertinent regulations or Act that were in force before the disallowed regulations were made are revived.

**Disallowance is rare**

Disallowance is rarely used or seen to be necessary. The power of disallowance acts as an incentive for the Government to co-operate with the committee’s attempts to resolve a complaint satisfactorily, to avoid the possibility of disallowance.

**Consider other possibilities**

Disallowance is a relatively blunt instrument. Before seeking disallowance as a possible remedy you should consider whether your objectives would be achieved by the restoration of the instrument in place before the regulations you complain about came into force.

**Finding precedents**

Previous committee reports show how other complaints have been addressed

You may find it helpful to read past reports of the committee to understand the types of issues that have been the subject of complaints. They can be found on the website at [www.parliament.nz](http://www.parliament.nz), under ‘Select committees’, ‘Reports of committees’, ‘Regulations Review Committee’. You could also look at the *Regulations Review Committee Digest* at [http://www.victoria.ac.nz/law/centres/nzcl/publications/regulations-review-committee-digest](http://www.victoria.ac.nz/law/centres/nzcl/publications/regulations-review-committee-digest).

This is written by Victoria University’s New Zealand Centre for Public Law. It contains material on the committee’s functions and some of its reports.
Presenting a complaint orally

**Your opportunity to be heard**

Standing Order 320(2) requires that the person or organisation concerned is given an opportunity to address the committee, unless all members of the committee agree not to proceed further with a complaint. This gives you an opportunity to reinforce what you have already said in writing, and allows the committee to ask questions about your complaint. If the committee has decided to hear oral evidence, the clerk of the committee will contact you to arrange the time and place. Notice of the meeting may be short. Hearings of evidence are generally open to the public and the news media.

**Before the meeting**

The committee makes decides how much time is allocated to witnesses. The clerk of the committee will tell you how much time has been allocated to you. Prior to appearing before the committee, it is a good idea to prepare a brief presentation so you can cover all the relevant points while still leaving enough time for questions. The clerk of the committee will inform you if any other parties, such as the Government department responsible for administering the regulations, have been invited to attend and give evidence.

**At the meeting**

The chairperson will invite you to sit at the table. At this stage, you should introduce yourself and those who are appearing with you. Address the committee through the chairperson.

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**You have the right to be heard if the committee proceeds with the complaint**

Prepare your presentation

The committee makes decides how much time is allocated to witnesses. The clerk of the committee will tell you how much time has been allocated to you. Prior to appearing before the committee, it is a good idea to prepare a brief presentation so you can cover all the relevant points while still leaving enough time for questions. The clerk of the committee will inform you if any other parties, such as the Government department responsible for administering the regulations, have been invited to attend and give evidence.

Chairperson will invite you to the table

The chairperson will invite you to sit at the table. At this stage, you should introduce yourself and those who are appearing with you. Address the committee through the chairperson.
You will be asked to summarise your main points

Following the introductions, the chairperson will ask you to speak to your complaint. Briefly summarise the main points, along with any recommendations. Because time is limited and the committee will have already studied your complaint, you should not read it aloud. If any new information has become available you may wish to inform the committee of it. Please provide the clerk of the committee with 10 copies of any supplementary material before the meeting or when you arrive.

Questions from committee members

Committee members may ask questions

After your initial presentation the members of the committee will usually question you to clarify points or examine the issues further.

You may be asked for additional information

Sometimes the committee will ask for additional information. You should forward a copy of each requested item of information to the clerk of the committee by an agreed date, preferably by email.

Further hearings may be held

You may be invited to attend a further meeting to hear evidence from the relevant Government department, or other interested parties, in response to your complaint. The clerk of the committee will, either before the meeting or at the meeting, depending on when the committee released the information, provide you with a copy of written evidence from other parties in response to your complaint.

Your rights as a witness

Several protections available

The Standing Orders provide some protection to you when you appear as a witness before a select committee. You have the right as a witness to:

- apply to have some or all of your evidence heard in private or secret, giving reasons for the application
- raise matters of concern with the clerk of the committee about the evidence you are to give
- make a written submission before appearing to give evidence
- be accompanied by and consult counsel
- object to a question on the grounds of relevance
- object on any grounds to answering a relevant question stating the grounds for objection
- have an opportunity to correct errors in any transcripts of your evidence.

**Right of reply to allegations and findings**

The Standing Orders also provide certain protections for people where allegations made in select committee proceedings may seriously damage their reputation, whether or not that person appears as a witness. Such a person may:

- make a written and/or oral response to the allegation
- request a copy of all the information (except secret evidence) a committee possesses concerning him or her
- make a submission on proposed committee findings that would damage his or her reputation, before a committee reports to the House.

**Apparent bias can be raised**

Witnesses can complain of apparent bias on the part of a committee member. In a select committee context, bias would be apparent if a member had made an allegation of crime or expressed a concluded view on any conduct or activity of a criminal nature identifying by name or otherwise a person as responsible for or associated with that crime, conduct, or activity.
If you wish to raise any of the matters set out above, contact the clerk of the committee. The Office of the Clerk provides a separate guide, *Natural Justice Before Select Committees* (see http://www.parliament.nz/resource/0000110755).

**Committee consideration of complaints**

Once the committee has finished hearing evidence it considers all the issues raised in the complaint and decides whether to report to the House. Apart from hearings of evidence, the committee’s consideration of complaints is not open to the public and remains confidential to the committee until it reports to the House. Please talk to the clerk of the committee about how to ascertain that the committee has presented a report to the House. All reports are published on Parliament’s website at www.parliament.nz/.
## Operation of select committees

### Calling for evidence

**Committees can call for evidence**

Select committees may request people to attend meetings and may ask for documents and records. Most evidence is provided willingly, but committees can apply to the Speaker for a summons, if necessary, to obtain evidence.

### Hearing of submissions

**Evidence is heard in public**

A complaint is considered to be a submission to a select committee. It is usual for evidence on complaints to be heard in public. This means your written complaint will be released publicly unless the committee decides to hear it in private or in secret. Evidence heard in private will remain confidential until the complaint is reported to the House. Secret evidence remains secret unless the House chooses to disclose it, or the committee considers that disclosure to a person about whom allegations are made in a complaint is necessary in accordance with the natural justice provisions in the Standing Orders.

### Status of complaints

**Your complaint is usually released at the public hearing**

While a complaint can be discussed freely during its preparation, once it has been sent, it becomes the property of the committee. The committee will usually release a complaint when it starts hearing evidence, but may do so beforehand. For example, the committee might release a complaint to a Minister or the relevant Government department for comment, prior to conducting oral hearings. It is not a contempt of the House for you to release your complaint before the committee has received it. However, should you do this, you cannot assume the protection of parliamentary
privilege for any statements made in your complaint.

**Costs**

*Complainants meet their own travel expenses*  
You are responsible for paying your own travel expenses to meeting venues and all other personal costs associated with presenting your complaint. If you cannot attend a meeting on the designated day, you may nominate someone to present the complaint on your behalf.

**Travel**

*Committees may travel*  
Select committees may travel within New Zealand to obtain evidence and hear submissions. It is unusual for the Regulations Review Committee to do so.
Further reading

http://www.parliament.nz/resource/en-nz/00HOOOCPubResAboutProceduresSelect1/a0d7d220084c81073a0a48babf4179fd8355ec26

This guide has been prepared for members of Parliament to assist them with select committee work. It can also help other readers in understanding the parliamentary context and perspective of select committees.


This book provides detailed guidance on parliamentary procedure and practice. It also provides some theoretical background to aspects of Parliament that will assist in learning about constitutional principles.

*Making a Submission to a Parliamentary Select Committee*, Office of the Clerk of the House of Representatives.
http://www.parliament.nz/resource/en-nz/00CLOOCMakingSubmission1/263c1047d1e4d16913fb0c51b6692ca95631ee12

This guide provides guidance for people making submissions to a select committee. It is particularly useful for those who are not experienced at preparing written material for committees. Copies are available free of charge from the Office of the Clerk.

*Natural Justice Before Select Committees*, Office of the Clerk of the House of Representatives.
http://www.parliament.nz/resource/en-nz/00CLOOCPubResAboutProceduresNatural1/e02a6c396f3e4ae68430fefe94e249d167ec58802

This guide informs people about their rights in relation to select committee proceedings, especially regarding allegations that may have been made about them.
Parliament Brief, Office of the Clerk of the House of Representatives.  

This is a series of fact-sheets about Parliament. Copies are available free of charge from the Office of the Clerk.

Regulations Review Committee Digest, New Zealand Centre for Public Law, Victoria University of Wellington.


Standing Orders of the House of Representatives, New Zealand, 2011.  

This is the complete set of rules by which the House and its committees operate. For your convenience, the Standing Orders referred to in the text are reprinted at the back of this guide as Appendix 2.
Appendix 1

How regulations are defined in statute

Regulations
The Regulations Review Committee is able to investigate complaints about the operation of regulations. Standing Orders define regulations as any delegated legislation, including legislative instruments and disallowable instruments within the meaning of the Legislation Act 2012.

In practice, the committee is likely to look carefully at any regulation that is not a disallowable instrument before agreeing to investigate it. For that reason, it is helpful to know whether the regulation you are complaining about is a disallowable instrument.

“Instrument” is another word for a document.

Disallowable instruments
A disallowable instrument is—

- a legislative instrument (defined below), or
- an instrument that is disallowable because either its empowering Act, or another Act, says that it is, or
- an instrument that has a significant legislative effect (defined below).

See section 38 of the Legislation Act 2012.

Legislative instruments
A legislative instrument is—

- any Order in Council (with some minor exceptions), or
- an instrument made by a Minister that either amends an Act or defines the meaning of a term used in an Act, or
- an instrument that its empowering Act, or another Act, says must be published under the Legislation Act.
See section 4 of the Legislation Act 2012.

**Significant legislative effect**
An instrument may have a significant legislative effect if it—
- creates, alters, or removes rights or obligations, and
- determines or alters the content of the law applying to the public or a class of the public.

See sections 39 and 40 of the Legislation Act 2012.

The definition of significant legislative effect is complicated. It has been in force since August 2013. The Regulations Review Committee has not yet said anything publicly about how it considers the definition should apply.

If you consider a regulation that you are complaining about may be a disallowable instrument because it has a significant legislative effect, you should bring this to the committee’s attention. You do not need to decide whether a regulation definitely does, or does not, have a significant legislative effect.
Standing Orders applying to the Regulations Review Committee

**DELEGATED LEGISLATION**

**318 Functions of Regulations Review Committee**

(1) The Regulations Review Committee examines all regulations.

(2) A Minister may refer draft regulations to the committee for consideration and the committee may report on the draft regulations to the Minister.

(3) In respect of a bill before another committee, the committee may consider—

   (a) any regulation-making power,
   (b) any matter relating to regulations,—

   and report on it to the committee that is considering the bill.

(4) The committee may consider any matter relating to regulations and report on it to the House.

(5) The committee investigates complaints about the operation of regulations, in accordance with Standing Order 320, and may report on the complaints to the House.

**319 Drawing attention to a regulation**

(1) In examining a regulation, the committee considers whether it ought to be drawn to the special attention of the House on one or more of the grounds set out in paragraph (2).

(2) The grounds are, that the regulation—

   (a) is not in accordance with the general objects and intentions of the enactment under which it is made:
   (b) trespasses unduly on personal rights and liberties:
   (c) appears to make some unusual or unexpected use of the powers conferred by the enactment under which it is made:
   (d) unduly makes the rights and liberties of persons dependent upon administrative decisions which are not subject to review on their merits by a judicial or other independent tribunal:

   (c) excludes the jurisdiction of the courts without explicit authorisation in the enactment under which it is made:
(f) contains matter more appropriate for parliamentary enactment:
(g) is retrospective where this is not expressly authorised by enactment under which it was made:
(h) was not made in compliance with particular notice and consultation procedures prescribed by applicable enactments:
(i) for any other reason concerning its form or purport, calls for elucidation.

320 Procedure where complaint made concerning regulation

(1) Where a complaint is made to the committee or to the chairperson of the committee by a person or organisation aggrieved at the operation of a regulation, the complaint must be placed before the committee at its next meeting for the committee to consider whether, on the face of it, the complaint relates to one of the grounds on which the committee may draw a regulation to the special attention of the House.

(2) The person or organisation making the complaint is given an opportunity to address the committee on the regulation unless the committee agrees by unanimous resolution not to proceed with the complaint.

321 Disallowance motion does not lapse

(1) A notice of a motion for the disallowance of a disallowable instrument or any provisions of a disallowable instrument, as referred to in section 43(1) of the Legislation Act 2012, does not lapse and is retained on the Order Paper until dealt with by the House.

(2) This Standing Order applies only to a notice of motion given by a member who, when giving the notice, is a member of the Regulations Review Committee.
### Appendix 3

**Suggested format for a complaint**

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<th>Date</th>
<th>Page number</th>
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#### COMPLAINT ABOUT XXX REGULATIONS

*To the Regulations Review Committee*

**Introduction**

This complaint is from (name of individual/organisation and address).

I/We wish to appear before the committee to speak to my/our complaint.

I/We can be contacted at: *(List your email address, daytime telephone number or the name, address, and contact telephone number of the contact person for your organisation if different from above. These details could be included in a covering letter instead for privacy reasons.)*

I/We wish that the following people also appear in support of my/our complaint: *(List names and positions in organisation. If an organisation, give brief details of your organisation’s aims, membership, and structure and the people consulted in the preparation of the complaint.)*

**Executive summary**

I/We are making a complaint about the regulations under the following grounds of Standing Order 319(2): *(List the specific grounds and provide a brief explanation of your reasons.)*

**Arguments under specific grounds**

I/We are aggrieved at the operation of the regulations in the following ways. *(Explain how.)* I/We consider these regulations ought to be drawn to the special attention of the House on the grounds that: *(Set out your specific arguments under each ground relied upon.)*

**Recommendations**

*(List any specific recommendations you wish the committee to consider if it makes a report to the House.)*