



LEGISLATION ADVISORY COMMITTEE

Annual Report 2009

February 2010

Report of the Legislation Advisory Committee to the Attorney-General
Rt Hon Sir Geoffrey Palmer, Chairperson

FOREWORD

This report outlines the work done by the Legislation Advisory Committee (LAC) during 2009.

The primary purpose of the LAC is to promote standards in legislative drafting that will ensure our legislation is accessible, understandable and based on New Zealand's public law and constitutional principles. The Committee is an independent body of recognised experts who draw on wide experience to support officials developing new legislation.

The major focus of work by the LAC is the preparation of Guidelines for legislation and the scrutiny of Government Bills after introduction into Parliament. In 2009 the LAC considered 62 Bills, presented 11 submissions to select committees, and wrote to Ministers drawing attention to particular issues with a number of Bills. LAC members held discussions with departmental officials to work through legislative issues identified in the scrutiny process. Meetings were also held with officials to assist in resolving issues prior to the introduction of a number of Bills. The LAC regards this engagement as an effective means of resolving problems early in the process of developing policy proposals into principled and effective legislation.

Targeted seminars were given to two government departments and a full day seminar was held for policy and legal advisers in conjunction with the Office of the Clerk entitled *From Policy to Legislation*. Work continued on two major additions to the Legislation Advisory Committee Guidelines which will be completed in 2010.

The report summarises this work and the outcome of the Committee's recommendations to Parliament on bills. The workload of members for Legislation Advisory Committee is significant, usually on top of other commitments. I want to thank all members of the LAC for their contribution in 2009 and their dedication to the high purposes of law reform.

Sir Geoffrey Palmer
Chair
Legislation Advisory Committee

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INTRODUCTION

1. The Legislation Advisory Committee (LAC) was established by the Minister of Justice in February 1986. The Law Commission was established at the same time and replaced the former law reform committees. It was considered desirable, however, that the work of one of those committees, the Public and Administrative Law Reform Committee, should continue. The LAC in effect succeeded that committee but with an enlarged role.
2. The objective of the LAC is to promote good quality legislation. It does this principally through the publication of guidelines for lawyers and policy advisers engaged in designing, developing, and drafting legislation, through the scrutiny of Bills before Parliament, by providing advice and assistance in particular cases, and through education.
3. The LAC membership is drawn from experienced government and private sector lawyers, representatives of the senior judiciary, experienced law teachers, and senior economists. The members of the LAC bring considerable knowledge, skill, and experience to a wide range of issues related to legislation. The LAC receives valuable support from the Ministry of Justice, the Law Commission, and the Parliamentary Counsel Office.
4. The LAC is not concerned with the policy objectives of legislation. Its focus is more on good legislative practice and public law issues. It is able to provide guidance to those engaged in the challenging task of producing effective, principled, and clear legislation and also to identify problems with proposed legislation and suggest solutions.

FUNCTIONS OF THE LEGISLATION ADVISORY COMMITTEE

5. The different ways in which LAC promotes legislative standards are contained in its Terms of Reference. These are to:
 - a. provide advice to departments on the development of legislative proposals and on drafting instructions to the Parliamentary Counsel Office;
 - b. report to the Minister and the Legislation Committee of Cabinet on the public law aspects of legislative proposals that the Minister or that Committee refers to it;
 - c. advise the Minister on any other topics and matters in the field of public law that the Minister from time to time refers to it;

- d. scrutinise and make submissions to the appropriate body or person on aspects of Bills introduced into Parliament that affect public law or raise public law issues;
- e. help improve the quality of law-making by attempting to ensure that legislation gives clear effect to government policy, ensuring that legislative proposals conform with the Legislation Advisory Committee Guidelines, and discouraging the promotion of unnecessary legislation.

MEMBERSHIP

6. The membership of the Legislation Advisory Committee is:
 - Rt Hon Sir Geoffrey Palmer SC, Chairperson
 - Ms Katherine Anderson (Department of the Prime Minister and Cabinet)
 - Mr Guy Beatson
 - Mr Graeme Buchanan
 - Mr Robert Buchanan
 - Professor John Burrows QC
 - Mr Andrew Geddis
 - Ms Cheryl Gwyn (Crown Law)
 - Mr Jack Hodder SC
 - Mr Ivan Kwok
 - Mr Bill Moore (Parliamentary Counsel Office)
 - Mr David Noble (Parliamentary Counsel Office)
 - Ms Lauren Perry (Ministry of Justice)
 - Rt Hon Sir Ivor Richardson
 - Hon Sir Bruce Robertson
 - Ms Mary Scholtens QC
 - Mr George Tanner QC
 - Dr John Yeabsley
 - Dr Warren Young.
7. Mr Grant Liddell resigned from the Committee in November this year after eight years of service. The Legislation Advisory Committee would like to thank Mr Liddell for all the fine work he produced during this time.

MEETINGS AND WORK

8. In 2009, the Legislation Advisory Committee met eight times. The Committee carried out the following categories of work:
 - a. provided advice to agencies on the development of legislative proposals;

- b. scrutinised and prepared submissions on aspects of Bills introduced into Parliament;
- c. prepared comments on matters not arising out of particular Bills;
- d. continued work on updating the Legislation Advisory Committee Guidelines on Process and Content of Legislation; and
- e. undertook promotional and educational activities relating to the guidelines.

ADVICE TO AGENCIES ON DEVELOPMENT OF LEGISLATIVE PROPOSALS

- 9. The Legislation Advisory Committee provides direct assistance to government agencies to ensure quality law-making. This includes providing advice on whether legislation gives clear effect to government policy, and encouraging officials to ensure that legislative proposals conform to the Legislation Advisory Committee Guidelines.

Television New Zealand Amendment Bill

- 10. Officials from the Ministry of Culture and Heritage attended a meeting of the LAC to seek advice on how best to proceed with a proposal for legislation allowing the rebroadcast of pre-1989 archival material. There were copyright and contractual issues in relation to those who had participated in the making of those programmes, and it was now difficult to trace many of those participants. The LAC resolved that 2 of its members would meet with the Ministry officials to discuss the matter further.
- 11. At the ensuing meeting issues were discussed of providing compensation for the loss of participants' rights; of giving public notice to participants of the existence of the compensation scheme and how to apply for compensation; of a right of review of the compensation decision; and of a late right of application for those who for good reason had been unable to apply by the original deadline.
- 12. The Bill as introduced makes provision for those matters.

Climate Change Response (Emissions Trading Forest Sector) Amendment Bill

- 13. The Legislation Advisory Committee also provided assistance to the Ministry of Agriculture and Forestry on the development of regulations relating to the emissions trading scheme. The Committee was asked to consider whether and if so how the use of a complex mathematical

formula calculating the amount of carbon stored in forests for the forestry component of the emissions trading scheme and incorporated in proprietary software could be mandated without undermining intellectual property rights held in the formula.

SCRUTINY AND SUBMISSIONS OF BILLS INTRODUCED INTO PARLIAMENT

14. The Legislation Advisory Committee reviews all new Government bills against the *Legislation Advisory Committee Guidelines on Process and Content of Legislation*, which incorporate accepted public law and constitutional principles. The Committee is not concerned with the policy content of bills but with good legislative practice.
15. The Law Commission assists LAC by providing the Committee with reports that assess new bills against the Guidelines and alert the Committee to possible issues. The Law Commission agreed in 2005 to provide the equivalent of one ½ FTE policy and legal adviser, acting under the supervision of a Law Commissioner, to prepare these reports. In 2009 three Law Commissioners, in addition to the President, were members of LAC and were largely responsible for preparing submissions to select committees.
16. In 2009 LAC considered 62 bills and took the following actions:
 - presented 11 submissions to select committees
 - wrote 5 Letters to ministers or officials
 - discussed 10 bills with officials
 - raised drafting issues on several bills.
17. In 2009 LAC made submissions to select committee on the following Bills:
 - Unit Titles Bill
 - Cultural Property (Protection in Armed Conflict) Bill
 - Children, Young Persons & their Families (Youth Court Jurisdiction & Orders) Amendment Bill
 - Sentencing & Parole Reform Bill
 - Residential Tenancies Amendment Bill
 - Private Security Personnel & Private Investigators Bill
 - Search & Surveillance Bill
 - Infrastructure Bill
 - Injury Prevention, Rehabilitation & Compensation Amendment Bill
 - Vehicle Confiscation & Seizure Bill
 - Land Transport (Enforcement Powers) Amendment Bill.

18. Liaison with Ministers or officials occurred with the following bills:
- Anti-Money Laundering & Countering Financing of Terrorism Bill
 - Biosecurity Amendment Bill
 - Child & Family Protection Bill
 - Climate Change Response (Emissions Trading Forest Sector) Amendment Bill
 - Cluster Munitions (Prohibition) Bill
 - Motor Vehicles Sales Amendment Bill
 - Patents Bill
 - Private Security Personnel & Private Investigators Bill
 - Securities Disclosures & Financial Advisers Amendment Bill
 - Social Assistance (Payment of NZ Superannuation & Veteran Pensions Overseas) Amendment Bill
 - Standards and Accreditation Bill
 - Trade Marks (International Treaties & Enforcement) Amendment Bill
 - Trade (Safeguard Measures) Bill.
19. Issues relating to 21 other bills were discussed but no action was taken other than comments on drafting points. There were 13 bills where no issues arose.
20. Changes were made to a number of Bills as a result of the LAC's involvement, both prior to introduction and at select committee stage. Actions taken by the Committee include the following examples.

Securities Disclosure and Financial Advisers Amendment Bill

21. The Bill amended the Securities Act 1978 to make it easier for businesses to raise capital by providing for a "simplified disclosure prospectus" to enable stock exchange listed issuers to offer securities without having to duplicate information they have already disclosed publicly under their continuous disclosure obligations. The LAC was concerned that, by not defining the content of the new type of prospectus, the Bill did not contain clear limits on the delegation of a legislative power.
22. The LAC wrote to the Minister of Commerce about the Bill proposing that the matter be addressed either by including a clear purpose clause or by including a specific empowering provision which would spell out what information the simplified disclosure prospectus might contain. The Minister did not wish to make any change to the Bill but indicated that the points raised by the LAC would be considered in a comprehensive review of securities legislation.

23. The bill passed in November 2009.

The Unit Titles Bill

24. This Bill is designed to replace the Unit Titles Act 1972 and establishes a new legal framework to manage unit title developments. The LAC had a number of concerns about the Bill and made a submission to the Social Services Committee. In particular, the Committee was concerned about the disclosure statement regime. Under the Bill the details of disclosure statements was to be prescribed in regulations, making it unclear on the face of the Act what information must be disclosed, despite the fact the regime risked imposing significant disclosure obligations on unit title owners that ran counter to the caveat emptor principle that applies more generally to all classes of vendor. The submission recommended that the regulation-making power specify more clearly what such regulations can cover, or that the Bill set out what information must be disclosed. The submission also recommended changes to the provisions relating to appointment of an administrator, functions of the chief executive and minority relief.
25. The Bill was reported back to the House in September 2009 without changes relating to these matters. It was awaiting completion of its second reading at the end of the year.

Residential Tenancies Amendment Bill

26. This Bill made extensive amendments to the Residential Tenancies Act 1986. The Bill replaced or added over 60 new sections and amended over 60 existing sections. The LAC considered that the extent of the changes in the Bill combined with amendments made to the principal Act since its enactment called for the whole Act to be rewritten with the amendments proposed by the Bill incorporated.
27. The LAC made a submission to the Social Services Committee recommending that the Act be rewritten to ensure that it remains accessible and understandable to users and suggested this could be done simply and easily without changing the substance of provisions not affected by the Bill and without risk of inadvertently changing the law.
28. The Bill was reported back to the House without change in this regard and was awaiting completion of its second reading at the end of 2009.

Children, Young Persons, and their Families (Youth Courts Jurisdiction and Orders) Amendment Bill

29. This bill contains a number of amendments, including creating new orders available to Youth Courts sentencing children and young persons. These

include supervision with activity orders, supervision with residence orders, orders for the young person or their parent/guardian to attend a parenting course, orders requiring the young person to attend a mentoring course or an alcohol or drug rehabilitation programme. The explanatory note states that the bill is intended to enable young offenders to be required to attend “military-style activity camps.”

30. LAC’s submission focussed on the new residential sentence. The main points were that the definition of “military-style activity camp” was not clear, nor was it clear how young offenders would be sentenced to attend such camps, and that the safeguards for children and young people in military-style camps were inadequate. LAC suggested there should be a separate sentence, with additional safeguards, for young offenders to attend military-style camps, rather than being folded into the existing sentence of supervision with residence. The submission also commented that the lack of definition of “residence” gave rise to legal risk, in that military-style camps might be found not to be residences. This could give rise to Bill of Rights issues. It also noted that the bill’s provisions on consent to drug and alcohol treatment were inconsistent with the common law on the age of consent to medical treatment.
31. The Select Committee recommended several changes to the bill that appear to respond to some of these concerns. A new clause will clarify that all residential programmes must be approved under section 396 of the principal Act and also clarify the meaning of a residential component of a programme or activity. Clause 39 of the bill is amended to define “residence.” and include temporary military-style camps, and a new clause allows regulations to be made to regulate the administration, management and control of residential components of programmes or activities.
32. The bill was reported back from the Social Services Committee in November 2009 and was awaiting completion of its second reading at the end of the year.

Trade (Safeguard Measures) Bill

33. The Bill repeals the Temporary Safeguard Authorities Act 1987 and replaces it with a new Act that is consistent with WTO rules and the General Agreement on Tariffs and Trade. The LAC had a number of concerns with the Bill including the fact that the Bill included a power for the Minister to take unspecified safeguard actions in relation to imported goods. These concerns were referred to the relevant department and a number of changes were made to the Bill as a result.
34. The Bill was reported back in July 2009 and was awaiting completion of its second reading at the end of the year.

Private Security Personnel and Private Investigators Bill

35. This Bill replaces the Private Investigators and Security Guards Act 1974. The LAC was concerned about the Bill's overall structure and the complex interrelationships between many provisions, which LAC considered would make it difficult for those to whom it applies to understand the requirements imposed. LAC was concerned about a considerable number of other features of the Bill including key definitions, exemption powers, the grounds for disqualification and licence cancellation, the disciplinary process and powers, absence of a second tier appeal, workability of the transitional provisions, cross-border issues.
36. The LAC made a lengthy submission about these and other matters to the Justice and Electoral Committee, which was still considering the Bill in December 2009.

Sentencing and Parole Reform Bill

37. This Bill, known as the "three-strikes" legislation, introduces three new provisions. First, it requires the court to impose life imprisonment (with a 25-year minimum non-parole period unless the court considers that would be manifestly unjust) where an offender is on a final warning and is being sentenced for a further serious violent offence for which the court would otherwise impose a qualifying sentence. Secondly, it requires the court to impose life imprisonment without parole where an offender is on a first warning or a final warning and is being sentenced for murder. Finally, it stipulates that an offender on a first warning who receives a second qualifying serious violent offence conviction must serve that sentence without parole.
38. The Committee made a submission to the Select Committee which submitted that the Bill is unlikely to achieve its stated objective of providing enhanced protection of the community and will also result in injustice. It does not focus on the factors (and in particular the aspects of criminal history) that are most likely to indicate future serious risk, and it proposes to detain offenders well past their peak age of offending. It is likely to result in sentences that are unjustifiably disproportionate to the seriousness of the offence, and the list of qualifying offences contains anomalies and inconsistencies that will allow too much room for charging practice to determine the offender's eligibility for the new regime.
39. Changes to the Bill, which is currently before the Law and Order Select Committee, have been recently announced by the Government.

Anti-Money Laundering and Countering Financing of Terrorism Bill

40. The purpose of this Bill was to enhance New Zealand's anti-money laundering and countering terrorism financing legislation and ensure compliance with recommendations of the Financial Action Taskforce. The Bill imposes significant obligations on financial service providers and provides mechanisms for enforcement.
41. While the LAC did not consider that it was necessary to make a formal submission to the select committee considering the Bill, representatives of the LAC met with Ministry of Justice officials and raised a number of issues with them. Changes were made to the Bill as a result. These included the inclusion of a comprehensive overview clause, clarifying the time within which an information may be laid for certain offences, and clarifying the status of ministerial exemptions as regulations for the purposes of disallowance.
42. The Bill passed in October 2009

Infrastructure Bill

43. This Bill, which is an omnibus Bill, amends 8 Acts and repeals an Act. It will require utility operators and corridor operators to comply with a national code of practice that regulates access to transport corridors. It also amends a number of Acts to bring about consistency relating to utility operator's access to transport corridors. The Bill repeals the Affordable Housing: Enabling Territorial Authorities Act 2008. Section 30 of that Act, which prohibits restrictive covenants aimed at preventing land being used for low cost housing, would be re-enacted in the Property Law Act 2007.
44. The LAC made a submission to the Transport and Industrial Relations Committee raising a number of issues. LAC was concerned from a law-making perspective about the use of an omnibus Bill to repeal the Affordable Housing: Enabling Territorial Authorities Act 2008. Readers would be unlikely to realise from the title of the Bill that the Bill would repeal the Act. This raised, in the LAC's view, a serious issue regarding access to legislation. The LAC considered that Part 4, which makes the repeal, should have been a separate Bill in its own right given that the 2008 Act has a significant social policy objective and that Part 4 has only a tenuous connection with the subject-matter of the rest of the Bill. The LAC also noted that the covenant provisions, although taken from the 2008 Act, appeared to be vague and uncertain in their application. It was recommended that the consultation requirements in clause 11 be made more specific. The submission also raised several other issues.

45. Apart from an amendment to clause 11 in line with the LAC's recommendation, none of the LAC's other concerns have been addressed and the use of the Bill to repeal the 2008 Act is not mentioned in the select committee's commentary on the Bill.
46. The Bill was reported back in November 2009 and was awaiting completion of its second reading at the end of the year.

Cultural Property (Protection in Armed Conflict) Bill

47. This Bill enables New Zealand to accede to the First and Second Protocols to the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict. The Bill creates offences concerned with attacks during hostilities on the cultural property of a State and with removing cultural property from an occupied territory. The Bill establishes a forfeiture regime in relation to cultural property smuggled into New Zealand.
48. The LAC made a submission to the Government Administration Committee on two issues. The first was that the approach adopted by the Bill of providing for smuggled property to be forfeited to the Crown on seizure was unnecessary and out of line with the approaches adopted in a Bill before the UK Parliament and in Canadian legislation. The LAC recommended that the Bill provide a mechanism for a person with a valid title to the property to claim compensation before the property becomes forfeited. The second was that claims for compensation should be able to be made to District Courts, subject to the monetary jurisdictional limit for those courts, rather than requiring all claims to be made in the High Court.
49. The select committee commentary indicates that the committee differed on the issue of immediate forfeiture. Some members favoured the approach recommended by the LAC while other members did not. There was no change to the Bill in this respect. The Bill was, however, amended in line with the LAC's submission on court jurisdiction.
50. The Bill completed its second reading in August 2009 and was awaiting committee stage in the House at the end of the year.

Land Transport (Enforcement Powers) Amendment Bill)

51. This Bill provided for the conferment of powers on local authorities to make bylaws to control street racing and "cruising" by "boy racers". A process of consultation was to be required before the bylaw was made, but in the case of road controlling authorities who are local authorities, the more extensive procedural requirements which the Local Government Act

2002 imposes on the making of bylaws were not required. The Minister was to be empowered to disallow a bylaw within 7 days of its making.

52. The Committee made a submission to the select committee on 3 related aspects of the Bill. First, it submitted that it would be better to provide that the Minister must approve the bylaw before its making, rather than engage in a disallowance process after the event which could be disruptive and confusing. Secondly, it submitted that it was unsatisfactory that bylaws made for this purpose should have to undergo a less extensive process than other bylaws. If the Local Government Act 2002 was thought to impose requirements which were too onerous, it would be better to consider amending that Act. Finally, it was noted that confusion can result if different bylaws apply in different localities, and it was submitted that the Bill should provide for clear public notice to be given in each locality, perhaps by a notice in the street, of the rules applying in that place.
53. While some amendments were made to the clauses in question, the select committee did not make the changes suggested by the LAC. The Bill was passed in October 2009.

Injury Prevention, Rehabilitation and Compensation Amendment Bill

54. Clause 11 of this Bill substituted new sections 122 and 122A in the principal Act. New section 122(1) established a new rule that ACC must not provide any entitlements to a claimant who suffers personal injury in the course of committing an offence punishable by 2 years or more imprisonment, and is imprisoned for committing the offence. Under proposed section 122A the Minister can exempt a claimant from s122(1) if he or she is satisfied that there are exceptional circumstances relating to the claimant.
55. The LAC submitted that the Bill should supply criteria for the exercise of Ministerial discretion under s122A rather than leaving it open-ended. It noted also that while there is provision in the Bill that a claimant cannot formally apply for an exemption, the Bill is silent on the procedure by which the Minister's discretion is to be activated. Finally, the LAC submitted that there should be a right of a review or appeal against the Minister's decision.
56. The Bill was before the Transport and Industrial Relations Select Committee Select Committee in December 2009.

COMMENTS ON MATTERS NOT ARISING OUT OF A BILL

Resource Management Act

57. The Committee wrote to the Minister for the Environment, Hon Dr Nick Smith outlining the desirability of redrafting the Resource Management Act 1991 to ensure the law is clear and coherent.
58. The Minister was very supportive of the proposal and asked his officials to contact the Committee to discuss the matter and how it may be addressed.

Citizens Initiated Referenda petition

59. The Clerk of the House of Representatives asked the Committee to comment on the indicative referendum petition question: "Should Citizens Initiated Referenda seeking to repeal or amend a law be binding?" The Committee provided a comment.

LEGISLATION ADVISORY COMMITTEE GUIDELINES

Updates and New Chapters

60. The Committee is currently preparing two additions to the Legislation Advisory Committee Guidelines on the Process and Content of Legislation.
61. Guidance on the use of instruments of exemption in primary legislation is being prepared. Once published, this guidance will assist the Government to implement its response to the 2008 Regulations Review Committee report Inquiry into the use of instruments of exemption in primary legislation.
62. A new chapter with guidance on the use of civil penalties in legislation is also being prepared. The Committee has noted inconsistencies in the way civil penalties are used in legislation and some departments have encouraged the Committee to issue guidance.

Accessibility of Guidelines

63. This year the Parliamentary Counsel Office produced copies of the Guidelines for Government advisors attending a seminar held at Parliament. The Guidelines are also available on the Legislation Advisory Committee website: www2.justice.govt.nz/lac/index.html.

PROMOTIONAL AND EDUCATIONAL ACTIVITIES

64. The Committee held a general seminar for policy and legal advisers and targeted seminars for the Ministry of Health and the Ministry of Economic Development.
65. The seminar for policy and legal advisers was hosted by the Attorney-General in October at Parliament. The seminar, held in conjunction with the Office of the Clerk, presented an opportunity for policy and legal advisers to gain insight into the legislative process, with speakers from the judicial, legislative and executive branches of government. Topics included policy inception and development, legislative drafting, the passage of legislation through the House of Representatives, and a view from the judiciary on why good legislation matters. Attendees received a copy of the Legislation Advisory Committee Guidelines.
66. Demand to attend the seminar was extremely high and registrations closed in under a week. Feedback on the seminar has been positive and the Committee will consider holding a similar seminar in 2010.
67. The Committee held a targeted seminar for the Ministry of Health. The seminar provided an overview of the role and functions of LAC and discussed the application of the Legislation Advisory Committee Guidelines to two recent health legislation examples.
68. A targeted seminar was also held for the Ministry of Economic Development. Officials of all levels attended the seminar. The Legislation Advisory Committee Guidelines were discussed. The Ministry highlighted a lack of guidance on civil penalties. The Legislation Advisory Committee has agreed to develop guidance on civil penalties.

BILL SEWELL PRIZE

69. The Bill Sewell prize for 2009 has been awarded to Natalie Ramarihia Coates of the University of Otago. Ms Coates won \$1,500 for her essay entitled "*Me Mau Nga Ringa Maori I Nga Rakau a te Pakeha? Should Maori Customary Law be incorporated into Legislation*". The prize is for essays on an aspect of legislation and is funded equally by the Ministry of Justice, the Parliamentary Counsel Office and the Law Commission.
70. This prize, administered by Legislation Advisory Committee and first awarded in 2005, is in memory of Bill Sewell who was a noted poet, editor and lawyer. He made a significant contribution to the improvement of legal writing of both legislation and judgments in New Zealand.

RELATIONSHIP WITH THE LEGISLATION DESIGN COMMITTEE

71. The Legislation Design Committee was set up by the Government in 2006 to identify problems of legislative design before bills are drafted. The Legislation Design Committee comprises Rt Hon Sir Geoffrey Palmer in his personal capacity as Chair, the Secretary to the Treasury and Justice, the Chief Executive of the Department of the Prime Minister and Cabinet and the Chief Parliamentary Counsel. Law Commissioners Professor JF Burrows QC, Mr George Tanner QC and Dr Warren Young are advisers to the Committee.
72. The Legislation Design Committee discusses legislative projects with departments during the development phase and is concerned with legislative design, instrument choice and the overall impact on the statute book. The Legislation Design Committee's role is advisory and departments are free to accept or reject its advice.

ACKNOWLEDGEMENTS

73. The Committee would like to acknowledge the following contributions:
 - a. The Ministry of Justice for its support to the role of Secretary to the Committee;
 - b. The Law Commission for reviewing and providing reports on all bills considered by LAC;
 - c. The Crown Law Office for reviewing and providing reports on bills considered by LAC that originated with Law Commission reports;
 - d. The Parliamentary Counsel Office for following up the Committee's concerns and technical comments with drafters and officials;
 - e. The Office of the Clerk of the House of Representatives, the Parliamentary Counsel Office and the Ministry of Justice for their contributions to the seminar held by the Committee at Parliament.