

NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE (2016)

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 60 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 2016.

SUBMISSION

The questionnaire should be completed by using this word document and sent by email to:

investment@oecd.org copying alison.holm@oecd.org and kathryn.dovey@oecd.org by **16 January 2017**.

Should you have any questions on how to fill this questionnaire, please contact alison.holm@oecd.org.

NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE (2016)

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 Strategy
Email:	Michael.hobby@mbie.govt.nz
Telephone number:	0064 4 9013822

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 and Employment	
If yes, in which department of the Ministry?	International Strategy, Science Innovation and International	
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.	
<i>Additional comments on Location of the NCP:</i> New Zealand's monopartite structure houses the NZNCP within the government ministry covering business and microeconomic affairs. This location ensures that the NCP can operate expeditiously and network across other agencies whose portfolio areas are covered by the Guidelines, while remaining accountable to the NZ Government's public sector guidelines		
(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>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>If yes, please indicate the number.</i>	No	Where required existing staff may assist in the exercise of the NCP function
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	n/a
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	n/a

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, 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 on the NCP, take part in 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 strategies for promoting the Guidelines to NZ businesses/NCPS. Should a specific instance arise under the Guidelines 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	Twice 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?	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 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 this body meets	Choose an item.

<p><i>Additional comments on Composition of the NCP:</i> Click here to enter text.</p>	
<p>(c) Financial resources</p>	
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?	Yes
17. Did the NCP have a dedicated budget to conduct its activities related to specific instances during the year?	Yes
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	Choose an item.
Attending events organised by other NCPs	Choose an item.
Attending events organised by other stakeholders	Yes
Professional mediator fees or in-house mediator fees	Choose an item.
Fact-finding research into specific instances	Yes
<p><i>Additional comments on Financial resources:</i> The interagency stakeholder advisory group is periodically (annually) convened by the NCP to discuss relevant issues, outcomes of OECD meetings and strategies for promoting the Guidelines to NZ businesses/NCPS.</p>	
<p>(d) Reporting</p>	
19. Does the NCP report to the government on its activities?	Yes
If yes, how often?	More than three times a year
20. Does the NCP report to parliament on its activities?	No
If yes, how often?	Choose an item.
<p><i>Additional comments on Reporting:</i> The NCP regularly reports to the Minister of Commerce as part of ongoing Ministry activity reporting. The NCP will also result on specific instances in an ad-hoc manner as they arise and are resolved.</p>	

C. INFORMATION AND PROMOTION

(a) NCP website²		
21. Was a new NCP website created this year? If yes, please provide the link.	No	No new website was created; the NCP already maintains a website
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		
Information 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	No	
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> Click here to enter text.		
(b) Promotional activities³		
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>	Yes	
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?	Yes	
28. Did the NCP carry out any training on the Guidelines aimed at businesses during the year?	No	

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.

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: Click here to enter text.</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 http://www.mbie.govt.nz/info-services/business/trade-tariffs/trade-environment/oecd-guidelines-for-multi-national-enterprises/reporting-a-multi-national-enterprise
37. Were the NCP's rules of procedure modified this year?	No
<i>Additional comments on the section Rules of procedure: Rules of procedure are expected to be reviewed in 2017 given the NCP's experience/caseload of specific instances.</i>	
(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
<i>Additional comments on the section Specific instance practicalities: Internal consultation will occur after receipt of specific instances; legal advice may be sought over specific interpretations of the Guidelines.</i>	
(c) Reporting specific instances	
44. Did the NCP receive new specific instance submissions during the year? <i>If yes, please also provide details in Annex 2</i>	Yes
45. 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
<i>Additional comments on the section Reporting specific instances: Click here to enter text.</i>	

E. PEER LEARNING	
46. 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
47. Is the NCP interested in hosting an NCP learning/experience-sharing event in 2017?	No
48. Which topic would the NCP consider to be a priority to cover in a peer learning event?	Case management of multiple events
49. Is the NCP interested in participating in developing tools for use by NCPs?	Yes

*Additional comments on the section **Peer-learning activities**:*
Click here to enter text.

F. POLICY COHERENCE⁴	
50. Have the Guidelines been referred to in relevant national legislation adopted during the year? <i>(e.g. on responsible business conduct; non-financial reporting, export credits regulation, public procurement)</i>	N/A
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>	Click here to enter text.
51. Did the NCP communicate public statements on specific instances to public procurement officials?	No
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? <i>If yes, please indicate which type of NAP</i>	No <input type="checkbox"/> Choose an item. <input type="checkbox"/>
If yes, does the NAP make reference to the Guidelines?	Choose an item. <input type="checkbox"/>
If yes, does the NAP make reference to the NCP?	Choose an item. <input type="checkbox"/>
55. Was a NAP in development this year? <i>If yes, please indicate which NAP.</i>	No <input type="checkbox"/> Choose an item. <input type="checkbox"/>
If yes, did the NCP participate in the development of the National Action Plan?	No <input type="checkbox"/>
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.	

G. IMPACT AND FUTURE WORK	
57. Does the NCP have a promotional plan for the coming year (2017)?	No <input type="checkbox"/>

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 [...]."

58. Is the NCP interested in being a <u>reviewer</u> in a peer review planned in 2017 or 2018?	No
59. Is the NCP interested in being an <u>observer</u> of a peer review planned in 2017 or 2018?	No
60. Has the NCP faced any particular challenge(s) it would like to highlight this year?	Click here to enter text.
<p><i>Additional comments on the section Impact and future work:</i> The current focus of the NCP has been on managing a large specific instance caseload. A greater emphasis will be made in 2017 on the promotional aspects of the role.</p>	

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

Total number=	Click here to enter text.
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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 (dd/mm/yyyy)	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
NZ Business and Human Rights Forum	9/8/2016	Wellington, New Zealand	Conference	10-50	Government	NZ Human Rights Commission	Presentation to Roundtable discussion	Role and relevance of the Guidelines and connection to UNGPs on human rights, explanation of role and activities of NCP
Business and Human Rights Multi-stakeholder meeting	17/10/2016	Auckland, New Zealand	Meeting	10-50	Business, NGOs, Unions, local government	NZ Human Rights Commission	Participation in roundtable discussion	Role and relevance of the Guidelines and connection to UNGPs on human rights, explanation of role and activities of NCP

Total number=	two
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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 (specific instances received and found to merit further examination after the initial assessment, and under consideration by the NCP).
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).
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 Alison.holm@oecd.org and Kathryn.dovey@oecd.org⁵.

For all specific instances that are currently IN PROGRESS:

Names of parties	Date received <i>(dd/mm/yyyy)</i>	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.	17/6/14	No	http://mneguidelines.oecd.org/datab ase/instances/nz0004.htm	Click here to enter text.
Click here to enter text.	16/3/15	No	http://survey.oecd.org/Survey.aspx?edit=true&r=958a743d-0a80-4e82-b5b2-8b02ef66065f	Click here to enter text.
Click here to enter text.	16/3/15	No	http://survey.oecd.org/Survey.aspx?edit=true&r=5aefc8f4-4a4e-4a7a-9b1d-f467cb5d0a90	Click here to enter text.
Click here to enter text.	17/6/15	No	http://survey.oecd.org/Survey.aspx?edit=true&r=0a9a621e-1b2f-4550-8ae1-8ef6d4cbb847	Click here to enter text.
Click here to enter text.	14/7/15	No	http://survey.oecd.org/Survey.aspx?edit=true&r=de20cdf-8d1e-40d7-	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”.

			9128-2e9f7b52f2a1	
Click here to enter text.	24/7/15	No	:http://survey.oecd.org/Survey.aspx?edit=true&r=58a5a1c4-8f3e-42e6-b0e4-f7e538633818	Click here to enter text.
Click here to enter text.	20/8/15	No	:http://survey.oecd.org/Survey.aspx?edit=true&r=44f73265-48a4-42d3-ae92-b0e3bea7ec83	Click here to enter text.
Click here to enter text.	5/10/15	No	http://survey.oecd.org/Survey.aspx?edit=true&r=6ae3e469-e9bc-4d89-8040-e545019c3d34	Click here to enter text.
Click here to enter text.	6/1/16	No	http://survey.oecd.org/Survey.aspx?edit=true&r=0a223fce-9682-4784-9c67-c88a1196aeaf	Click here to enter text.

Total number= nine

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.
Mr and Mrs Y v MNE X	21/11/13	12/16	http://mneguidelines.oecd.org/database/instances/nz0003.htm	Other	N/A - no outcomes achieved	Yes, consulted Australian NCP over initial assessment process.

Total number= one

For all specific instances that were NOT ACCEPTED during the year:

Title	Date received <i>(dd/mm/yyyy)</i>	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.
Mr & Mrs C v Southern Response /NZPT	17/6/15	http://survey.oecd.org/Survey.aspx?edit=true&r=9ecddf8b-bbd5-4c53-84e6-c5ae41810373	The identity of the party concerned and its interest in the matter.	Click here to enter text.

Total number=	one
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END OF QUESTIONNAIRE