



Te Tūranga | Position **Chief Parliamentary Counsel**

Te whāinga o te tūranga | Position purpose

The Chief Parliamentary Counsel is the principal legal advisor to the Government and Parliament in relation to their legislative drafting and publishing responsibilities. The Chief Parliamentary Counsel is also the chief executive of the Parliamentary Counsel Office (the PCO).

The Chief Parliamentary Counsel is responsible for ensuring the effective delivery of the PCO's functions including the:

- Drafting of New Zealand Government Bills (except Inland Revenue Bills) and Legislative Instruments
- Advising on and assisting with the drafting of local and private Bills, and drafting Members' Bills on the Attorney-General's direction
- Developing the PCO's systems and capability for producing dual-language legislation, where appropriate, and for including te reo Māori and Māori legal concepts in legislation more generally
- Publishing all New Zealand Bills, Supplementary Order Papers, Acts of Parliament, Legislative Instruments, online on the New Zealand Legislation website and in hard copy
- Following the enactment of the Legislation Act 2019, implementing and maintaining the electronic lodgement system and processes to enable all makers of secondary legislation to lodge details of their legislation with the PCO for publication on the New Zealand Legislation website
- With funding from the Ministry of Foreign Affairs and Trade's Aid Programme, providing legislative drafting assistance, training, and mentoring to those involved in, or responsible for, drafting legislation in Pacific Island nations
- Developing and implementing the revision programme that sets out the statutes to be revised over each three-year period coinciding with a parliamentary term
- Undertaking the review after six years of the revisions programme after 30 June 2020 and before 1 July 2021
- Providing training for other agencies that draft secondary legislation, and advise on the drafting of disallowable instruments that are not drafted by the PCO
- Monitoring for opportunities to reduce complexity in legislation, to use technical advances, and opportunities to enhance the PCO's stewardship of legislation.

The Chief Parliamentary Counsel is an ex officio member of the Legislation Design and Advisory Committee (LDAC). The PCO is the secretariat for the LDAC.

The Chief Parliamentary Counsel holds office at the pleasure of the Governor-General on the advice of the Prime Minister. The appointment is for a fixed term. The remuneration for the Chief Parliamentary Counsel is set by the Remuneration Authority.

Ngā haepapa | Accountabilities

Te pokapū | Agency The PCO is a separate statutory office. The Chief Parliamentary Counsel has specific responsibilities under the Legislation Act 2012, the Public Finance Act 1989, the Public Service Act 2020 and other relevant statutes and legislation.

The Chief Parliamentary Counsel is responsible to the Attorney-General for:

- Performing the duties, functions and powers set out in the Legislation Act 2012 and when enacted the replacement Legislation Act 2019, the Legislation (Publication) Order 2013, the Legislation (Official Versions) Regulations 2015, and the Legislation (Recognition of Overseas Lawyers) Order 2014
- The financial management and performance of the PCO including providing to the Attorney-General each financial year, information about its future operating intentions in accordance with the Public Finance Act 1989.

The Chief Parliamentary Counsel has specific responsibilities under the Public Service Act 2020 that are:

- Ensuring the PCO complies with any minimum standards of integrity and conduct that are set by the Public Service Commissioner
- Having regard to a Government Workforce Policy Statement (GWPS) that is applied to the PCO and considering any request for information if the GWPS contains specific information requirements of the PCO
- Consulting the Public Service Commissioner on any negotiations for a collective agreement
- Operating a personnel policy that complies with the principle of being a good employer.

The Parliamentary Service, under an agreement with the Chief Parliamentary Counsel, provides a range of services to the PCO including financial accounting services, payroll, and the parliamentary core computing network.

Ngā hononga matua | Key relationships

Te Kāwanatanga Government	<ul style="list-style-type: none">• The PCO is under the Attorney-General's control, or if there is no Attorney-General, the Prime Minister• The Minister for Treaty of Waitangi Negotiations• Other Ministers of the Crown• Cabinet Office and the Clerk to the Executive Council
Pāremata Parliament	<ul style="list-style-type: none">• Leader of the House• Members of Parliament including Select Committee Chairs• Office of the Clerk of the House of Representatives• The Regulations Review Committee
Te ratonga tūmatanui Public Service	<ul style="list-style-type: none">• Solicitor-General, the Crown Law Office and the Government Legal Network• Inland Revenue• The Regulatory Quality Team at the Treasury, the Office for Māori Crown Relations—Te Arawhiti, and Te Puni Kōkiri• All other Public Service secretaries and chief executives, chief legal advisors, other legal and policy staff of government departments
Te rāngai Sector	<ul style="list-style-type: none">• All users of legislation• Other agencies that administer legislation• Law Commission• Legislation Design and Advisory Committee

- Senior Judiciary and the Rules Committee
- Te Taura Whiri i te Reo Māori | the Māori Language Commission

Te ao whānui |
International

- Australasian Parliamentary Counsel's Committee including on trans-Tasman legislation
- The heads of Australian drafting offices
- The Cook Islands, Niue, and Tokelau - the three nations within the Realm of New Zealand
- Assistance to other Pacific Island nations where resources permit
- The Pacific Islands Forum Secretariat and the Pacific Islands Law Officers' Network
- Commonwealth Association of Legislative Counsel

Te momo kaiarataki e whāia ana | Leader profile

Te kaiaratakinga |
Leadership

The objective of the PCO is to promote high-quality legislation that is easy to find, use, and understand and, to that end, to exercise stewardship of New Zealand's legislation as a whole. Excellent leadership by the Chief Parliamentary Counsel is critical to the PCO meeting its objective.

The Chief Parliamentary Counsel must also lead by proactively managing and planning for the medium-to-long-term laws of New Zealand for the benefit of current and future leaders, and promote the PCO's long-term capability and people, institutional knowledge and information, system and processes, assets, and the legislation they administer.

Ngā take mātāmua me
mātua whai e angitu ai
| Critical success
priorities

Over the medium-term, the Chief Parliamentary Counsel will need to focus on:

- Maintaining the integrity and reputation of the PCO
- Managing the activities of the PCO efficiently, effectively and economically, including developing and implementing new medium-term strategic intentions
- Delivering the Government's legislation programme
- Building a coordinated approach to legislative quality
- Maintaining and delivering a comprehensive training programme for departments and agencies which delivers training to agency trainers, and directly to instructors and policy officials
- Assisting new Ministers and other customers to understand their roles, responsibilities and contribution to producing high-quality legislative drafting
- Conducting regular post-legislative reviews with instructing agencies at the conclusion of major primary and secondary legislative drafting projects
- Providing a trusted and official source of authoritative New Zealand legislation, including working with representatives of key users of the New Zealand Legislation website and other collaborators
- Providing a Pacific Islands law drafting facility to offer drafting assistance, training, and mentoring to the legislative drafting office[s].

Te momo tangata e whāia ana | Person profile

Ngā pūkenga me ngā wheako | Skills and experience

The Chief Parliamentary Counsel must hold a legal qualification as set out in the Legislation Act 2012.

The person appointed to the position of Chief Parliamentary Counsel will:

- Be an outstanding lawyer with significant management experience and a high level of credibility with Government, Parliament, the judiciary and within the legal profession
- Have extensive experience of legislative drafting office[s] in New Zealand or similar common law jurisdictions
- Have good knowledge of the machinery of government and the parliamentary process
- Be able to identify legal issues clearly and quickly, provide advice on a wide range of issues relating to the drafting of legislation, legislation and law reform including instrument choice, the design of legislative schemes and the relationship between legislation and the common law
- Understand New Zealand's constitutional arrangements and the constitutional relationship between legislative, executive, and judicial branches of government
- Have organisational and senior leadership and management experience, including the ability to build relationships of trust and respect with colleagues, Ministers and staff
- Have extensive experience dealing with other agencies and their executives
- Be dedicated to meeting the expectations and requirements of Ministers, as well as the requirements of Parliament and the judiciary.

Ngā pūkenga e hāngai pū ana ki te tūranga | Position specific competencies

The competencies outlined below are the specific requirements of the role at this time. To see the full range of capabilities required go to: <https://www.publicservice.govt.nz/resources/leadership-success-profile/>

Leading strategically

Think, plan, and act strategically; to engage others in the vision, and position teams, organisations, and sectors to meet customer and future needs.

Leading with influence

Lead and communicate in a clear, persuasive, and impactful way; to convince others to embrace change and take action.

Engaging others

Connect with and inspire people; to build a highly motivated and engaged workforce.

Developing talent

Coach and develop diverse talent; to build the people capability required to deliver outcomes.

Enhancing team performance

Build cohesive and high performing teams; to deliver collective results that are more than the sum of individual efforts.

Enhancing system Performance

Work collectively across boundaries; to deliver sustainable and long-term improvements to system and customer outcomes.

Enhancing organisational performance

Drive innovation and continuous improvement; to sustainably strengthen long-term organisational performance and improve outcomes for customers.

Achieving ambitious goals	Demonstrate achievement drive, ambition, optimism, and delivery-focus; to make things happen and achieve ambitious outcomes.
Te taumata o te āheitanga Security clearance	Appointment will be subject to a New Zealand Government Secret security clearance.

Up to date information on the PCO's outcomes, organisational structure, dimensions, and appropriations can be found on the website <http://www.pco.govt.nz/role-of-the-pco>

Other useful information is also available at the following links:

- Annual Reports: <http://www.pco.govt.nz/annual-reports/>
- Strategic Intentions: <http://www.pco.govt.nz/statements-of-intent/>