Submission template

### Recovering the regulatory costs for Major Hazard Facilities

This is the submission template for the consultation document, *Recovering the regulatory costs for Major Hazard Facilities*.

The Ministry of Business, Innovation and Employment (MBIE) seeks your written submission on the matters raised in the consultation paper by 5pm on **8 March 2022**.

### Your submission could be made public

The information provided in submissions will be used to inform MBIE’s policy development and advice to Ministers on setting Major Hazard Facilities fees and levies. We may contact submitters directly if we require clarification of any matters in submissions.

The *Privacy Act 2020* applies to submissions and responses. Any personal information you supply to MBIE in making a submission will only be used for the purpose of assisting in the development of policy advice as part of this review. When businesses or organisations make a submission, MBIE will consider that you have consented to the content being included in any summary of submissions unless you clearly state otherwise. If your submission contains any information that is confidential or that you do not want published, you can say this in your submission. Please clearly indicate in your cover letter or email with your submission if you do not wish your name, or any other personal information, to be included in any summary of submissions that MBIE may publish.

Submissions and responses may be subject to requests for information under the *Official Information Act 1982*. Please clearly indicate in your cover letter or email with your submission if you have any objection to the release of any information in your submission, and which parts you consider should be withheld, together with the reasons for withholding the information. MBIE will take your views into account when responding to requests under the *Official Information Act 1982*. Any decision to withhold information requested under the OIA can be reviewed by the Ombudsman.

### How to make a submission

Please send your written submission on the options and questions in this consultation document by **5pm on 8 March 2022.** You can make your submission (preferably using this submission template) as follows:

1. Include your name, the name of your organisation (if applicable), and contact details. We may contact submitters directly if we require clarification of any matters in submissions.
2. Your submission may respond to any or all of the questions in the consultation paper. Where possible, please include information or evidence to support your views. We also encourage your input on any other relevant MHF fee and levy matters in the “Other comments” section.
3. When preparing to send your submission:
   1. If your submission contains any confidential information, clearly indicate this on the front of your submission or in the accompanying cover letter or e-mail. Any confidential information, together with reasons for withholding the information, should be clearly marked within the text of your submission. MBIE will take such objections into account when responding to any requests under the *Official Information Act 1982*.
   2. The *Privacy Act 2020* applies to submissions. Any personal information you supply to MBIE in making a submission will only be used for the purpose of assisting in the development of policy advice as part of this review. Please clearly indicate in your cover letter or email with your submission if you do not wish your name, or any other personal information, to be included in any summary of submissions that MBIE may publish.
4. Sending your submission:
   1. Attach as a Microsoft Word document or searchable PDF and emailing to [HSWregs@mbie.govt.nz](mailto:HSWregs@mbie.govt.nz) (preferred), or
   2. Mail your submission to:  
        
      Health and Safety Policy  
      Workplace Relations and Safety Policy  
      Ministry of Business, Innovation and Employment  
      PO Box 1473  
      Wellington 6140

If you have any questions on the submissions process, please contact [HSWregs@mbie.govt.nz](mailto:HSWregs@mbie.govt.nz).

Submission on *Recovering the regulatory costs for Major Hazard Facilities*

### Your name and organisation

|  |  |
| --- | --- |
| **Name** |  |
| **Organisation (if applicable)** |  |
| **Contact details** |  |

### Responses to consultation document questions

|  |  |
| --- | --- |
| **Status quo** | |
|  | *Do you agree with this characterisation of the status quo? If not, how would you describe the status quo?* |
|  |  |
|  | *What other factors do you think should be considered?* |
|  |  |
| **Problem definition** | |
|  | *Do you agree with this characterisation of the problems we have outlined? If not, please explain why.* |
|  |  |
|  | *Do you have any further feedback on the operation of the MHF fee and levy scheme over the last five years?* |
|  |  |
| **Outcome and cost recovery objectives for this review** | |
|  | *Have we identified the correct objectives? What objectives should we use to assess and rank options?* |
|  |  |
| **Cost recovery model and how WorkSafe estimates its costs** | |
|  | *Do you agree with WorkSafe’s approach to estimating costs for delivering the major hazard facilities regulatory services? If not, please explain why.* |
|  |  |
|  | *Do you agree with the assumptions underpinning the costs? If not, please explain why.* |
|  |  |
|  | *Are there any future changes to the operating environment that you think should be considered that are not included here?* |
|  |  |
| **Options for resetting the fee and levy rates** | |
|  | *Do you agree that these are the correct options to consider? If not, please explain why.* |
|  |  |
|  | *Are there any options not discussed here that should be considered? If there are, please outline and explain why.* |
|  |  |
|  | *Of the options discussed here, please say if there are options you think should not be considered. Please explain why.* |
|  |  |
| **Analysis of the options for resetting MHF fees and levies** | |
|  | *How suitable do you think these options are for recovering the costs for WorkSafe of its MHF regulatory activity? Please provide information or evidence to support your answer.* |
|  |  |
|  | *Do you agree with the assessment of these options? If not, please explain.* |
|  |  |
|  | *Which option do you think is likely to best address each problem and why?* |
|  |  |
| **Impacts of the options** | |
|  | *If these options were implemented, what impact would it have on you or your organisation?* |
|  |  |
|  | *What impacts are not included here? Who might be affected that isn’t covered here?* |
|  |  |
|  | *What are your views on the marginal costs and benefits of these options?* |
|  |  |
|  | *What risks do you see associated with the options?* |
|  |  |
| **Implementation** | |
|  | *Do you agree with intended timing of any new fees and levies? If not, when do you think the changes should be introduced?* |
|  |  |
|  | *Are there any other implementation issues we should consider? If so, please explain.* |
|  |  |
| **Monitoring and review** | |
|  | *Do you agree with the proposed monitoring arrangements? If not, how should these changes be monitored?* |
|  |  |
|  | *Do you agree with the proposed five-year review period for the fee and levy rates? If not, when should the next review take place and why?* |
|  |  |
| **Final question** | |
|  | *Is there anything else that MBIE and WorkSafe should consider when providing advice to Ministers about resetting the fee and levy rates to recover the costs of WorkSafe’s MHF regulatory activity?* |
|  |  |

### Other comments

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| --- | --- |
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