

Environmental Reporting Amendment Bill

Submission of the New Zealand Law Society Te Kāhui
Ture o Aotearoa

21 July 2026

1 Introduction

- 1.1 The New Zealand Law Society Te Kāhui Ture o Aotearoa (**Law Society**) welcomes the opportunity to briefly comment on the Environmental Reporting Amendment Bill (**Bill**). The Bill amends the Environmental Reporting Act 2015 (which requires the preparation of regular state of the environment reports) by restating the purpose of the Act, reducing the frequency with which reports are required, and making various other changes including the establishment of a Strategic Expert Panel (**Panel**).
- 1.2 This submission has been prepared with input from the Law Society's Environmental Law Committee.¹
- 1.3 The Law Society does not request an oral hearing on this Bill.
- 1.4 We offer brief feedback below on possible drafting improvements to the Bill, in new provisions relating to:
- (a) the requirements to collect data and produce statistics;
 - (b) processes for establishing and receiving advice from the Panel;
 - (c) provision on the Panel for tikanga and te ao Māori expertise; and
 - (d) provision for appointment of new members when a member resigns or is removed from the Panel.

2 Comments

Requirements to collect data and produce statistics

- 2.1 In clause 8 of the Bill, new section 14D(2) provides that the Government Statistician must make reasonable efforts to produce statistics in accordance with subsection (1)(a). However, subsection (1)(a) provides that the Government Statistician “must” produce statistics.
- 2.2 The Committee may wish to consider and recommend refinements to the drafting to address the internal consistency of new section 14D.
- 2.3 Similarly, under new section 17 (clause 12), the Secretary must make “reasonable efforts” to collect data. If data is not collected despite having made reasonable efforts, we query whether the Bill should or could clarify what (if any) effect this may have on the requirement for the Secretary to produce and publish reports.

Statutory guidance on processes relating to the Panel

- 2.4 New section 20(4), inserted by clause 14, gives no guidance as to how the Secretary should set the terms of reference for the Panel, and no reference to any consultation being required. There is also nothing in this Part providing what the Secretary must do with any advice that is provided. Presumably, they would need to consider the advice in fulfilling their functions.

¹ More information about the Law Society's law reform sections and committees is available on the Law Society's website: [NZLS | Law reform committees](#).

- 2.5 For clarity, the Law Society considers it would be helpful to set out these matters.

Appointment of Panel members with relevant expertise

- 2.6 New section 21(2) provides that in appointing Panel members, the Secretary must have regard to the need for members to collectively hold relevant expertise on matters related to environmental data, monitoring, and reporting.
- 2.7 As reports also address te ao Māori, the Committee may wish to consider including a requirement for additional expertise on the Panel relating to mātauranga Māori knowledge and tikanga.

Removal and resignation of Panel members

- 2.8 We query whether new section 22 should provide for the appointment of new members to the Panel where a member resigns or is removed. While this power is perhaps implicit in section 21, it may be a desirable point to expressly clarify.

Nāku noa, nā



Mark Sherry
Vice President