

NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE (2018)

This questionnaire is designed to help National Contact Points fulfil their reporting obligations as described in the Procedural Guidance of the OECD Guidelines for Multinational Enterprises. The answers to the questions should reflect the nature and results of the activities of the NCP¹.

STRUCTURE

This questionnaire comprises 61 questions and 2 annexes under the following headings:

- A. Contact information
- B. Institutional arrangements
- C. Information and promotion
- D. Specific instances
- E. Peer learning
- F. Policy coherence
- G. Impact and future work

Annex 1: NCP PROMOTIONAL ACTIVITIES

Annex 2: SPECIFIC INSTANCES

TYPES OF QUESTIONS

1. Yes/No questions

Most questions are Yes/No questions. For each of these questions, please select “Yes” or “No” from the dropdown menu. If a question is not relevant to your NCP, please select N/A (not applicable).

Example:

(b) Promotional activities	
23. Did the NCP organise or co-organise events to promote the Guidelines and/or the NCP during the year? <i>If yes, please provide details in table 1 in Annex 1.</i>	Yes/No

2. Open-ended questions

- a) Under certain Yes/No questions, there are open-ended questions to request more detail. For each open-ended question, an answer box is provided. Please keep responses precise and short.

Example:

(a) Location of the NCP	
1. Is the NCP located in a Ministry?	Yes/No
If yes, in which Ministry is the NCP located?	Click here to enter text
If yes, in which department of the Ministry?	Click here to enter text

¹ Page 74 of the Procedural Guidance of the OECD Guidelines for Multinational Enterprises: “Reports should contain information on the nature and results of the activities of the NCP, including implementation activities in specific instances”.

- b) “Additional comments” boxes are situated at the end of each section. Please feel free to enter any additional information you would like to share in these boxes.

Example:

*Additional comments on **Location of the NCP:***
Click here to enter text

TERMS USED IN THE QUESTIONNAIRE

A number of terms are used throughout the questionnaire. Definitions are provided below. Please note that these definitions are exclusively intended to assist in clarifying the terms used in this questionnaire.

- **Advisory body:** Some NCPs have an advisory body which can be consulted by the NCP on a range of activities and issues on which it provides advice. Advisory bodies can include representatives from trade unions, NGOs, business and/or academia, along with representatives of other government ministries or agencies. They do not normally form part of the NCP and do not have decision-making power on accepting or concluding specific instances.
- **Dedicated budget:** A budget that is allocated to the NCP on a regular basis (e.g. every year) to carry out its functions and activities.
- **Independent NCP:** An independent NCP is one whose members do not belong to a government administration, although generally an independent NCP will be supported by a secretariat based in a government administration.
- **Oversight body:** Some NCPs have an oversight body, which has a monitoring role, for example on whether the NCP has followed its own rules of procedures. They can include representatives from trade unions, NGOs, business and/or academia, along with representatives of other government ministries or agencies. They do not normally form part of the NCP and do not have decision-making power on accepting or concluding specific instances.
- **Stakeholder meeting:** A stakeholder meeting is a meeting organised by the NCP to meet with stakeholders, including trade unions, NGOs and the business community that are not part of the structure of the NCP (i.e. they are not members of the NCP, nor present on advisory or oversight bodies).

REPORTING PERIOD

The reporting period for this questionnaire is from 1 January to 31 December 2018.

SUBMISSION

The questionnaire should be completed by using this word document and sent by email to: RBC@oecd.org copying nicolas.hachez@oecd.org and kathryn.dovey@oecd.org by **21 January 2019**.

NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE (2018)

A. CONTACT INFORMATION	
<i>Please provide the contact information of the person filling in the questionnaire.</i>	
Name:	Michael Hobby
Job title:	Principal Advisor, International Labour Policy
Email:	Michael.hobby@mbie.govt.nz
Telephone number:	+6449013822

B. INSTITUTIONAL ARRANGEMENTS		
(a) Location of the NCP		
1. Is the NCP located in a Ministry?	Yes	
If yes, in which Ministry is the NCP located?	Ministry of Business Innovation & Employment	
If yes, in which department of the Ministry?	Labour and Immigration Policy	
2. Is the NCP located in an investment promotion agency?	N/A	
3. Is the NCP an independent NCP?	No	
4. Has the NCP been established through a legal, regulatory or administrative instrument (e.g. a decree)?	No	
If yes, please provide the name and date of this instrument	Click here to enter text.	
<p><i>Additional comments on Location of the NCP:</i> New Zealand's monopartite structure houses the NZNCP within the government ministry covering business regulation and microeconomic affairs. This location ensures that the NCP can operate and network across other agencies whose portfolio areas are covered by the Guidelines.</p>		
(b) Composition of the NCP		
5. Who are the members of the NCP? <i>Please describe the functions of the members of the NCP (e.g. President, Secretariat, Independent expert, etc.). No names are required.</i>	The NCP function is exercised by a designated official as part of the broader range of duties of the unit	
6. Does the NCP have dedicated full-time staff? <i>"Dedicated full-time staff" means staff working full-time on NCP activities. If yes, please indicate the number.</i>	No	There is a dedicated staff member but the NCP role itself is not a full time one
7. Does the NCP have dedicated part-time staff? <i>"Dedicated part-time staff" means staff dedicating part of their time to NCP activities. If yes, please indicate the number.</i>	No	Where required, existing staff may assist in the exercise of the NCP function – eg in the provision of legal advice
8. Have any full-time or part-time staff members joined the NCP during the year? <i>If yes, please indicate how many.</i>	No	Click here to enter text.

9. Have any full-time or part-time staff members left the NCP during the year? <i>If yes, please indicate how many.</i>	No	Click here to enter text.
10. Are other Ministries part of the institutional arrangements of the NCP? <i>(e.g. represented on advisory or oversight bodies, participate in specific instances, etc.)</i>	Yes	
If yes, please list the Ministries (e.g. Social Affairs, Labour, Trade, Environment, Foreign Affairs, Justice, Finance, etc.)	Treasury, Reserve Bank, Justice, Environment, Foreign Affairs, Inland Revenue – others as required	
11. Are social partners and other stakeholders (trade unions, business community, civil society and other non-governmental organisations) part of the institutional arrangements of the NCP? <i>(e.g. represented on advisory or oversight bodies, represented as members of the NCP, making NCP decisions on specific instances)</i>		
NGOs	Yes	
Representatives of the business community	Yes	
Trade unions	Yes	
12. Does the NCP have an advisory body?	Yes	
If yes, please describe its functions	The interagency stakeholder advisory group is periodically convened by the NCP to discuss relevant issues, receipt/progress of specific instance cases, outcomes of OECD meetings and promotion of the Guidelines. Should a specific instance arise in a specialist area outside of the NCP's ministry's portfolio, consultation would occur with the relevant agencies on the advisory group.	
If yes, please list the names of organisations that are represented on the advisory body and the type of organisation, or provide a link to the list on the NCP website. <i>(e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)</i>	See above list of Ministries in q10. Also, the NZ Council of Trade Unions, Etu union, Business New Zealand, New Zealand Directors' Institute, Sustainable Business Council, Human Rights Commission.	
If yes, please indicate how often the NCP meets with the advisory body	Once a year	
13. Does the NCP have an oversight body?	No	
If yes, please describe its functions	Click here to enter text.	
If yes, please list the names of organisations that are represented on the oversight body and the type of organisation, or please provide a link to the list on the NCP website. <i>(e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)</i>	Click here to enter text.	
If yes, please indicate how often the oversight body meets	Choose an item.	
14. Does the NCP have a body for both advice and oversight?	Yes	
If yes, please describe its functions	The Interagency stakeholder group is able to provide advice to the NCP should specific cases require input from their portfolios	

If yes, please list the names of organisations that are represented on the oversight body and the type of organisation, or provide a link to the list on the NCP website. (e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)	See above
If yes, please indicate how often this body meets	Once a year
<i>Additional comments on Composition of the NCP:</i> The NCP aims to convene the stakeholder advisory group at least annually but also on an ad hoc basis as required	
(c) Financial resources	
15. Did the NCP have a dedicated budget this year?	No
16. Did the NCP have a dedicated budget to conduct its promotional activities during the year?	No
If no, were financial resources for promotional activities allocated on an ad hoc basis when requested by the NCP?	No
17. Did the NCP have a dedicated budget to conduct its activities related to specific instances during the year?	No
If no, were financial resources for specific instances allocated on an ad hoc basis when requested by the NCP?	Yes
18. During the year, was the NCP able to access funds for the following activities:	
Organising promotional events	Choose an item.
Attending NCP meetings at the OECD	Yes
Attending events organised by other NCPs	Yes
Attending events organised by other stakeholders	Choose an item.
Professional mediator fees or in-house mediator fees	Choose an item.
Fact-finding research into specific instances	Yes
<i>Additional comments on Financial resources:</i> The NCP has no specific/dedicated budget, but resources are available from the broader Group to conduct activities as required. No promotional activities were able to be conducted in 2018 although the NCP was funded to attend an RBC event.	
(d) Reporting	
19. Does the NCP report to the government on its activities?	Yes
If yes, how often?	N/A
20. Does the NCP report to parliament on its activities?	No
If yes, how often?	N/A

Additional comments on Reporting:
The NCP reports to the relevant Minister as required – for instance, on the lodgement and resolution of specific instance cases

C. INFORMATION AND PROMOTION	
(a) NCP website²	
21. Was a new NCP website created this year? If yes, please provide the link.	No However the current website was reformatted/refreshed. Some elements have yet to be updated. https://www.mbie.govt.nz/business-and-employment/business/trade-and-tariffs/oecd-guidelines-for-multi-national-enterprises/
22. Are the following items available on the NCP website:	
Information about the Guidelines and the role of the NCP	
The text of the Guidelines	Yes
A description of the Guidelines	Yes
Information on the NCP and its mandate	Yes
The 2015 NCP Annual Report submitted to the OECD	Yes
The NCP's own 2015 Annual Report	No
Information about specific instances	
Instructions on how to submit a specific instance	Yes
The NCP's rules of procedures	Yes
All final statements since 2011	Yes
Information on promotional activities	
Information on upcoming events promoting the Guidelines	Yes
Information on past events promoting the Guidelines	No
Contact information	
Information on how to make an enquiry to the NCP	Yes
A phone number to reach the NCP directly	No
An email address to reach the NCP directly	Yes
<i>Additional comments on NCP website:</i> Im puzzled by the reference to the 2015 annual report – presume this is a typo and you mean the last year's report? Ive put in 'yes' on this basis	
(b) Promotional activities³	

² This includes dedicated NCP webpages as part of the Ministry's website.

³ Attendance of NCP meetings held at the OECD and other OECD events such as the Global Forum on Responsible Business Conduct are not considered to be promotional activities.

23. Did the NCP organise or co-organise events to promote the Guidelines and/or the NCP during the year? <i>If yes, please provide details in table 1 in Annex 1.</i>	No
24. Did the NCP make a presentation to promote the Guidelines and/or the NCP in events organised by others? <i>If yes, please provide details in table 2 in Annex 1.</i>	No
25. Did the NCP make use of social media to communicate on NCP promotional activities during the year?	No
26. Did the NCP hold a stakeholder meeting during the year?	Yes
27. Did the NCP promote the Guidelines among the business community during the year?	Choose an item.
28. Did the NCP carry out any training on the Guidelines aimed at businesses during the year?	No
29. Did the NCP promote the Guidelines among NGOs during the year?	Yes
30. Did the NCP promote the Guidelines among trade unions during the year?	Yes
31. Did the NCP promote the Guidelines among government agencies during the year?	Yes
32. Did the NCP promote the Guidelines among embassies abroad during the year?	No
33. Did the NCP promote the Guidelines to investment promotion agencies during the year?	No
34. Did the NCP refer to the following sector guidance reports in promotional activities during the year:	
OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas	No
OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector	No
OECD-FAO Guidance for Responsible Agricultural Supply Chains	No
<i>Additional comments on the section Promotional activities: In November 2018 the NCP attended the Global Compact Network Australia's Australian Dialogue on Business and Human Rights and liaised with members of the business community (a number of NZ MNEs are Australian owned), the ANCP and OECD staff.</i>	

D. SPECIFIC INSTANCES	
(a) NCP rules of procedure for handling specific instances	
35. Does the NCP have rules of procedure describing the handling of specific instances?	Yes
36. Are the rules of procedure available online? <i>If yes, please provide link. If no, please attach a copy of the rules of procedure to this questionnaire</i>	Yes https://www.mbie.govt.nz/business-and-employment/business/trade-and-tariffs/oecd-guidelines-for-multi-national-enterprises/

		lick here to enter text.
37. Were the NCP's rules of procedure modified this year?	No	
<p><i>Additional comments on the section Rules of procedure:</i> Click here to enter text.</p>		
(b) Specific instance practicalities		
38. Does the NCP confirm receipt of a specific instance submission?	Yes	
39. Who has the final sign-off on accepting a specific instance? <i>Please provide the function of the relevant staff within the NCP. No names are required.</i>	The NCP	
40. Who has the final sign-off on final statements? <i>Please provide the function of the relevant staff within the NCP. No names are required.</i>	The NCP	
41. Does the NCP request feedback from the parties on the procedure following the conclusion of a specific instance?	Yes	
42. Has the NCP staff undergone training in dispute resolution or problem-solving (e.g. mediation)?	Yes	
43. Did the NCP engage professional mediators during the year?	No	
44. Did the NCP staff or members conduct mediation this year?	No	
<p><i>Additional comments on the section Specific instance practicalities:</i> Internal consultation will occur after receipt of specific instances; legal advice may be sought over specific issues.</p>		
(c) Reporting specific instances		
45. Did the NCP receive new specific instance submissions during the year? <i>If yes, please also provide details in Annex 2</i>	Yes	
46. Of the specific instances that were already in progress at the start of the year, are there any that are still ongoing at the end of the calendar year? <i>If yes, please also provide details in Annex 2</i>	Yes	

Additional comments on the section *Reporting specific instances*:

Click here to enter text.

E. PEER LEARNING	
47. Did the NCP take part in the following activities with other NCPs during the year:	
NCP-hosted peer learning activities	No
Co-operation with other NCPs in handling specific instances	No
Mentoring/capacity building of another NCP	No
48. Is the NCP interested in hosting an NCP learning/experience-sharing event in 2019?	No
49. Which topic would the NCP consider to be a priority to cover in a peer learning event?	Click here to enter text.
50. Is the NCP interested in participating in developing tools for use by NCPs?	Yes
<p>Additional comments on the section <i>Peer-learning activities</i>:</p> <p>Click here to enter text.</p>	

F. POLICY COHERENCE⁴	
51. Have the Guidelines been referred to in relevant national legislation adopted during the year? (e.g. on responsible business conduct; non-financial reporting, export credits regulation)	N/A
If yes, please provide a link to the legislation. If a link is not available, please attach a copy of the legislation to this questionnaire.	Click here to enter text.
52. Did the NCP communicate public statements on specific instances to officials responsible for trade missions?	No
53. Did the NCP communicate public statements on specific instances to officials responsible for foreign trade and investment incentives?	No
54. Did your country adopt a National Action Plan (NAP) this year? If yes, please indicate which type of NAP	No
If yes, does the NAP make reference to the Guidelines?	Choose an item.
If yes, does the NAP make reference to the NCP?	Choose an item.

⁴ Paragraph 37 of the Commentary on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises: "Statements and reports on the results of the proceedings made publicly available by the NCPs could be relevant to the administration of government programmes and policies. In order to foster policy coherence, NCPs are encouraged to inform these government agencies of their statements and reports when they are known by the NCP to be relevant to a specific agency's policies and programmes [...]."

55. Was a NAP in development this year? <i>If yes, please indicate which NAP.</i>	No	N/A
If yes, did the NCP participate in the development of the National Action Plan?	No	
56. Please indicate any other examples of policy coherence activities:	Click here to enter text.	
<i>Additional comments on Policy Coherence:</i> Click here to enter text.		
Public procurement		
57. Does your national legislation or policy on public procurement refer to the Guidelines and/or OECD due diligence instruments?	No	
If yes, please provide a link to the legislation. <i>If a link is not available, please attach a copy of the legislation to this questionnaire.</i>	While there is no explicit link to the MNE Guidelines/related instruments, the NZ Government public procurement framework reflects OECD guidelines and recommendations on the topic. This includes work underway to strengthen provisions regarding the integrity of suppliers and supplier conduct. The framework can be found at www.procurement.govt.nz	
58. Does your national legislation or policy on public procurement make a link to the NCP process?	No	
If yes, did the NCP communicate public statements on specific instances to public procurement officials during the year 2018?	No	
59. Please provide any other relevant information on how your government is including responsible business conduct considerations into the public procurement process.	The Government has agreed 4 priority outcomes for Government Procurement which include fair work practices, integrity and sustainability (in its various forms) considerations. It is actively engaged in the implementation of these outcomes. See www.procurement.govt.nz	

G. IMPACT AND FUTURE WORK		
60. Does the NCP have a promotional plan for the coming year (2019)?	No	
61. Has the NCP faced any particular challenge(s) it would like to highlight this year?	Click here to enter text.	
<i>Additional comments on the section Impact and future work:</i> A promotional plan is not currently in place for 2019 but is expected to be developed over the course of the year		

Annex 1: NCP PROMOTIONAL ACTIVITIES

Please provide information on the events organised or co-organised by the NCP (Table 1), and events in which the NCP has participated to promote the Guidelines (Table 2). Please select the event type, size and type of audience as well as the theme from the dropdown menus for each event. Please add additional lines if needed.

Table 1

NCP-organised and co-organised events to promote the Guidelines and/or the NCP							
Title	Date <i>(dd/mm/yyyy)</i>	Location	Type of event	Size of audience	Organised or co-organised?	Targeted audience <i>e.g. Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc.</i>	Theme <i>e.g. the OECD Guidelines, the NCP activities on sector due diligence guidance documents, etc.</i>

Total number=	0
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Table 2

Presentations by the NCP to promote the Guidelines and/or the NCP in events organised by others								
Title	Date <i>(dd/mm/yyyy)</i>	Location	Type of event	Size of audience	Targeted audience <i>e.g. Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc.</i>	Organiser(s)	Type of intervention	Theme of the intervention

Total number=	0
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Annex 2: SPECIFIC INSTANCES

Please provide details of the following in the table below:

1. Specific instances **in progress** during the year:
 - Before the initial assessment: specific received and initial assessment in development
 - After the initial assessment: specific instances received and found to merit further examination after the initial assessment, and under consideration by the NCP. Good offices were offered to the parties.
2. Specific instances **concluded** during the year (specific instances that the NCP found to merit further examination after the initial assessment and that have subsequently been closed). Please include any follow-up planned or executed regarding concluded specific instances. When NCPs engage in follow-up they review how the parties have implemented the agreement and recommendations.
3. Specific instances **not accepted** during the year (specific instances that the NCP found not to merit further examination).

Please add additional lines if needed.

We encourage all NCPs to inform the Secretariat on received specific instances and to provide a final statement as soon as it becomes available, in order to keep the OECD database updated at all times. For all specific instances that have not yet been reported to the Secretariat, please complete and send this [form](#) to barbara.bijelic@oecd.org and kathryn.dovey@oecd.org⁵.

For all specific instances that are currently IN PROGRESS:

Before the initial assessment

Names of parties	Date received <i>(dd/mm/yyyy)</i>	Link to OECD database if available	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.
		Click here to enter text.	Click here to enter text.

⁵ According to paragraph 42 of the Commentary on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises, “[...] NCPs will report to the Investment Committee in order to include in the Annual Report on the OECD Guidelines information on all specific instances that have been initiated by parties, including those that are in the process of an initial assessment, those for which offers of good offices have been extended and discussions are in progress, and those in which the NCP has decided not to extend an offer of good offices after an initial assessment”.

After the initial assessment				
Names of parties	Date received (dd/mm/yyyy)	Is the initial assessment publicly available?	Link to OECD database if available	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.
Click here to enter text.	16/3/15	No	http://survey.oecd.org/Survey.aspx?edit=true&r=958a743d-0a80-4e82-b5b2-8b02ef66065f	No
Click here to enter text.	20/8/15	No	http://survey.oecd.org/Survey.aspx?edit=true&r=44f73265-48a4-42d3-ae92-b0e3bea7ec83	No
Click here to enter text.	18/04/18	No	Click here to enter text.	No

Finalised assessments will be placed on the NCP website

Total number=	3
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For all specific instances that were CONCLUDED during the year:						
Title	Date received (dd/mm/yyyy)	Date concluded (dd/mm/yyyy)	Link to OECD database if available	Outcomes achieved	Follow-up by the NCP	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.

Total number=	Click here to enter text.
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For all specific instances that were NOT ACCEPTED during the year:				
Title	Date received (dd/mm/yyyy)	Link to OECD database if available	Reasons for not accepting the specific instance	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.

Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.

Total number=	Click here to enter text.
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END OF QUESTIONNAIRE