



Hauora Taiwhenua Rural Health Network

Submission to the Finance and Expenditure Committee on the Regulatory Standards Bill

From: Hauora Taiwhenua Rural Health Network

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Introduction

Hauora Taiwhenua Rural Health Network represents a broad coalition of rural health professionals, communities, and organisations committed to improving health outcomes for people living in rural Aotearoa. We appreciate the opportunity to submit on the Regulatory Standards Bill (The Bill) and wish to express our concerns about its potential implications for rural health equity, Māori health equity, public health protections and the wellbeing of all New Zealanders.

General Position

Hauora Taiwhenua Rural Health Network Opposes the Regulatory Standards Bill in its current form. While we support the overall intent of the Bill to improve legislative transparency and accountability, we are deeply concerned that the Regulatory Standards Bill, in its current form, will undermine the ability of future governments to enact necessary public health regulations—particularly those that benefit rural communities, Māori, and other vulnerable populations.

Key Concerns

1. Consultation and policy concerns

We concur with the Law Society of New Zealand that the Bill has been hastily developed over the Christmas and New Year period with limited opportunity for meaningful stakeholder engagement. Also, that the discussion document lacks a clear definition of the problem it seeks to address and fails to adequately explore non-legislative solutions.

2. Redundant and ineffective principles

We also agree with the Law Society of New Zealand who state that the principles proposed in the Bill aim to codify regulatory standards. Many of these principles restate existing legal norms and risk trivialising foundational democratic values. For instance, principles on the rule of law and personal liberties can be seen as redundant, given that they are already established in other frameworks such as the New Zealand Bill of Rights Act 1990.

3. Exclusion of key issues

We believe that the Bill omits critical matters in its “Principles” such as the Treaty of Waitangi, environmental concerns and New Zealand’s international obligations. We see these omissions as a significant flaw, arguing that they undermine the Bill’s broader aspirations to set comprehensive regulatory standards.

4. Chilling Effect on Public Health Legislation

The Bill introduces a “takings or impairment principle” that could allow commercial entities to seek compensation if legislation negatively affects their financial interests. This provision risks discouraging future governments from implementing public health measures—such as restrictions on alcohol sponsorship, tobacco control, or environmental protections—that are vital for rural health equity.

5. Lack of Consideration for Public Harm

The Bill’s ethical framework fails to adequately account for public harm, focusing instead on private interests and economic impacts. Rural communities often face unique health challenges, including limited access to services, higher rates of chronic disease, and environmental exposures. Legislation that prioritises commercial interests over public wellbeing could exacerbate these disparities.

6. Impact on Māori Health and Rights

Many rural communities have significant Māori populations whose health outcomes are already disproportionately poor. The Bill does not uphold Te Tiriti o Waitangi obligations or protect Māori rights in the context of health legislation. This omission risks further marginalising Māori voices in regulatory decision-making which will impact detrimentally on Māori health and mortality.

7. Barriers to Responsive Health Policy

Rural health needs are dynamic and context-specific. The Bill’s rigid principles and requirement for consistent accountability statements may create administrative burdens that deter timely and responsive policy interventions. This could hinder efforts to address emerging rural health crises or innovations in service delivery.

Recommendations:

- **Reject the Bill as it currently stands.**
- **Consider non-legislative alternatives to achieve increase regulatory transparency and accountability.** Strengthening existing processes, enhancing resources for regulatory agencies, and promoting adherence to established policy development guidelines.
- **If the Bill does proceed then amend the Bill to:**

- **Ensure Te Tiriti o Waitangi is embedded** in the Bill's Principles, with clear protections for Māori health rights.
- **Ensure that environmental concerns and international obligations** are also included in the Bill's Principles.
- **Explicitly include public health and public harm considerations** in its Principles of responsible regulation.
- **Exclude public health legislation from compensation provisions** that could deter necessary regulation.
- **Consult with rural health stakeholders** to assess the Bill's impact on rural communities at Select Committee stage and ensure their voices are represented in any regulatory oversight mechanisms, such as any Regulatory Standards Board that may be formed as implementation of any Act if passed.

Conclusion

Hauora Taiwhenua opposes the Bill in its current form. We believe the Bill, as it stands will have adverse impacts on the health of rural communities and particularly rural Māori in those communities who already suffer disproportionately poor health outcomes. Rural communities deserve equitable access to health protections and responsive legislation. We urge the Committee to consider the consequences of the Regulatory Standards Bill, as it stands, on rural health outcomes.

We believe the Bill should be rejected and the Government should utilise non-legislative solutions to strengthen the quality, transparency and accountability for regulation. If the Bill does proceed, then it must be amended to safeguard public health, Māori rights to equitable health outcomes (Article 2 of Te Tiriti), and the wellbeing of all New Zealanders.

Ngā mihi nui,



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