

Departmental Disclosure Statement

Healthy Futures (Pae Ora) Amendment 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 Health Assurance Unit established by the Public Service Commission.

The Health Assurance Unit certifies that, to the best of its knowledge and understanding, the information provided is complete and accurate at the date of finalisation below.

23 June 2025

Contents

Contents..... 2

Part One: General Policy Statement..... 3

Part Two: Background Material and Policy Information 5

Part Three: Testing of Legislative Content..... 7

Part Four: Significant Legislative Features 9

Part One: General Policy Statement

The Healthy Futures (Pae Ora) Amendment Bill (the Bill) amends the Pae Ora (Healthy Futures) Act 2022.

The objective of the Bill is to improve the effectiveness of health services delivery to patients.

The amendments will achieve this objective by—

- refocusing the purpose, objectives, and functions of Health New Zealand:
- strengthening Health New Zealand's focus on infrastructure:
- strengthening governance, strategic direction setting, planning, and monitoring
- arrangements for health services delivery:
- clarifying roles and responsibilities.

The Bill complements the ongoing activities of the Government as part of its Health Delivery Plan.

Refocusing the purpose, objectives, and functions of Health New Zealand

To refocus the purpose, objectives, and functions of Health New Zealand, the Bill makes the following changes:

- adding a new purpose of the Act, which is to ensure that patients get quality and timely access to health services:
- repealing the health sector principles and the New Zealand Health Charter:
- adding a new objective for Health New Zealand to deliver effective and timely services:
- clarifying that a function of Health New Zealand is to work with private healthcare providers;
- clarifying that requirements relating to political neutrality in the Public Service Act 2020 apply to Health New Zealand.

Strengthening Health New Zealand's focus on infrastructure

The Bill adds a new objective and function for Health New Zealand to provide and plan for quality, cost-effective, and financially sustainable infrastructure. The Bill also requires the board of Health New Zealand to have a permanent infrastructure committee whose members are appointed by the Minister. These changes strengthen Health New Zealand's focus on infrastructure.

Strengthening governance, strategic direction setting, planning, and monitoring arrangements

To strengthen governance, strategic direction setting, planning, and monitoring arrangements, the Bill makes the following changes:

- the requirements for collective knowledge, experience, and expertise for the board of Health New Zealand are simplified:
- the board of Health New Zealand must have a delegations policy:
- the Director-General of Health, or a delegate, is empowered to attend board and senior executive meetings of Health New Zealand:
- the Government Policy Statement on Health will be required to include specific targets, and health strategies must give effect to those targets:
- the New Zealand Health Plan must include information about how services and activities will be funded, with a statement of Health New Zealand's anticipated revenue and expenditure.

Clarifying roles and responsibilities of iwi-Māori in relation to delivery of health services

To clarify the roles and responsibilities between iwi-Māori and delivery of health, the Bill—

- strengthens the role of the Hauora Māori Advisory Committee (the HMAc) by giving it a statutory purpose and a function to provide advice to the Minister and Health New Zealand on health services for Māori; and
- clarifies the role of iwi-Māori partnership boards so that their function is to engage with Māori communities about health needs in their area and provide advice to the HMAc.

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?	NO
---	----

Relevant international treaties

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

Regulatory impact analysis

2.3. Were any regulatory impact statements provided to inform the policy decisions that led to this Bill?	YES
<p>The Health Assurance Unit prepared an impact statement to inform policy decisions that led to this Bill "Amendments to the Pae Ora (Healthy Futures) Act 2022" (May 2025)</p> <p>The impact statement will be publicly released at the time the Bill introduced. This will be available on the Ministry for Regulation website: https://www.regulation.govt.nz/our-work/regulatory-impact-statements/</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?	NO
<p>A QA panel with Ministry of Health and Public Service Commission representation reviewed the impact statement.</p> <p>The panel considers that the Impact Statement partially meets the quality assurance criteria. The Impact Statement is clear, concise and complete. However, only limited consultation has been undertaken and engagement with Māori representatives has been limited to the Hauora Māori Advisory Committee.</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
---	----

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
--	----

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
This analysis is available in the impact statement.	

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?	NO
(b) the nature and level of regulator effort put into encouraging or securing compliance?	NO

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?
--

The principal Act does not impact New Zealand's international obligations, and therefore these proposals would also not be expected to impact New Zealand's international obligations.
--

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 policy relating to this Bill has been tested with officials from the Ministry of Justice, Te Puni Kōkiri and Crown Law, as well as the Hauora Māori Advisory Committee.

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?	TBC
---	------------

The Ministry of Justice is undertaking an assessment of whether the Bill is consistent with New Zealand Bill of Rights Act 1990 and will provide advice to the Attorney-General.
--

Advice provided to the Attorney-General by the Ministry of Justice is generally expected to be made available on the Ministry of Justice website on introduction of a Bill, at Compliance reports New Zealand Ministry of Justice .

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)?	NO
(b) the jurisdiction of a court or tribunal (including rights to judicial review or rights of appeal)?	NO

3.4.1. Was the Ministry of Justice consulted about these provisions?	N/A
---	------------

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?	NO
---	-----------

3.5.1. Was the Privacy Commissioner consulted about these provisions?	N/A
--	------------

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
The Minister of Health engaged with the Hauora Māori Advisory Committee on proposed legislative changes to clarify the role of iwi-Māori partnership boards (IMPBs) and the Hauora Māori Advisory Committee. Committee members are supportive of the direction of changes proposed. In particular, Committee members supported an expansion and elevation of their role, and clarification of the role of IMPBs. The Committee members noted operational support (for example, data and analysis) would be required to ensure the success of IMPBs and the Committee.	

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?	NO
---	-----------

Part Four: Significant Legislative Features

Compulsory acquisition of private property

4.1. Does this Bill contain any provisions that could result in the compulsory acquisition of private property?	NO
---	----

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?	NO
---	----

Retrospective effect

4.3. Does this Bill affect rights, freedoms, or impose obligations, retrospectively?	NO
--	----

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?	NO
--	----

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?	NO
---	----

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?	NO
--	----

4.8. Does this Bill create or amend any other powers to make delegated legislation?	NO
---	----

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?	NO
---	----