

Hon Judith Collins KC

Minister for the Public Service

Plain Language Act Repeal Bill: Approval for Introduction
Date of issue: 14 April 2025

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Title: Plain Language Act Repeal Bill: Approval for Introduction

Author: Te Kawa Mataaho Public Service Commission

The Hon Judith Collins KC, Minister for the Public Service is releasing the Cabinet paper and Cabinet Minute

Explanatory Note

Included in this release are the following documents:

- Cabinet Paper Plain Language Act Repeal Bill: Approval for Introduction
- Cabinet Minute LEG-25-MIN-0023
- Cabinet Minute CAB-25-MIN-0070

In Confidence

Office of the Minister for the Public Service

Cabinet Legislation Committee

Plain Language Act Repeal Bill: Approval for Introduction

Proposal

- 1 This paper proposes the Plain Language Act Repeal Bill (the Bill) be approved for introduction to the House of Representatives.
- 2 This Bill holds category 4 priority status on the 2025 Legislation Programme (to be passed, if possible, by the end of the year).

Relation to government priorities

- 3 Repealing the Plain Language Act 2022 aligns with government priorities. It supports the efficient use of government resources and the efficient and effective operation of the administrative framework for the public service by removing inconsequential legislation and reducing compliance burden on public service agencies.

Policy

- 4 On 2 December 2024, Cabinet agreed to repeal the Plain Language Act 2022 [CBC-24-MIN-0115]. This Bill gives effect to Cabinet's agreement.
- 5 The indicated policy rationale is to reduce compliance burden on agencies, freeing up resource and simplifying the administrative framework governing the public service. The activities outlined in the Act do not contribute to the better use of plain language, and legislation is not the most appropriate way to achieve this objective. The requirements of the Act are not an efficient use of government resources. The Act's repeal will reduce the compliance costs incurred by agencies in meeting the Act's requirements.
- 6 This repeal will mean that:
 - 6.1 The Public Service Commission will retract its guidance on complying with the Plain Language Act 2022 as it is procedurally focused and does not include detailed guidance on the use of plain language. There are other resources available that fulfil that purpose.
 - 6.2 Agencies will no longer be required to have a designated 'plain language officer.' This change is not anticipated to have any effect on staffing numbers, as all plain language officers were pre-existing staff who had plain language responsibilities added on top of their substantive roles.

Agencies may still reflect these arrangements in an informal and voluntary manner.

- 6.3 Agencies will no longer be required to report on their compliance with the Act.
- 7 Implementing the repeal of the Plain Language Act 2022 does not mean that agencies will or should halt efforts to improve their use of plain language. I expect agencies to continue to produce plain language communications that are fit for purpose within each agency's individual context. This is consistent with the fact that many agencies already had plain language resources and practices before the Act and have shown willingness to share these with other agencies to improve practice.

Impact analysis

- 8 The following impact analysis was prepared and provided to Cabinet at the time that policy approval was sought:
- 8.1 *Regulatory Impact Statement* - The Treasury's Regulatory Impact Analysis team, which now sits within the Ministry for Regulation, determined that the proposal to repeal the Plain Language Act 2022 is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor impacts on businesses, individuals, and not-for-profit entities.
- 8.2 *Climate Implications of Policy Assessment* - The Climate Implications of Policy Assessment (CIPA) team was consulted and confirmed that CIPA requirements do not apply to this proposal as it is not expected to result in any significant, direct emissions impacts.

Compliance

- 9 This Bill complies with:
- 9.1 the principles of the Treaty of Waitangi;
- 9.2 the relevant international standards and obligations;
- 9.3 the principles and guidance set out in the Privacy Act 2020;
- 9.4 the Legislation Guidelines (2021 edition).
- 10 No human rights implications have been identified. The Ministry of Justice is currently undertaking a New Zealand Bill of Rights Act vet of the Bill, which will be completed before introduction.
- 11 As submitted at the time of policy approvals, there are other ongoing work programmes and established activities within the public service that will continue to support plain language outcomes, as appropriate for specific contexts. This work will help to meet the needs of any affected population groups.

Consultation

- 12 The following departments were consulted on the policy for the Bill: Department of Prime Minister and Cabinet; Ministry of Business, Innovation and Employment; Department of Corrections; Ministry of Defence; Department of Internal Affairs; Ministry of Education; New Zealand Treasury, Ministry of Health; Land Information New Zealand; Ministry for Regulation; Inland Revenue Department; Ministry for the Environment; Ministry of Social Development; Ministry of Transport; and New Zealand Police.
- 13 No public consultation was undertaken as the Bill is a simple repeal that relates to the removal of requirements that are internal to the public service.
- 14 This Bill was not referred to the Legislation Design and Advisory Committee as the Committee already submitted in opposition to the Act that this Bill proposes to repeal.

Cost-of-living and Financial Implications

- 15 Repealing the Plain Language Act 2022 will remove compliance costs from agencies, particularly in relation to reporting requirements. It will not have any impacts on the cost of living.

Binding on the Crown

- 16 This Bill is binding on the Crown as it repeals an Act that was binding on the Crown.

Allocation of decision-making powers

- 17 The Bill does not affect the allocation of decision making powers.

Associated regulations

- 18 There are no regulations required to bring the Bill into operation.

Other instruments

- 19 Not applicable.

Definition of Minister/department

- 20 Not applicable.

Commencement of legislation

- 21 The Bill will come into force the day after Royal Assent.

Parliamentary stages

- 22 This Bill holds category 4 priority status on the 2025 Legislation Programme (to be passed, if possible, by the end of the year).

23 I propose that the Bill be introduced on 24 March 2025.

24 I propose that the Bill be referred to the Governance and Administration Select Committee.

Communications

25 I intend to release a media statement when the Bill is introduced.

Proactive Release

26 I propose to proactively release this paper, subject to any necessary redactions as appropriate under the Official Information Act 1982, within 30 days of the Bill being introduced to Parliament.

Recommendations

I recommend that the Committee:

- 1 **note** that the Plain Language Act Repeal Bill holds a category 4 priority on the 2025 Legislation Programme (to be passed, if possible, by the end of 2025);
- 2 **note** that on 2 December 2024, Cabinet agreed to repeal the Plain Language Act 2022 [CBC-24-MIN-0115];
- 3 **note** that the Bill repeals the Plain Language Act 2022, giving effect to the decisions above;
- 4 **approve** the Plain Language Act Repeal Bill for introduction;
- 5 **agree** the Plain Language Act Repeal Bill be introduced on 24 March 2025;
- 6 **agree** that the government propose that the Bill be:
 - 6.1 referred to the Governance and Administration committee for consideration; and
 - 6.2 enacted, if possible, by 31 December 2025.

Authorised for lodgement

Hon Judith Collins KC

Minister for the Public Service



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Plain Language Act Repeal Bill: Approval for Introduction

Portfolio **Public Service**

On 13 March 2025, the Cabinet Legislation Committee:

- 1 **noted** that a category 4 priority on the 2025 Legislation Programme (to be passed, if possible, by the end of 2025) has been sought for the Plain Language Act Repeal Bill (the Bill);
- 2 **noted** that in November 2024, the Cabinet Business Committee agreed to repeal the Plain Language Act 2022 [CBC-24-MIN-0115];
- 3 **noted** that the Bill gives effect to the decisions above;
- 4 **approved** the Plain Language Act Repeal Bill [PCO 26224/9.1] for introduction;
- 5 **agreed** that the Bill be introduced by 24 March 2025;
- 6 **agreed** that the Government propose that the Bill be:
 - 6.1 referred to the Governance and Administration Committee for consideration; and
 - 6.2 enacted, if possible, by 31 December 2025.

Tom Kelly
Committee Secretary

Present:

Rt Hon Winston Peters (Chair)
Hon Louise Upston
Hon Brooke van Velden
Hon Judith Collins KC
Hon Simon Watts
Hon Casey Costello
Hon Chris Penk
Hon Penny Simmonds
Stuart Smith, MP
Jamie Arbuckle, MP
Tod Stephenson, MP

Officials present from:

Officials Committee for LEG



Cabinet

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Report of the Cabinet Legislation Committee: Period Ended 14 March 2025

On 17 March 2025, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 14 March 2025:

out of scope

LEG-25-MIN-0023


Plain Language Act Repeal Bill: Approval for Introduction

CONFIRMED

Portfolio: Public Service

out of scope

out of scope



Rachel Hayward
Secretary of the Cabinet