



## **Proactive release of material relating to establishing a new National Emergency Management Agency (NEMA)**

The material in this proactive release includes briefings, aides memoire and Cabinet material directly related to establishing a new National Emergency Management Agency (NEMA), as itemised below. Documents relating to consultation undertaken with local government representatives have not been included in this release.

This material has been proactively released by the Department of the Prime Minister and Cabinet, on behalf of Hon Peeni Henare, Minister of Civil Defence.

<b>Date</b>	<b>Item</b>
02/05/19	Cabinet Paper: Delivering Better Responses to Emergencies: National Structures
15/04/19	Cabinet Minute of Decision: 2019 Budget Package: Vote Prime Minister and Cabinet
09/05/19	Cabinet Government Administration and Expenditure Review Committee Minute of Decision Delivering Better Responses to Emergencies: National Structures
27/03/18	Preliminary Advice on the TAG's recommendations
26/06/18	Current thinking on the National Emergency Management Agency (NEMA) to support your meeting with SSC and DPMC
26/10/18	Delivering Better Responses to Emergencies: National Structures
23/11/18	Advice on the National Emergency Management Agency (NEMA)
21/02/19	Final National Structures Cabinet Paper
28/02/19	Final National Structures Cabinet Paper Redraft
28/03/19	Letter to the Prime Minister and the Minister of Finance following Budget Bilateral
8/05/19	Cabinet Paper on National Structures for the Emergency Management System
12/03/19	Budget 2019 Initiatives and Prioritisation Submissions
12/10/18	Progress on Implementing the Emergency Management System Reforms
16/11/18	Status Update on the Emergency Management System Reforms Programme
30/11/18	Status Update on the Emergency Management System Reforms Programme
14/12/18	Status Update on the Emergency Management System Reforms Programme
30/01/19	Status Update on the Emergency Management System Reforms Programme

13/02/19	Status Update on the Emergency Management System Reforms Programme
27/02/19	Status Update on the Emergency Management System Reforms Programme
13/03/19	Status Update on the Emergency Management System Reforms Programme
10/04/19	Status Update on the Emergency Management System Reforms Programme
9/05/19	Status Update on the Emergency Management System Reforms Programme
22/05/19	Status Update on the Emergency Management System Reforms Programme

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act). Where this is the case, the relevant section of the Act that would apply has been identified. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it. Some material has also been withheld as out of scope of in these documents, as it is not directly related to establishing NEMA.

**Key to redaction codes:**

- 9(2)(a), to protect the privacy of individuals;
- 9(2)(f)(iv): to maintain the confidentiality of advice tendered by or to Ministers and officials;
- 9(2)(g)(i): to maintain the effective conduct of public affairs through the free and frank expression of opinion; and
- 9(2)(h), to maintain legal professional privilege.

The following items are not included in this release:

Item	Withholding grounds
Cabinet paper: Delivering better responses to emergencies: National Structures (2 March 2019)	Withheld in full under 9(2)(f)(iv)
Aide-Memoire: Cabinet paper on National Structures for the Emergency Management System (5 March 2019)	Withheld in full under 9(2)(f)(iv) and 9(2)(g)(i)
Budget bid: Delivering better responses to emergencies: Establishing a new national emergency management agency	Withheld in full under 9(2)(f)(iv)



To: Hon Kris Faafoi  
**Minister of Civil Defence**

**BRIEFING: Preliminary Advice on the TAG's recommendations**

Date:	27 March 18	Tracking number:	1718NSP/055
Security classification:	<del>In Confidence</del>	Priority:	Routine
Action sought:	Discuss at the project meeting at 5pm on 28 March 2018		
Deadline for action:	28 March 2018		

Contact for telephone discussion (if required)				
Name	Position	Telephone		1st contact
Karen Jones	Director, Office of the Chief Executive	9(2)(a)	9(2)(a)	
Clare Ward	Team Lead, TAG Implications Project	9(2)(a)	9(2)(a)	✓

Consultation
Thinking in this paper has been informed by initial discussion with a range of stakeholders.

**Minister's office to complete:**

- |   |  |
|---|--|
| <input type="checkbox"/> Approved             | <input type="checkbox"/> Declined            |
| <input type="checkbox"/> Noted                | <input type="checkbox"/> Needs change        |
| <input type="checkbox"/> Seen                 | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn           |

Comments



Hon Kris Faafoi  
**Minister of Civil Defence**

## **BRIEFING: Preliminary Advice on the TAG's recommendations**

We are meeting with you to discuss the policy work on the Technical Advisory Group's (TAG) recommendations at 5pm on 28 March 2018.

The table attached as appendix 1 gives you an update on the analysis we have done to date. We suggest that we work through this table with you at our meetings over the next couple of weeks.

We suggest the following order but will be guided by you.

- Week 1 (28 March 2018):
  - Iwi participation (Chapter 4)
  - Regional structures (Chapter 2)
- Week 2 (date to be diaried):
  - National structures (Chapter 1)
  - Capability and professionalisation (Chapter 5)
- Week 3 (date to be diaried):
  - Information and Intelligence (Chapters 7 and 8)
  - Command, control, and co-ordination (Chapter 6)
  - Declarations (Chapter 3)

### **Recommendations**

The Department of the Prime Minister and Cabinet recommends that you:

1. **Discuss** the content of this paper with officials at our meeting on 28 March 2018

Yes/No

  
Karen Jones  
**Director, Office of the Chief Executive**

Date: 27/03/2018

Hon Kris Faafoi  
**Minister of Civil Defence**

Date: ..... / ..... / .....

**IN CONFIDENCE**

## Appendix 1: Initial analysis of TAG recommendations

### Chapter 1: National Level Structures

TAG Recommendation	Assessment as at 23 March 2018	Funding	Legislation	Implementation
<p>Establish a National Emergency Management Agency (NEMA)</p> <p>(Recs 1.0-1.5, 1.7, and 1.6.2)</p>	<p>The final functions and structure of a new agency will depend on the options analysis but work to date supports:</p> <ul style="list-style-type: none"> <li>A greater level of proactive system leadership and the ability for the system leader to take an assertive and directive stance when required</li> <li>Having a clear distinction between system leadership/oversight roles and Lead Agency roles (i.e. Natural Hazards).</li> <li>The need for system-level oversight and coordination, supported by assurance and monitoring.</li> <li>Retention of the 4R 'all hazards, all-risks' approach at the national level.</li> <li>A greater level of and commitment to stewardship from across the system.</li> </ul> <p>Agree that there is a need to clarify who has responsibility for natural hazard risks because this role does not fit well with the proposed NEMA functions.</p>	<p>Will need new money to support the preliminary work needed to set up NEMA (i.e. policy development, statutory requirements, and change management) and to fund the ongoing delivery of NEMA work.</p> <p>Project team will provide advice on options and likely level of investment.</p>	<p>Yes – the nature and scale of the legislative change will depend on the organisational form chosen and functions.</p> <p>A Departmental Agency can be set up through an Order In Council although the current CDEM Act may need amendments to support or reflect this. Other organisational forms will have different legislative implications (other than a business unit within DPMC which would not need legislative change)</p> <p>Likely need for secondary legislation (regulation) to set out how to meet primary legislation (i.e. standards).</p>	<p>This significant workstream will take an estimated 3 years to completion from Cabinet decisions.</p>

Out of scope

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TAG Recommendation	Assessment as at 23 March 2018	Funding	Legislation	Implementation
<p>Strengthen national standards over minimum requirements (for example, capability, operating practice, as outlined in Chapter 1) (Rec 2.3)</p>	<p>Linked to chapter 1 - role of NEMA. Commitment in principle to develop national standards where national consistency is important to provide an adequate standard of care for all New Zealanders and visitors no matter where they are when an emergency occurs.</p> <p>Agree that national standards are desirable and that the NEMA/MCDEM (depending on what is decided from those recommendations) should do them, but the NEMA/MCDEM would determine scope/how/when/how of such standards as a separate project.</p> <p>Government response does not go further than agreement in principle although we may identify some critical areas where standards are needed.</p>	<p>Yes, for a regulation identification and development programme. This work would need to be separate from the urgent business-as-usual and response related work of NEMA/MCDEM for it to happen in a timely and efficient way.</p>	<p>No. Secondary legislation (regulations) are already provided for under CDEM Act.</p>	<p>Commitment to funding a regulation identification and development programme.</p>
<p>Out of scope</p>				
<p>Strengthen accountability for Group performance (through NEMA monitoring and OAG audit, as outlined in Chapter One) (Rec 2.5)</p>	<p>Linked to chapter 1 - role of NEMA. Agreement in principle to strengthen accountability through monitoring and audit against national standards to ensure an adequate standard of care for all New Zealanders and visitors no matter where they are when an emergency occurs.</p> <p>This recommendation goes together with recommendation 2.3 for national standards in that it follows that any such standards should be monitored and enforced.</p> <p>The NEMA/MCDEM would determine scope/who/how/when/how much would be determined as a separate project.</p> <p>Government response does not go further than agreement in principle.</p>	<p>See national structures</p>	<p>See national structures</p>	<p>See national structures</p>

Out of scope



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**Chapter 3: Declarations**

**Out of scope**



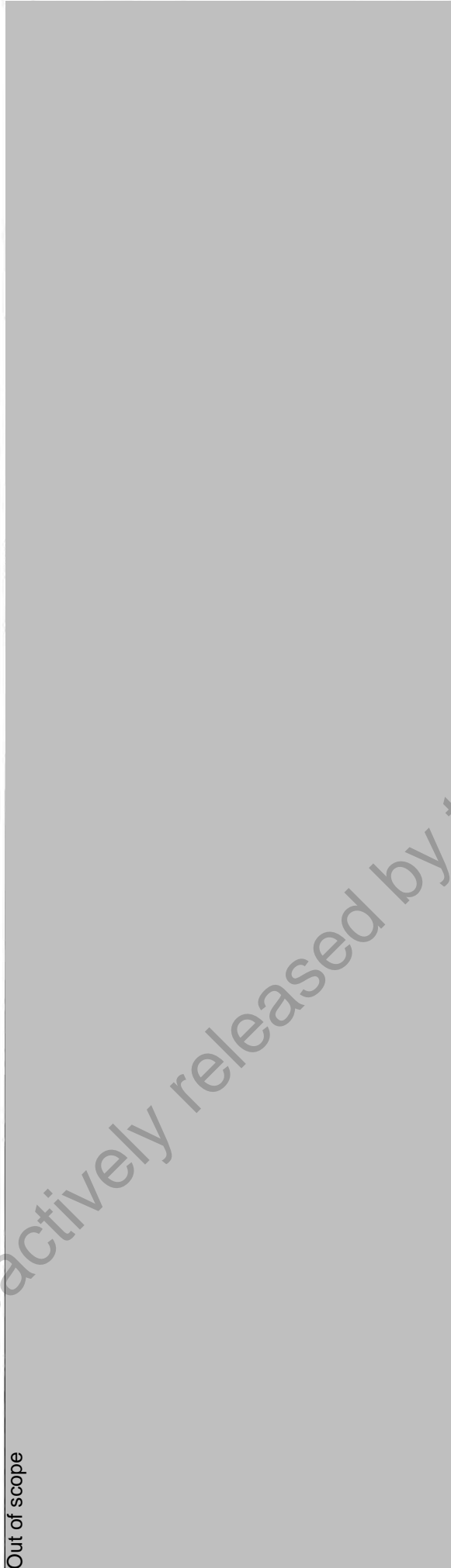
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Chapters 7 and 8: Evidence-informed decision making (intelligence, information and communication)

Out of scope



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