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Vote: Internal Affairs

Introduction to Vote: Internal Affairs

The ministerial portfolio of Internal Affairs encompasses responsibilities for central government's policy and operations in the areas of building regulation, censorship, some constitutional functions, ethnic affairs, fire, gaming, identity services, and several crown entities and statutory bodies.

Those responsibilities are supported by five business groups within the Department (Policy, Executive Government Support, Gaming and Censorship Regulation, Ethnic Affairs and Identity Services), as well as five Crown entities (Building Industry Authority, Casino Control Authority, Fire Service Commission, Lottery Grants Board, Office of Film and Literature Classification).

The Department's purpose is "*serving and connecting citizens, communities and government to build a strong, safe nation*". The priority issues for Vote: Internal Affairs in meeting this purpose are:

- the enactment and implementation of the *Responsible Gambling Bill*
- early Cabinet consideration of the Ethnic Perspectives in Policy Framework.

The medium term issues that require resolution within the term of the new government include:

- improvement in investigative powers to deal with internet child (and other) pornography
- implementation of the gaming review
- consolidation of the role and functions of the Office of Ethnic Affairs
- Fire Service funding and associated legal decisions
- Building Act review
- reviewing legislation and practices in Identity Services to meet national security needs and e-government opportunities
- building and enhancing the capability of Executive Government Support.

This briefing gives more detailed information on issues and relevant organisations, key stakeholders, legislation and the Vote appropriations for 2002/2003.

Guide to the Briefing

The Briefing includes chapters on each area within Vote: Internal Affairs

- Building
- Censorship
- Ethnic Affairs
- Executive Government Support
- Fire
- Gaming
- Identity Services
- Other Crown Entities and statutory boards.

Each chapter includes information on:

- sector overview
- strategic and/or legislative framework
- specific ministerial responsibilities
- specific departmental roles
- key issues and opportunities
- functions and membership of relevant Crown entities and boards
- key stakeholders.

The final section in the briefing summarises the appropriations for Vote: Internal Affairs.

Building

1. Sector Overview: Building

The total value of investment in New Zealand's buildings is \$200 billion and the construction industry provides employment for more than 110,000 people.

2. Strategic and Legislative Framework: Building

A Safe and Healthy Building Environment

Government action in the building sector is to ensure that buildings are safe and healthy.

Before the Building Act, building regulation was inconsistent, with different rules in each district. There is now one clear set of performance-based rules, the Building Code, managed by one organisation, the Building Industry Authority (BIA).

Act	Key Features
Building Act 1991	Constitutes the Building Industry Authority and enables the development of a nationwide performance-based Building Code. Provides for Building Certifiers to compete with Territorial Authorities.
Architects Act 1963	Constitutes the Architects Education and Registration Board and the Architects Investigation Committee. Provides for a disciplinary regime for Architects.

3. Minister's Role: Building

Act	Minister's Responsibilities
Building Act 1991	<ul style="list-style-type: none">• comment on the Authority's annual Statement of Intent• consider and approve the Building Industry Authority's annual estimates of expenditure• review the rate of the levy on building consents• table the Authority's Annual Report• appoint (and related actions) Authority members• appoint someone to exercise the powers of a territorial authority under the Building Act where it fails to exercise those powers (such as granting building consents)• give effect to the BIA's recommendations to amend the Building Code.

4. Department's Role: Building

The Department of Internal Affairs administers the Building Act 1991. The Department advises the Minister on:

- statutory responsibilities
- legislation
- strategic policy about building issues.

5. Key Issues and Themes for the next Three Years: Building

Priority Issues

Current Review Of Building Act

The Department is conducting the review, assisted by an overview group comprising two representatives each from the Building Industry Authority, the Construction Liaison Group, and Local Government New Zealand. This review will include consideration of a safety regime for private cable-cars.

A Discussion Document on the review was released in August 2001. Over 150 submissions were received. The Department will report to you shortly on the issues raised in submissions.

Earthquake Standards

An earthquake-prone building is defined in the Building Act as a building of unreinforced masonry or unreinforced concrete. It has been argued that this definition does not capture all the types of construction which could fail in an earthquake. This is being looked at as part of the Building Act review.

Dam Safety

Currently there is no law for the maintenance and safety certification of dams. A proposed regime, intended to be part of the Building Act, was developed in conjunction with the then Ministry of Commerce, and was approved by Cabinet in 1998.

Officials are looking at more cost-effective proposals.

Smoke Alarms

The BIA has recommended an amendment to the Building Code to make smoke alarms mandatory in new homes. Fire detection equipment is mandatory in other types of buildings. To reduce compliance costs for some homeowners after the Building Code is amended, a small amendment is needed to the Building Act. The amendment is part of the Statutes Amendment Bill (No 2), which was before the Government Administration Select Committee and has been carried over to the new Parliament.

Medium term issues

Industry Education

The BIA has been successful in its role as administrator of the Act and Code. There have been suggestions that it could be doing more education. As part of the Building Act review, the Department will discuss with the BIA the incorporation of additional education into the Authority's work programme.

Timber Homes Suffering Rot

The BIA has set up a three person Overview Group chaired by Don Hunn, a former State Services Commissioner, to investigate the problem. The Overview Group has made a preliminary report. It is currently working on a further report.

IHC Court Case

The IHC has sought a declaratory judgement from the High Court as to the legality of documents issued by the BIA in relation to fire safety. The matter is still before the Court.

Architects

The Architects Act 1963 is outdated and does not reflect current industry or Crown requirements. For example, it does not set out clear objectives for the Architects' Education and Registration Board or accountability and performance standards. A joint working party from the New Zealand Institute of Architects Inc and the Board is working on proposals to amend the Act.

BIA Levy Surplus

The BIA has reserves of approximately \$6.2 million of unexpended levy income and another \$4.6 million accumulated from other income, mainly interest on levy reserve money. Expenditure is just over \$3 million a year. Options to reduce the surplus including increasing BIA expenditure on education reducing the levy and increasing the BIA's overall net expenditure have been considered.

6. Crown Entities and Statutory Bodies: Building

The Building Industry Authority

The Building Act 1991 establishes the Authority (which is appointed by the Minister), and gives territorial authorities responsibility for approving building consents. The BIA is funded by a levy on building consents.

Role of the Department in this Sector:

- advise on appointments to the Authority and administer the appointments process
- monitor the BIA's performance as a Crown entity
- provide policy advice to the Minister from a Crown entity monitoring perspective
- advise the Minister on the BIA's recommendations to amend the Building Code.

Architects Education and Registration Board

The Architects Act 1963 establishes the Board to manage training standards, registration and professional conduct. Three appointments to the Board are made by the Minister of Internal Affairs. The remainder are Ministerial appointments made on the nomination of organisations.

The Department:

- advises on appointments to the Board and administers the appointments process
- advises the Minister on the relevant provisions of the Architects Act.

Architects Investigation Committee

The Architects Act 1963 Act establishes the Committee to investigate complaints against registered architects. It prosecutes cases to the Architects Education and Registration Board.

The Department:

- advises on appointments to the Authority and administers the appointments process
- advises the Minister on the relevant provisions of the Architects Act.

7. Key Stakeholders: Building

The key stakeholders in the building sector fall into two groups:

- (1) Construction Group
 - Construction Liaison Group – this includes:
 - Association of Consulting Engineers of New Zealand
 - Building Research Association of New Zealand
 - Institution of Professional Engineers of New Zealand
 - New Zealand Contractors' Federation
 - New Zealand Institute of Architects
 - New Zealand Institute of Building
 - New Zealand Institute of Quantity Surveyors
 - New Zealand Registered Master Builders' Federation.
 - some 50 other Construction-related Industry Associations and Groupings
 - Standards New Zealand - the Crown agency which is responsible for co-ordinating the promulgation of standards within New Zealand

- (2) Local Government Group
 - Building Officials' Institute of New Zealand - the national organisation representing the majority of territorial authority building inspectors throughout New Zealand
 - Local Government New Zealand - the national organisation representing local authority (both territorial and regional authorities) interests
 - Society of Local Government Managers of New Zealand - the national organisation.

Censorship

1. Sector Overview: Censorship

New forms of media, information storage and connectivity are changing the nature of censorship monitoring and enforcement. In particular, cheap and easy access to the internet and computer memory able to handle large volumes of files have increased the potential for harm to the community from objectionable material. Democracies throughout the world apply different censorship standards. Both challenges and opportunities are created by these changes. Social attitudes towards some forms of censorship continue to be varied in the community. There is controversy over some film classification decisions. There is widespread community support for enforcement activity directed at child pornography.

The Department set up its dedicated Censorship Regulation Unit in 1996. This unit enforces the Films and Videos and Publications Classification Act 1993. However, most of its work is monitoring, investigating and prosecuting internet child pornography offences.

At the end of July 2002, the Department had:

- prosecuted 98 cases of possession of objectionable material – nearly all involving child pornography. All cases led to conviction
- a further 20 cases before the courts
- investigated 460 cases of New Zealanders distributing and trading objectionable material on the Internet
- maintained extensive links with overseas authorities and frequently exchanged information with Australian, European and North American law enforcement agencies.

The main forms of “publication” dealt with by the Department are:

- films
- videos
- books
- magazines
- photographs
- sound recordings

- billboards
- Clothing
- DVDs
- CD-Roms
- other computer-based media (ipgs, avi, mpegs, text files etc).

Objects such as carvings or statues which do not carry some form of depiction or writing are not considered to be publications. Television and radio broadcasting are not included under the Act.

2. Strategic and Legislative Framework: Censorship

The Department's strategy is to concentrate resources to produce real successes in limiting the activities of the worst censorship offenders by closing down websites from which objectionable material is sourced; prosecuting those making, trading or possessing objectionable material; and co-operating with international agencies to close down supranational rings of offenders.

The Act seeks to maintain a balance between control of objectionable and restricted publications and individual freedom of choice. There is a tension between the concept that the availability of some types of material may be "injurious to the public good", and section 14 of the Bill of Rights Act 1990, which states that everyone "has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form".

Although the Act itself is administered by the Ministry of Justice, the Department is responsible for a range of censorship activities, the largest being enforcement.

The Act does not specify the outcome that is to be achieved through the government's censorship interventions. However, the view that society may be harmed by the availability of certain types of material was enshrined in statute in New Zealand in the 1860s and has gone largely unchallenged since. By implication, the desired outcome is the reduction of potential harm to the public.

Act	Key Features
Films, Videos, and Publications Classification Act 1993	<p>The rating of films and videos by an industry-based labelling body. Ratings are not legally binding and are intended for consumer information.</p> <p>The classification of publications to restrict availability to particular persons or groups of persons (classified publications may also be subject to display restrictions). Classifications are determined by the Office of Film and Literature Classification and are legally enforceable.</p> <p>The banning of material which is objectionable (as determined by the Classification Office).</p> <ul style="list-style-type: none"> The Act defines "objectionable" and lists categories of material which may be objectionable if they "tend to promote" activities such as the exploitation of children.

3. Minister's role: Censorship

Act	Minister's Responsibilities
Films, Videos, and Publications Classification Act 1993	<p>Office of Film and Literature Classification</p> <ul style="list-style-type: none"> with the Ministers of Women's Affairs and Justice, to recommend appointments (and related actions) of the Chief and Deputy Censors of Film and Literature (s.80) to receive and table the annual report of the Office (s.89). Film and Literature Board of Review with the Ministers of Women's Affairs and Justice, to recommend appointments (and related actions) to the Board (s.93). <p>Film and Video Labelling Body</p> <ul style="list-style-type: none"> to approve any body or organisation as the labelling body subject to such conditions as the Minister sees fit (s.72); (the body must be representative of distributors, producers and exhibitors of films) to appoint community representatives (s.74) to take related actions as needed.

4. Department's role: Censorship

Censorship Regulation Unit

The Department has a dedicated censorship regulation unit which polices the Films, Videos, and Publications Classification Act 1993, spending the majority of its time on monitoring, investigating and prosecuting Internet child pornography offences.

Office of Film and Literature Classification

- The Secretary for Internal Affairs may submit any publication to the Office for classification (s.13)
- The Secretary may make written submissions on any publication submitted to the Office under s.13 (s.20).

The Department provides advice to the Minister on appointments and policy issues arising from its activities in the censorship area and provides administrative support to the Film and Literature Board of Review.

5. Key Issues and Themes for the next Three Years: Censorship

Priority issues

Penalties for Censorship Offending

Penalties are low by world standards. Most comparable countries imprison people for possession of child pornography. In New Zealand, that offence is treated in the same way as possession of any other type of objectionable material. The maximum penalty is a fine of \$2,000. The Department is working with the Ministry of Justice to review the appropriateness of penalties for offences under the Classification Act.

Investigation and Enforcement of Possession Offences

The Classification Act only allows for search warrants in the case of supply and distribution offences. A search warrant is not available for possession. The Department cannot gather evidence of offending without gaining access to a suspect's home or computer. The Department is developing a proposal to make search warrants available for possession offences.

Medium term issues

Diminishing Applicability of the Classification System

The classification system assumes that material can be easily examined. However, computer games, for example, may contain material that cannot be readily accessed for classification purposes. Amendments to the Act have been under development for some time but cannot overcome the inability of classification bodies to access all the contents of such publications.

A significant component of the classification system is effective pre-release intervention. However, the Internet has provided a new means of obtaining and accessing publications. People can very easily order books, CDs and videos directly from overseas and it is now possible for films to be downloaded via the Internet, bypassing the classification system.

Blurred Regulatory Distinctions

The evolution of technology is blurring the distinctions between services that have traditionally been regulated in different ways and it is not clear which statute or what standards should apply. Three examples relevant to censorship are:

- the difference between “supplying” films and “broadcasting” is becoming less clear, as satellite and cable broadcasters tailor content to individual viewers on demand
- the line between “supplying” film and print publications and “broadcasting” is becoming blurred because the Internet can now carry real-time video, which can be viewed in the same way as television. To date, “supply” has largely been handled by a pre-release classification system while “broadcasting” has been handled by a post-broadcast complaints system
- the line between “importing” material and downloading it from the Internet has grown increasingly blurred. The Customs and Excise Amendment Bill (No. 4), which has been carried over from the last Parliament, will amend the definition of “importation” of objectionable material to include downloading such material. It will, therefore, be possible for a person who is found in possession of objectionable material to be charged with possession, distribution or importation of objectionable material, depending on the circumstances of the case.

Select Committee Inquiry

The Government Administration Committee of the last Parliament undertook an inquiry into the censorship system. The committee planned to report to the House before the election but did not have sufficient time to do so. There has been no other systematic review of the Act since it came into force. If it is re-established, the inquiry may recommend amendments and, in any case, it may be timely for officials to review the Act’s operation and outcomes.

Classification System and Appeal Processes

The classification system has recently received a great deal of media attention. The Society for the Promotion of Community Standards has obtained Court injunctions and interim restriction orders to prevent the screening of film festival films while further decisions about the classification of the films can be made. The right to seek a review of a classification decision is an important part of the Act but has recently been used in a way which led to criticism of delay and disruption to film festivals. The Department is currently consulting with stakeholders to assess what action is required to address this problem.

The Department’s functions under the Act are Crown Entity monitoring, appointments and enforcement. Policy development, however, has generally been undertaken jointly between Justice and Internal Affairs (and at times, Women’s Affairs). The Department has recently committed to increasing its ability to contribute to censorship policy development.

6. Crown Entities and Statutory Bodies: Censorship

The Films, Videos, and Publications Classification Act 1993 establishes the Office of Film and Literature Classification and the Film and Literature Board of Review, and recognises a Film and Video Labelling Body.

Office of Film and Literature Classification

The Office of Film and Literature Classification is a Crown entity, headed by a Chief Censor, which classifies publications.

The Department:

- advises on the appointment of the Chief and Deputy Chief Censor and administers the appointment process
- monitors the performance of the Office as a Crown entity
- provides policy advice to the Minister from a Crown entity monitoring perspective.

Film and Literature Board of Review

The Film and Literature Board of Review is a Statutory Body, from which those dissatisfied with the decisions of the Office of Film and Literature Classification can seek review. The Board must conduct the review of any publication by way of re-examination without regard to the decision of the Office.

The Secretary for Internal Affairs:

- may grant leave to any person (other than those directly involved – listed in the Act) to apply to the Board for review of any publication (s.47).

The Department:

- arranges secretarial, and other services to enable the Board to exercise its functions and powers (s.102).

Membership

The membership of the Board is listed in Appendix A.

Film and Video Labelling Body

The Film and Video Labelling Body is recognised under (s.71) of the Act. It assigns ratings and descriptions to films, videos and related material, and issues labels.

The Department:

- provides advice to the Minister on recognition of a body as the Labelling Body, and appointment of community representatives to it.

The current community representatives are detailed in Appendix A.

7. Key Stakeholders: Censorship

- the Ministry of Justice administers the Films, Videos, and Publications Classification Act
- the Ministries of Justice and Women's Affairs, the Police and the Customs Service all

have a policy interest in censorship issues

- the Minister of Women's Affairs is consulted on the community representatives on the Film and Video Labelling Body
- the Commissioner for Children has a key role in advocacy for child protection
- children's Internet safety groups
- Society for the Protection of Community Standards
- publishers and distributors
- film societies and film goers; people who use publications of all types which are restricted in any way
- The Internet Society.

Ethnic Affairs

1. Sector Overview: Ethnic Affairs

Ethnic Affairs is a new portfolio established in 1999 to give ethnic communities a voice in government. The Office of Ethnic Affairs was formally launched in May 2001. The Office of Ethnic Affairs is a stand-alone unit within the Department of Internal Affairs, reporting direct to the Chief Executive.

The purpose of the Office is "to create a climate so that ethnic people can fully participate in and contribute to all aspects of New Zealand life."

The Office works with and for people whose ethnic¹ heritage distinguishes them from the majority of other people in New Zealand. This definition includes the 10% of the population born in New Zealand who identify with their ethnic heritage, as well as immigrants and refugees. This does not include Māori and Pacific Island people who usually work through Te Puni Kokiri and the Ministry of Pacific Island Affairs.

In 2001 Census:

- 356,000 New Zealanders recorded an "other" ethnicity (5% in 1996)
- this included 237,000 Asians (6.6%), 94,000 (2.7%) mainland Europeans and 24,000 (0.7%) Latin American and Africans
- most of the recent immigration has been from Asia (now 6.6% of all Census respondents) and other predominantly non-English speaking areas
- largest populations were Chinese 100,000 and Indian 60,000
- 200 separate ethnic identities were recorded, of which 45 had a population of 2000 or more
- the balance has shifted from well-established communities to more recent arrivals (49% of the "other" category had arrived within the past 10 years and only 26% were NZ born)
- growth has been greatest in cities, with highest concentrations in Auckland, Hamilton and Wellington
- compared with "New Zealand European", other ethnic groups tend to have a greater proportion of people under 25 years of age, and a younger population overall
- employment: other ethnic people are twice as likely as Europeans to be unemployed

¹ Ethnicity is a broad concept including race, language, religion, customs, traditions, as well as geographic, tribal or national identity.

- language: Census 2001 showed 50,700 (2%) adults could not speak English at all and the Ministry of Education estimates that about 200,000 overseas-born adults who speak English have less than adequate levels of literacy.

2. Strategic And Legislative Framework: Ethnic Affairs

Over the next three years the Office has goals of:

- empowering ethnic people to participate in all aspects of New Zealand life
- improving access by ethnic people to key services
- developing a better informed and more responsive public service
- raising awareness of ethnic diversity.

The Office of Ethnic Affairs has developed a strategic approach to incorporate ethnic perspectives in government policy and services, using these goals and an analysis of ethnic issues to develop a set of policy values and outcomes for ethnic people.

The Ethnic Affairs framework, "Ethnic Perspectives in Policy", has been launched as a strategic policy tool.

The strategy is based on:

- identifying ethnic groups likely to be affected by a policy or service
- applying a set of government endorsed high-level policy values and priority outcomes as a reference, to give direction to policy development
- fostering an aware and responsive public service. This will be the role of the Office, beginning first with key social service policy and operational departments
- requiring ethnic perspectives to be considered in the preparation of policy, and consultation with the Office of Ethnic Affairs where policy is likely to have a significant impact on ethnic people
- improving the quality of information available to the public, by requiring information about ethnic people and the impact of policies and services to be published annually. Development of quality information and datasets by ethnicity is a critical issue.

New Zealand is party to several United Nations conventions that serve to eliminate discrimination and to protect the interests of minority ethnic groups and refugees, women and children.

Discrimination against ethnic groups based on nationality, religion, race or colour and ethnic or national origin is prohibited under the Bill of Rights Act and the Human Rights Act. The State Sector Act also promotes equal employment opportunities in the state sector.

Other agencies such as the Human Rights Commission, including the Race Relations Commissioner have a role which links closely to that of the Office.

3. Minister's Role: Ethnic Affairs

The Minister for Ethnic Affairs' role is to give a voice and advocate in government for ethnic people. Ethnic Affairs has many issues in common with Ministries dealing with Māori and Pacific peoples. There are strong linkages with Ministerial portfolios such as Community and Voluntary, Education, Employment, Immigration, and Social Services.

4. Department's Role: Ethnic Affairs

The Office:

- provides advisory and information services
- offers ethnic people a point of contact with the New Zealand government
- provides ethnic people with advice and information on matters affecting them
- aims to educate all New Zealanders about ethnic communities and their contribution to our society
- provides policy advice and information on issues relating to ethnic groups, and identifies implications of government policy for ethnic communities.

5. Key Issues and Themes for next Three Years: Ethnic Affairs

Priority issues

Ethnic Perspectives in Policy

"Ethnic Perspectives in Policy" is a resource designed to help government agencies identify implications for ethnic communities in their work.

"Ethnic Perspectives" requires Cabinet approval to give a clear mandate and signal the incoming government's desired direction for policy and services for ethnic people across the whole of government.

Interpreting Services

A pilot telephone interpreting service will begin in the first half of the next calendar year. The pilot will cover services provided by Immigration, New Zealand Police, Accident Compensation Corporation, Housing, Social Development and Internal Affairs. Funding has already been secured from these departments and the Migrant Levy to operate the pilot.

Chinese Community Reconciliation

The Office is in the midst of consultation with Chinese people and their descendants who paid the poll tax and suffered other discriminatory legislation. The consultation is to determine an appropriate form of reconciliation, if any, from the Government as a follow up to the formal apology made by the Prime Minister in February of this year.

The next phase will include organising further community meetings, the closing of submissions, reviewing submissions and working on a package of proposals in partnership with representatives of the descendant community. The package will include proposals that other departments can meet from within existing baselines.

Medium Term Issues

Managing Diversity and Raising Awareness

The Office is developing strategies (including "Ethnic Perspectives") to raise awareness within the public sector. When awareness is raised, the Office experiences a high demand for training and information about diversity and how to respond appropriately to different ethnic groups. This signals the need for the Office to develop a public education role.

Settlement Issues

Settlement issues have been a strong focus for the Office. The growth of a significant and diverse ethnic sector in New Zealand over the past decade has created public policy issues. Policies and programmes have arisen ad hoc in response to the experiences of earlier immigrants, rather than through consulting with ethnic communities to help anticipate emerging issues.

Post Settlement Issues

The Office has identified a range of potential post settlement issues for refugees, who have a high degree of need for support beyond the initial assistance offered.

This post settlement work will need to be developed by the Office in conjunction with the Ministry of Pacific Island Affairs and the Immigration Service. This will be a priority for the expanded policy capability of the Office.

Languages policy

There is a need to develop a more comprehensive language strategy covering interpreting, English as a second language and support to maintain ethnic community languages. This would require the involvement of a number of agencies.

6. Key Stakeholders: Ethnic Affairs

Key stakeholders include government agencies, local government, community organisations and ethnic people themselves.

- Central Government - Immigration Service, the Police, the Human Rights Commission, the Ministries of Education, Health, Housing and Social Development, the Department of Labour and, within Internal Affairs, the Identity Services and Community Development groups

- Local government
- Community based organisations
- Ethnic organisations - Federation of Ethnic Councils and the New Zealand Chinese Association.

Executive Government Support

1. Sector Overview: Executive Government Support (EGS)

Under Vote: Internal Affairs, EGS provides several services that ensure important executive support functions are discharged. The Department also supports Vote: Ministerial Services which includes a wider range of responsibilities.

The services provided by Executive Government Support under this vote include:

- Services to Commissions of Inquiry
- The New Zealand Gazette
- The Translation Service
- Blue Pages and Authentications.

2. Strategic and Legislative Framework: Executive Government Support

In July 2001 a number of changes were implemented to the structure of EGS. This resulted in added strength in human resources, financial and advisory capability. The group continues to maintain and improve capability, knowledge, skill, technology and business processes to provide professional services when and where required.

The Minister of Internal Affairs has responsibility for the following legislation:

Act	Key Features
Commissions of Inquiry Act 1908	The Department administers Commissions established under this Act.
Flags, Emblems and Names Protection Act 1981	Currently administered by Ministry of Cultural and Heritage. An amendment Bill formalising this transfer is on the legislative programme.
Royal Titles Act 1974 Seal of New Zealand Act 1977	These Acts may be transferred to Cabinet Office in a future phase of the machinery of government led by the State Services Commission. These are now administered by the Cabinet Office.
Time Act 1974	This Act controls daylight saving in New Zealand and is administered by the Policy Group of the Department of Internal Affairs.

Royal Commissions and Commissions of Inquiry

Royal Commissions typically focus on policy matters and standard Commissions typically are investigative bodies. Each type of commission is appointed, under slightly different procedures, by the Governor-General following recommendation by Cabinet. Recommendations for appointment originate with the relevant portfolio Minister. The last Royal Commission was on Genetic Modification. It finished its task in July 2001.

3. Minister's Role: Executive Government Support

A primary responsibility of the Minister is oversight of the management of any Commissions of Inquiry.

4. Department's Role: Executive Government Support

Executive Government Support is responsible for:

The Translation Service

This is a stand-alone business under the Public Finance Act 1989 and receives no Crown funding. It provides commercial, legal, scientific, general and technical translations to corporate and public sector clients and is an accredited translator for the Department's Identity Services group and the New Zealand Immigration Service.

Authentication Unit

This unit prepares documents issued in New Zealand for use overseas. Apostille certificates are prepared directly for clients. Authentications are provided in conjunction with the Ministry of Foreign Affairs and Trade.

New Zealand Gazette

The New Zealand Gazette is typeset in-house, and printed and distributed by a contractor. The Principal edition, which includes commercial and government notices, is published each Thursday. The Customs edition, which includes tariff advertisements and decisions, is published each Tuesday. Approximately 80 supplements are published during the year.

Blue Pages

EGS co-ordinates and maintains the government index and local government pages at the front of the white pages of the telephone book.

Commissions of Inquiry

EGS provides administrative arrangements and advisory services for Royal Commissions and Commissions of Inquiry, including establishing the office for the Commission, appointment of personnel, provision of accounting services and other services, and advice as and when required.

5. Key Issues and Themes for the next Three Years: Executive

Government Support

New Zealand Gazette

In line with the Government's primary goal to deliver better access, as well as supporting better relationships between government, citizens and business, it is intended to publish the Gazette on the Internet during 2002/03. This will improve access for both subscribers and the general public.

A second stage to the project will involve making all Gazettes from 1840 available on the Internet.

The Translation Service

Demand for translation services continues to increase, particularly for Asian and European languages. The service continues to provide translations for recent immigrants and citizenship applicants in over 60 languages.

Blue Pages

The Blue Pages are at the front of the white pages of the telephone book. The development of the government portal provides an opportunity to review the current format and accessibility of the Blue Pages information for the future.

6. Key Stakeholders: Executive Government Support

- Governor-General
- Ministers of the Crown
- Government departments
- Commissioners and participants in Commissions of Inquiries.

Fire

1. Sector Overview: Fire

Preventing and suppressing fires to reduce risk to life and property is a key concern for New Zealanders.

The New Zealand Fire Service Commission is responsible for the New Zealand Fire Service. The Fire Service Commission is funded almost exclusively from a levy paid on all insurance policies that cover property against the risk of fire. The Service has:

- 9,700 firefighters
 - 1,690 (approximately) are full-time, paid
 - 8,000 are volunteers
- 347 districts
- 800 "pumping" appliances
- 435 fire stations.

Approximately 3,000 firefighters belong to volunteer rural fire forces and rural fire parties affiliated to Rural Fire Authorities (generally territorial authorities).

In 2000/01, the Fire Service was asked to respond to 64,995 emergency incidents:

- 22,284 fires
- 17,023 non-fire emergencies
- 25,688 false alarms.

These incidents resulted in:

- 40 fire fatalities, including homicides and suicides
- 675 injuries to members of the public.

The busiest station, Christchurch City, responded to 1,688 calls. The quietest stations - several volunteer brigades - did not attend any calls.

2. Strategic and Legislative Framework: Fire

Government involvement is aimed at:

- improving fire safety and prevention
- ensuring an effective emergency response service is available when fires and other emergencies occur.

Act	Key Features
Fire Service Act 1975	Mandates the provision of a National Fire Service and a Fire Service levy to pay for it. Government provision, ownership of and responsibility for the National Fire Service.
Fire Safety and Evacuation of Buildings Regulations 1992 Building Act 1991 Building Code 1992	Specify requirements for buildings, building material and product standards, fire safety and evacuation procedures in buildings
Forest and Rural Fires Act and Regulations 1977	Establishes the regime for fire management in rural areas

3. Minister's Role: Fire

The Minister of Internal Affairs has overall responsibility for the provision, regulation and funding of fire services. The Minister responsible for the Fire Service may be a Member of the Domestic and External Security Committee.

Act	Ministerial Responsibilities
Fire Service Act 1975	<ul style="list-style-type: none"> • approve its annual estimates of expenditure • consider the Fire Service Commission's annual projections for claimson the Rural Firefighting Fund and: <ul style="list-style-type: none"> - agree with the Minister of Conservation the contribution from Vote Conservation - approve the amount of Fire Service levies to be allocated to the Fund. • comment on the Commission's draft annual Statement of Intent • table the Commission's Statement of Intent and Annual Report in the House of Representatives • review the Fire Service levy rate each year • recommend appointments to the Commission.

4. Department's Role: Fire

The Department of Internal Affairs administers the Fire Service Act 1975 and the Forest and Rural Fires Act 1977.

The Department advises the Minister on:

- statutory responsibilities
- other aspects of legislation
- strategic policy about the provision and funding of fire services for both fire and non-fire emergencies.

5. Key Issues and Themes for the next Three Years: Fire

Key objectives include decisions on Fire Service funding and revision of legislation to solve operational problems.

Priority issues

Fire Service Commission Funding

Decisions are needed on the future of Fire Service funding. The Fire Service Commission is funded almost exclusively from a levy paid on all insurance policies that cover property against the risk of fire. The present system is considered unfair for a number of reasons including:

- only insured property owners contribute to the Commission's funding yet everyone benefits from the Fire Service
- large property owners generally contribute less than intended by the legislation.

The Department has conducted a review of Commission funding. At the time of the general election Cabinet had yet to consider proposals for future funding. The key options are remaining with the status quo or moving away from an insurance-based system to a new funding basis. Any change will require legislative amendment.

Need for Legislative Change

The Fire Service Act does not fit well with public sector reform legislation of the 1980s such as the Public Finance Act 1989 and newer codes such as the performance-oriented Building Code 1992. The Forest and Rural Fires Act 1977 is similarly outdated. The Department is working on proposals for a Forest and Rural Fires Amendment Bill. Government decisions about Fire Service Commission funding could result in a Fire Service Amendment Bill. This would be an opportunity to remedy problems with the Fire Service Act.

Medium term issues

Fire Safety and Prevention

The Fire Service Commission has increased its emphasis on fire safety and prevention activities in recent years. The toxic smoke that results from burning modern materials can mean that even when the Fire Service arrives within three minutes of receiving a 111 call, it is too late to save lives. Fire statistics show a significant trend of reducing numbers of fires over several years. This is a success for the fire prevention strategy. Other statistics are more difficult to interpret, but a general improvement is apparent. An increase in fire injuries and fatalities in the 2001/02 financial year goes against this trend.

Industrial Relations

The collective employment agreement between the Fire Service and the New Zealand Professional Firefighters Union expires at the end of June 2003. The most significant issue in this sector over the past several years was the bitter dispute between these two organisations which continued from the expiry of the previous contract in 1994 until the signing of a new agreement in June 2001. The new agreement has restored firefighter morale and produced a significant improvement in relationships between firefighters and Fire Service management.

Volunteer Firefighters

The current ratio of volunteers to paid firefighters is approximately 5:1. Traditionally the Fire Service has been staffed by volunteer firefighters. Paid staff provide cover in cities and towns with high numbers of call-outs. Under present funding without volunteers there would not be a Fire Service in many smaller communities.

There are recruitment and retention problems for many volunteer brigades. The demands of modern life, e.g. work demands, have contributed to these problems. The Fire Service has initiatives in place to address these issues.

6. Crown Entities and Statutory Bodies: Fire

New Zealand Fire Service Commission

The Fire Service Act 1975 establishes the New Zealand Fire Service Commission as the controlling board for the New Zealand Fire Service. The Commission is directly responsible to the Minister of Internal Affairs.

The Commission:

- is responsible for overall co-ordination of fire safety throughout New Zealand
- acts as the National Rural Fire Authority, which co-ordinates and advises 100 individual rural Fire Authorities (generally territorial authorities) on rural fire management.

The Department:

- advises on appointments to the Commission and administers the appointments process
- monitors the Commission's performance as a Crown Entity
- provides policy advice to the Minister from a Crown Entity monitoring perspective

Membership

The Commission has five members, one of whom must have fire engineering or senior operational firefighting experience. All members of the Commission are appointed by the Governor-General on the recommendation of the Minister of Internal Affairs. Members hold office for a term of up to three years and are also eligible for reappointment. These are listed in Appendix A.

7. Key Stakeholders: Fire

- the New Zealand Professional Fire Fighters' Union - represents almost all paid firefighters
- the United Fire Brigades' Association of New Zealand (UFBA) - the national organisation representing fire brigades throughout the country, particularly volunteer firefighters
- the Insurance Council of New Zealand - represents most of the major insurance companies which collect Fire Service levies on behalf of the Commission

- the Corporation of Insurance Brokers of New Zealand - represents major insurance brokers who collect Fire Service levies on behalf of the Commission
- the Independent Insurance Brokers Association - represents smaller insurance brokers who collect Fire Service levies on behalf of the Commission
- the Forest and Rural Fires Association of New Zealand - represents rural fire interests
- the Building Industry Authority (refer Building section of briefing)
- Local Government New Zealand (territorial authorities are generally responsible for fire management outside urban fire districts)
- Standards New Zealand - a Crown Entity responsible for co-ordinating the promulgation of standards, including fire safety related standards within New Zealand.

Gaming

1. Sector Overview: Gaming

Over the past 10 years, New Zealand's gambling sector (including race and sports betting) has experienced rapid growth. Comparisons with overseas suggest demand will continue to grow.

In 2001:

- turnover (the gross amount bet) exceeded \$9.8 billion
- expenditure (i.e. player losses or the gross amount bet minus the amount paid out as prizes) was about \$1.5 billion
- gaming provided around \$330 million to community purposes, around \$65 million to racing clubs, and over \$200 million in sector-specific taxation
- industry-funded counselling assisted nearly 3,000 problem gamblers and their families. Around 2,200 people sought counselling help for the first time

The main forms of gambling currently available are:

Casinos

Christchurch, Auckland, Dunedin and two Queenstown casinos are operating.

A further casino, in Hamilton, is scheduled to open in September 2002.

Non-casino Gaming Machines

Just over 22,100 non-casino gaming machines are operating on about 2,150 sites.

New Zealand Lotteries Commission

Some 610 retail outlets provide Lotto, Lotto Strike, Powerball, Daily Keno, and Instant Kiwi.

Lotteries Commission profits are distributed through the Lottery Grants Board and its distribution committees (including regional subcommittees). The Department provides administrative support for the Board and the Committees within the Community Development Group.

Race Betting and Sports Betting

Around 150 racing clubs offer race betting. 130 TAB agencies, 450 sub agencies and stand-alone locations, and five telephone betting centres (catering for 100,000 account holders) offer both race betting and sports betting. TAB Internet betting, a relatively new service, turned over more than \$35 million in 2000/2001, nearly double the \$18 million in the previous year.

2. Strategic And Legislative Framework: Gaming

New Bills before Parliament offer an opportunity to set a single clear gaming policy.

Gaming impacts on central government outcomes and policy strategies as follows:

- the size of the sector impacts on macro-economic performance
- costs of regulation and problem gambling, and tax collected, affect fiscal performance
- positive and negative social impacts of gaming affect the well-being of the community
- new technology, such as Internet gaming, is an integral part of e-commerce.

The Racing Bill was introduced in May 2001 and the Responsible Gambling Bill in February 2002. The Racing Bill is awaiting second reading and the Government Administration Committee had not completed deliberation on the Responsible Gambling Bill. Both Bills are carried over.

a. Existing Regulatory Framework

Until the enactment of the Responsible Gambling Bill, the regulatory framework is essentially set by the following pieces of legislation (and by licensing conditions developed by the Department's Gaming Regulatory Group):

Act	Key Features
Gaming and Lotteries Act 1977 (Minister of Internal Affairs)	Governs the conduct and operation of lotteries, games of chance (including house), instant games, prize competitions, and non-casino gaming machines. A key objective is that gaming is run to raise funds for community purposes. Gaming may not be run for commercial gain. Non-casino gaming machines are licensed under the game of chance provisions in the Act. Prohibits bookmaking.
Casino Control Act 1990 (Minister of Internal Affairs)	Provides for the establishment and operation of commercial casinos to promote tourism, employment and economic development.
Casino Control (Moratorium) Amendment Act 2000 (Minister of Internal Affairs)	Provides for a moratorium on new casino premises licence applications being considered between 16 October 1997 and 15 October 2003.
Racing Act 1971 (Minister for Racing) (There is a Racing Bill currently awaiting second reading.)	Provides the framework for the regulation and governance of the racing industry. Permits race betting and sports betting. Totalisator Agency Board (TAB) profits are distributed among racing clubs.

Act	Key Features
<p>Gaming Duties Act 1971 The Goods and Services Tax Act 1985 and the Income Tax Act 1994 are also relevant. All three Acts are the responsibility of the Minister of Revenue.</p>	<p>Provides for the payment of sector-specific duties by the TAB and racing clubs, the Lotteries Commission, gaming machine societies and casinos.</p>
<p>Financial Transactions Reporting Act 1996 (Responsibility of the Minister of Justice.)</p>	<p>Minimises money laundering by imposing reporting obligations on financial institutions. Licensed casino operators and the TAB are defined as "financial institutions" for the purposes of the Act.</p>

b. Responsible Gambling Bill

The Responsible Gambling Bill is intended to overcome the lack of a single policy focus in legislation. The Bill repeals the Gaming and Lotteries Act 1977 and the Casino Control Act 1990 and creates a harmonised regulatory framework. Aspects of racing (community consent for new venues and regulatory powers to contain problem gambling) are also included in the framework.

Key features of the bill include:

- replacement of the existing gambling classifications with an integrated, risk-based licensing system
- prohibitions on new casinos and limits on the growth of existing casinos
- prohibitions on the provision of remote interactive gambling within New Zealand (except by the TAB in respect of "real life" race and sports betting events)
- introduction of community consent on the location and numbers of gaming machines (up to nine) at new non-casino gaming machine venues
- introduction of electronic monitoring of non-casino gaming machines
- introduction of a wider range of regulatory powers to contain problem gambling
- imposition of a mandatory problem gambling levy on key gambling operators to fund the costs incurred by the government department responsible for developing and managing an integrated problem gambling management strategy
- dissolution of the Casino Control Authority because many of its existing functions will no longer be necessary
- establishment of a new body, the Gambling Commission, to determine remaining matters relating to casinos and to hear appeals against certain decisions of the Secretary for Internal Affairs in other areas of gambling regulation.

c. The Racing Bill

The Racing Bill simplifies the administration of racing to provide effective governance and to facilitate betting on races and sports.

3. Minister's role: Gaming

Act	Ministerial Responsibilities
Gaming and Lotteries Act 1977	<p>Grants licences to conduct gaming activities (delegated to the Department).</p> <p>Approves major changes in limits for prizes, stakes and entrance fees for certain games.</p> <p>Approves overseas gaming activities in NZ.</p> <p>Appoints members to the Lotteries Commission.</p> <p>In 2001/02 the Minister of Internal Affairs delegated responsibility for the Lottery Grants Board to the Minister responsible for the Community and Voluntary Sector. This Minister chaired the Lottery Grants Board, recommended to the Governor-General appointments to the three non-statutory positions and established distribution committees and appointed members.</p>
Casino Control Act 1990	<p>Recommends to the Governor-General appointments to the Casino Control Authority.</p>

The Minister of Internal Affairs has no responsibilities under the Racing Act. The Minister for Racing makes appointments to the RIB (Racing Industry Board) and TAB, and determines appeals against RIB changes to conference rules.

4. Department's role: Gaming

Under the Gaming and Lotteries Act, the Department issues licences to approved societies (under delegation from the Minister), inspects and audits society operations and carries out information, education, investigation and enforcement activities to ensure compliance with gaming legislation.

Under the Casino Control Act, the Department inspects and supervises casino operations and issues certificates of approval for casino employees.

5. Key Issues and Themes for the next Three Years: Gaming

Priority issue

The enactment and implementation of the Responsible Gambling Bill and evaluation of the effectiveness of the new statute.

Pre-enactment Policy Matters

The Responsible Gambling Bill was carried over before the Select Committee completed its deliberation. You may wish to consider whether Government needs to make any further policy decisions.

Enactment Priority

A judgment will have to be made on the legislative priority of the new gambling legislation. Arguments for enacting the Bill before the end of 2002 include:

- *New Problem Gambling Levy:* If the bill is enacted after March 2003, at the latest, it will not be possible to implement the new problem gambling levy for the year 2003/04
- *Nine machine cap on new venues:* This has an effective date of 18 October 2001
- *Expiry of the casino moratorium:* This expires on 15 October 2003. The new law must be in place well before that date
- *Length of the implementation timetable:* Implementation must begin before June 2003 to be completed before the next General Election.

Risks associated with an enactment before December 2002 include limited time for further policy consideration and consultation with stakeholders, and a potential shortfall in funding of the problem gambling levy as a result of the reduction of the number of gaming machines per site.

Post-enactment Implementation

A Gaming Review Implementation project is under way. This also deals with introducing electronic monitoring of non-casino gaming machines, and reviewing the way the Department achieves gaming compliance, developing a comprehensive range of regulations and fees, and managing transitional issues arising from the Responsible Gambling Bill.

Medium term issues

- *Fees Review – gaming machine and licensing services.* A revised fee schedule is being prepared, for submission to the Cabinet Committee on Government Expenditure and Administration (EXG)
- *Electronic Monitoring of non-casino gaming machines.* A paper seeking approval for the introduction of a centralised electronic monitoring system is being prepared for submission to EXG. Electronic Monitoring is also dealt with in the Responsible Gambling Bill
- *Declining sales of Lotteries Commission products:* Lottery Grants Board funding from sales of these products is declining. This reduces funding for statutory bodies and community organisations that rely on lottery funding

- *Taxation of gambling:* Cabinet deferred decisions on this matter until 2003. Expectations of taxation reform are already high in the racing sub-sector
- *Technology:* New technology, especially the Internet, creates new types of gambling. Policy must keep pace. Inter-country agreements on cross-border gambling are one potential response
- *Monitoring the impact of the new legislation:* Stakeholders will require detailed responses as widespread change takes place
- *Problem gambling strategy:* The Ministry of Health will manage problem gambling prevention and treatment services. This new policy development will affect all other gambling policy areas.

6. Crown Entities and Statutory Bodies: Gaming

The Racing Act establishes:

- the TAB which has a monopoly on sports betting and off-course race betting
- the Racing Industry Board (RIB) to regulate the industry and oversee TAB performance
- the racing judicial system.

The Casino Control Act establishes:

- the Casino Control Authority to license and regulate casinos.

The Gaming and Lotteries Act establishes:

- the Lotteries Commission, which conducts Lotto, Lotto Strike, Powerball, Instant Kiwi, and Daily Keno
- the Lottery Grants Board to distribute funds raised by the Lotteries Commission.

Below is an overview of each of the entities and statutory bodies. The members of each entity and body are listed in Appendix A.

Racing Industry Board (RIB)

The RIB determines the deductions from the betting dollar and the distribution of TAB profits, allocates totalisator licences (thus determining the racing calendar), and may change or rescind any rule of racing that affects the welfare, image or integrity of racing. (See Appendix for Membership listing).

Totalisator Agency Board (TAB)

The TAB was established in 1950 to resolve problems associated with illegal off-course bookmaking. Today it has an effective monopoly on both race betting and sports betting. All TAB profits are returned to the industry (mainly the clubs) through the RIB. (See Appendix for Membership listing).

Judicial Control Authority (JCA)

The JCA, established in 1996, appoints judicial panels for harness and thoroughbred race meetings and to hear non-raceday enquiries relating to the rules of racing (e.g. horse ownership issues, racehorse doping, etc). It also appoints tribunals to hear raceday and non-raceday appeals. Greyhound racing judicial panels are appointed in accordance with the rules of greyhound racing, and are not part of the racing judicial system mandated by statute. (See Appendix for Membership listing).

Casino Control Authority

The Casino Control Authority (CCA) is a quasi-judicial, Crown entity established under section 7 of the Casino Control Act 1990. It is deemed, under section 9 of the Act, to be a Commission of Inquiry.

The Department:

- advises on appointments to the Authority and administers the appointments process
- monitors the CCA's performance as a Crown entity
- provides policy advice to the Minister from a Crown entity monitoring perspective.

Gambling Commission

The Gambling Commission is a statutory body to be established under the Responsible Gambling Bill. It is a Commission of Inquiry under section 199 of the Bill. Its proposed functions are to consider and determine

- applications for casino operators licences
- applications for re-licensing casino premises
- agreements (and changes to agreements) between casino operators and casino premises licence holders
- a range of appeals against decisions of the Secretary for Internal Affairs.

The Department:

- provides advice on appointments to the Commission
- administers the appointments process
- provides administrative services necessary for the Gambling Commission to perform its functions.

New Zealand Lotteries Commission

The functions of the Commission, under the Gaming and Lotteries Act 1987, are:

- to promote, organise and conduct New Zealand lotteries (*Lotto, Daily Keno, Instant Kiwi and Powerball*) from which the New Zealand Lottery Grants Board derives its income)
- to make rules regulating the conduct and operation of New Zealand lotteries
- to advise the Minister of Internal Affairs on matters relating to New Zealand lotteries.

The Commission has its head office in Wellington and regional offices located in Auckland and Christchurch.

The Commission has five members. The Department:

- advises the Minister on the appointment process for Commission members
- provides policy advice to the Minister on the activities of the Commission monitors the performance of the commission as a Crown entity.

The Crown Company Monitoring Unit (CCMau) monitors the performance of the Commission as a Crown entity and provides related advice.

New Zealand Lottery Grants Board

The New Zealand Lottery Grants Board (the Board) is a Crown entity established by the Gaming and Lotteries Act 1977 (as amended in 1987) to determine the proportion of lottery profits allocated for distribution.

The Board determines the proportions of profits of New Zealand lotteries, such as Lotto, Lotto Strike, Instant Kiwi and Daily Keno to be allocated to the Distribution Committees and to distribution agencies (including Creative New Zealand, the New Zealand Film Commission, and Sport and Recreation New Zealand). It may also give general policy directions to the Distribution Committees. In addition, Board members each attend some Distribution Committee meetings in a liaison capacity, with the specific committees to be determined by negotiation between Board members.

The Department's role is outlined in the Vote Briefing for the Minister Responsible for the Community and Voluntary Sector.

National Lottery Distribution Committees

National Lottery Distribution Committees are established under the Gaming and Lotteries Act 1977, to distribute the profits of New Zealand lotteries as allocated by the Lottery Grants Board.

There are nine committees. Three have regional subcommittees. The committees make grants for charitable purposes only.

- *Lottery Community Facilities Distribution Committee* – community, cultural, recreational and sporting facilities
- *Lottery Environment and Heritage Distribution Committee* – natural, physical and cultural heritage projects
- *Lottery General Distribution Committee* – projects which are outside the scope of other committees and annual priority areas identified by the Lottery Grants Board and/or Lottery General
- *Lottery Health Research Distribution Committee* – medical and health research

- *Lottery Marae Heritage and Facilities Distribution Committee* – development and conservation of marae facilities
- *Lottery Science Research Distribution Committee* – science research
- *Lottery Seniors Distribution Committee* – the physical, mental and social well-being of older people
- *Lottery Welfare Distribution Committee* – the voluntary welfare sector
- *Lottery Youth Distribution Committee* – youth community groups.

The Department:

- administers the appointments process for members of the Lottery Distribution Committees (Policy Group)
- provides policy advice
- screens applications for grants
- provides full accounting and secretarial service to the Distribution Committees
- promotes the work of the committees and seeks grant applications
- monitors grants to ensure grants are used for the purpose for which they are given
- investigates allegations of misuse and incidents of non-reporting
- audits randomly-selected grants.

7. Key Stakeholders: Gaming

- New Zealand Lottery Grants Board – distribution of Lotteries Commission profits
- Gaming Machine Association of New Zealand – an association of gaming machine operators and manufacturers
- Charity Gaming Association – an association of gaming machine operators
- Lion Foundation – a large gaming machine operator
- Pub Charity – a large gaming machine operator
- New Zealand Returned Services Association – association of groups, many of which operate gaming machines
- Hospitality Association of New Zealand – association of groups, many of which operate gaming machines
- New Zealand Licensing Trust – gaming machine operator
- Clubs New Zealand (formerly NZ Chartered Clubs) – association of groups, many of which operate gaming machines
- casinos – Christchurch, Sky City (Auckland) and other casino operators

- Casino Control Authority (CCA) – gaming regulator
- New Zealand Community Trust – gaming machine operator
- Aristocrat – gaming machine manufacturer
- IGT – gaming machine manufacturer
- Racing Industry Board and Totalisator Agency Board – the key racing industry bodies
- New Zealand Lotteries Commission – gaming operator
- Salvation Army – provides problem gambling treatment
- Coalition for Gambling Reform
- societies which distribute gambling proceeds
- Problem Gambling Foundation (formerly the Compulsive Gambling Society) – provides problem gambling treatment
- the Problem Gambling Purchasing Agency
- the Problem Gambling Committee (Gaming Industry and providers of Problem Gambling Services) contracts the Problem Gambling Purchasing Agency (PGPA) to manage and recommend the distribution of funds to problem gambler providers.

Identity Services

1. Sector Overview: Identity Services

The Identity Services group of the department is responsible for:

- the granting, registration and confirmation of New Zealand citizenship and its renunciation and deprivation (under the Citizenship Act 1977)
- the issuing of New Zealand passports and other travel documents (under the Passports Act 1992)
- the registration of births, deaths and marriages (BDM) within New Zealand and access to this information (under the Births, Deaths and Marriages Registration Act 1995)
- the day-to-day administration of the Marriage Act 1955, including the appointment of marriage celebrants
- the provision of information to the public about their entitlements under these statutes.

Identity Services is the largest operational business unit of the Department of Internal Affairs. In 2001/02 Identity Services:

- issued 225,221 birth, death and marriage (BDM) certificates
- received 21,124 citizenship applications
- issued 318,208 passports.

2. Strategic and Legislative Framework: Identity Services

A five year programme of development of Identity Services' infrastructure and services was approved by Government in August 2001. The overarching goal is to build capacity to a point where Identity Services is able to deliver its products and services using modern service delivery modes, and with appropriate levels of security and protection. Key areas of development include Internet access to BDM information, on-line registration of births and deaths, on-line verification of identity information by other government agencies, a new passport production system, fraud prevention and detection, and business continuance. Programme costs are \$13.4 million capital and \$36.6 million operating over the five years.

The events of September 2001 reinforced the need for this strategy.

Identity Services is the primary source of information about New Zealanders' personal identity and key life events.

The department's empowering legislation for Identity Services is:

Act	Key Features
<p>Births, Deaths And Marriages Registration Act 1995</p>	<p>Provides for the registration of births, deaths and marriages by the Registrar-General of Births, Deaths and Marriages.</p>
<p>Marriage Act 1955</p>	<p>Administered by the Ministry of Justice.</p> <p>The Registrar-General has day-to-day operational responsibility to the Minister of Internal Affairs, and policy responsibility to the Minister of Justice on:</p> <ul style="list-style-type: none"> • marriage in New Zealand • New Zealanders marrying overseas • the appointment of marriage celebrants.
<p>Citizenship Act 1977</p>	<p>This sets out</p> <ul style="list-style-type: none"> • the right to New Zealand citizenship by birth and descent • the requirements for applying for the grant of citizenship • the requirements for renunciation and deprivation of citizenship • defines offences concerning false statements and documents, and fraud.
<p>Passports Act 1992</p>	<p>This Act</p> <ul style="list-style-type: none"> • establishes the right of New Zealanders to hold a New Zealand passport or other New Zealand travel documents • sets out the grounds for the issue, recall and cancellation of passports (and other New Zealand travel documents) • defines offences concerning the misuse of passports and travel document fraud.

3. Minister's role: identity services

Act	Ministerial Responsibilities
The Citizenship Act	The power to approve the grant of citizenship.
The Passports Act	Powers usually delegated to officials.

The Minister has few direct responsibilities under the Births, Deaths and Marriages Registration Act. The Minister has no responsibilities under the Marriage Act.

4. Department's Role: Identity Services

The Department is responsible for New Zealand's systems for:

- holding, gaining and losing citizenship under the Citizenship Act 1977
- issuing passports and other New Zealand travel documents under the Passports Act 1992
- registering births, deaths and marriages in New Zealand under the Births, Deaths and Marriages Registration Act 1995 and the provision of access to registered information
- the day-to-day administration of the Marriage Act 1955, including the appointment of marriage celebrants
- providing information to the public about their entitlements under these statutes.

5. Key Issues and Themes for the next Three Years: Identity Services

Priority Issues

Security

After the September 11, 2001 terrorist attacks, heightened attention to national security focused on the integrity of systems and processes, and the need for cross-border information-sharing. The Passports Amendment Act 2002 strengthened offence and penalty provisions for passport fraud.

The grant and deprivation criteria of the Citizenship Act are currently under review. The grant of citizenship involves character clearances by government agencies. The Department is reviewing these to ensure that they are sufficiently rigorous. Only a small number of people each year are deprived of citizenship because they have obtained it fraudulently.

E-government

Identity Services plays an active role in one of the e-government infrastructure projects co-ordinated by the SSC e-government Unit (the On-line Authentication of Identity project).

Legislative and computer systems are also being developed to allow other government agencies to directly access BDM and citizenship information. The public will have reduced compliance costs, and the agencies involved will be able to gain efficiencies in confirming key life event information and minimising fraud. This has been made possible by the recently completed BDM records conversion project, which has converted 10 million records into electronic format.

Medium term issues

Funding

Fees for all areas of Identity Services were increased in October 2001. There was strong opposition from genealogists to one area of the new fees. The Regulations Review Committee expressed concerns about the fees and a new set of fees was developed, proposing:

- significant increases for most citizenship products
- significant increases in fees for marriage licences
- decreases in passport fees
- decreases in some BDM products.

The public consultation was reported back in June. Cabinet consideration was deferred prior to the election.

Social Change

The pace of change highlights the need to be vigilant in identifying social and technological developments, and assessing their relevance to Identity Services, e.g:

- the impact of human rights considerations, particularly on BDM: such as the prospect of same-sex parents being named on a child's birth certificate
- giving increased emphasis to the status of citizenship in New Zealand
- exploring the viability of biometrics – the use of unique individual physical identification measures in authenticating identity.

The Department will continue to monitor social and technological developments.

6. Crown Entities and Statutory Bodies: Identity Services

There are no Crown entities or statutory bodies in this area of the Department's activity.

7. Key Stakeholders: Identity Services

- New Zealanders registering BDM information or seeking information from BDM records
- New Zealanders seeking and using passports
- foreigners seeking citizenship
- genealogists/family historians - who have recently opposed the new fee structure as financially restricting their research
- Māori – who regard the BDM records as taonga relating to their iwi, hapū and whanau; who may wish to access tribal information; and who may have requirements as clients or citizens about the use of te reo Māori in documentation
- health providers and funeral directors who are involved in the registration of births and deaths
- ethnic and support groups dealing with immigrants and refugees
- the Office of Ethnic Affairs
- immigration consultants
- local authorities – who conduct the public citizenship ceremonies that complete the acquisition of citizenship
- border control agencies
- the travel industry
- the International Civil Aviation Organisation – which sets international standards and specifications for travel documents
- government departments using identity services data for their business purposes
- organisations interested in accurate identification of individuals and the associated documentation
- government departments providing agency services on behalf of Identity Services (Ministry of Foreign Affairs and Trade, Department for Courts).

Other Crown Entities and Statutory Bodies

1. Chatham Islands Trust

Role and Functions

The Chatham Islands Trust was established in December 1991 with the settlor being the Minister of Internal Affairs. The Trust was established as part of a package to address the long-term viability of the Chatham Islands. The Trust assumed responsibility for a number of then Government owned assets. Its general objectives are to promote the economic development and well-being of the Chatham Islands in the interests of present and future inhabitants.

The Trust deed states that the Crown is in no way legally or financially liable for the activities of the Trust.

Minister's Role

The Minister's role is limited to approving any alterations to the Deed, and approving the allocation of any residual assets if the Trust was to be wound up.

Department's Role

The Department advises the Minister on Trust matters. The Department is not represented on the Trust and does not make or recommend appointments to it.

2. Winston Churchill Memorial Trust

Role and Functions

The Winston Churchill Memorial Trust Board's primary function is to allocate travelling Fellowships to help New Zealanders undertake investigative research projects overseas. These projects must benefit New Zealand in some way.

Department's Role

The Department:

- administers the appointment process for the Winston Churchill Memorial Trust Board
- provides secretariat, policy advice, application screening, grant monitoring and publicity services to the Trust.

Minister's role

- make recommendations to the Governor-General on appointments to the Trust Board for a term of six years, provided that the Minister first consults the Board before making such recommendations for appointment. This includes recommendations for people to be appointed to fill extraordinary vacancies, and to be the Chair of the Board
- receive a copy of the Annual Report and the accounts of the Board, certified by the Audit Office, no later than 30 June each year, and lay these before Parliament within 28 days of commencement of the next ensuing session.

3. Other Trusts

The Peace and Disarmament Education Trust and the Pacific Development and Conservation Trust are supported administratively by the Department but are part of the responsibility of the Minister of Disarmament and Arms Control. Services to trusts are provided on a cost recovery basis.



Appendix A

Memberships Of Crown Entities And Statutory Bodies

(Vote: Internal Affairs)

Casino Control Authority

Name	Date of Original Appointment	Expiry Date of Present Term
Judith Collins (Chairperson)	1 September 1999	31 August 2002*
Mary Lythe	11 December 2000	11 December 2003
Janette Walker	11 December 2000	11 December 2003
Brian Brooks	18 December 2000	18 December 2003
Cindy Kiro	28 August 2001	27 August 2004
Peter Dew	1 March 1996	31 August 2002*

**Note: the terms of the Chairperson, Judith Collins, and one of the members, Peter Dew, expire on 31 August 2002.*

The Gambling Commission

Work on appointments to the Gambling Commission will commence once the Responsible Gambling Bill is enacted.

New Zealand Lottery Grants Board

Name	Date of Original Appointment	Expiry Date of Present Term
The Minister Responsible for Community and Voluntary Sector is the Presiding Member, acting under a delegation from the Minister of Internal Affairs	Ex Officio	Ex Officio
Prime Minister or Appointed Representative	Ex Officio	Ex Officio
Leader of the Opposition or Appointed Representative	Ex Officio	Ex Officio
Mrs Josie Karanga	15 March 2001	14 March 2004
Mr Garth Nowland-Foreman	26 June 2002	25 June 2005
Mr Philip Harington	15 March 2001	14 March 2004

National Lottery Distribution Committees

Lottery Community Facilities Distribution Committee

Name	Date of Original Appointment	Expiry Date of Present Term
Judith Brown-Ngaia	1 April 2001	31 March 2004
Savaia Leutele	1 February 2002	31 January 2005
Christine Maxwell	1 February 2002	31 January 2005
Stephen Ruth	1 April 2001	31 March 2004
Hon Margaret Shields (Presiding Member)	1 April 2001	31 March 2004

Lottery Environment and Heritage Distribution Committee

Name	Date of Original Appointment	Expiry Date of Present Term
Lynne Fegan	1 October 1999	30 September 2002
Bernadine Pool (Presiding Member)	1 October 1999	30 September 2002
Gail Tewaru Tipa	1 February 2002	31 January 2005
Vern Walsh	1 February 2002	31 January 2005
Lorraine Wilson	1 February 2002	31 January 2005

Lottery General Distribution Committee

Name	Date of Original Appointment	Expiry Date of Present Term
William (Pat) Hanley	1 February 2002	31 January 2005
Tuiataga Leavasa-Tautolo	1 February 2002	31 January 2005
Ngareta Jones	1 February 2002	31 January 2005
Peter Osborne	1 October 1999	30 September 2002
Scott Simpson (Presiding Member)	1 November 1999	31 October 2002

Lottery Health Research Distribution Committee

Name	Date of Original Appointment	Expiry Date of Present Term
Prof Garth Cooper	1 April 2001	31 March 2004
Fiona Cram	1 February 2002	31 January 2005
Prof Jane Harding	1 January 2000	31 December 2002
Prof Linda Holloway (Presiding Member)	30 March 1999	29 March 2002*
Prof Graham Le Gros	1 September 1999	31 August 2002

Lottery Marae Heritage and Facilities Distribution Committee

Name	Date of Original Appointment	Expiry Date of Present Term
Laly Haddon	2 February 1998	31 May 2004
Dame Georgina Kirby	2 February 1998	31 May 2005
Inez Kingi	2 February 1998	31 May 2005
Aroha Reriti-Crofts	2 February 1998	31 May 2004
Hon Koro Wetere (Presiding Member)	2 February 1998	31 May 2005

Lottery Science Research Distribution Committee

Name	Date of Original Appointment	Expiry Date of Present Term
Prof Peggy Koopman-Boyden (Presiding Member)	1 September 1993	23 October 2001*
Christopher Kerr	1 January 1995	31 December 2000*
Dr Warwick Smith	1 Aug 1992	31 Jul 2001*
Dr Robert Tennent	1 Aug 1992	31 Jul 2001*
Dr Joyce Waters	24 Oct 1995	23 Oct 2001*

Lottery Seniors Distribution Committee

Name	Date of Original Appointment	Expiry Date of Present Term
Parehuia Aratema	16 September 1997	14 September 2003
Rev Peter Coughlan (Presiding Member)	1 April 2001	31 March 2004
Betty Cuthbert	1 April 2001	31 March 2004
Siale Faitotonu	1 October 2001	30 September 2004
Ray Hatwell	1 April 2001	31 March 2004

Lottery Welfare Distribution Committee

Name	Date of Original Appointment	Expiry Date of Present Term
Judith Kirk (Presiding Member)	22 July 1999	21 July 2002*
Beverley Revell	1 November 1999	31 October 2002
Peta Si'uilepa	1 May 1999	30 April 2002*
Ailsa Smaill	22 July 1999	21 July 2002*
Adrian Te Patu	1 February 2002	31 January 2005

Lottery Youth Distribution Committee

Name	Date of Original Appointment	Expiry Date of Present Term
Daniel Gordon	14 September 1999	13 September 2002
Sam Huggard	1 February 2002	31 January 2005
Ekara Lewis	1 February 2002	31 January 2005
Fuailalagi Saleupolu	1 February 2002	31 January 2005
Tangi Utikere (Presiding Member)	1 February 2002	31 January 2005

Members of the Winston Churchill Memorial Trust

Name	Date of Original Appointment	Expiry Date of Present Term
Barry Dineen (Chair)	14 June 1996	13 June 2002
Stuart Boag	11 June 1998	10 June 2004
Alison Broad	14 June 1996	13 June 2002
Brian Henshall	1 July 1997	30 June 2003
Extraordinary vacancy created by resignation of Prof Ngapare Hopa	-	10 June 2004
Sally Logan-Milne	14 June 1996	13 June 2002
Robert Munro	1 July 1997	30 June 2003
Frank Rawlinson	1 July 1997	30 June 2003
Lady Weir	11 June 1998	10 June 2004

Members of the New Zealand Fire Service Commission

Name	Date of Original Appointment	Expiry Date of Present Term
Dame Margaret Bazley (Chairperson)	20 May 1999	19 May 2002
Terence Scott (Deputy Chairperson)	14 November 2000	13 May 2002
Neville Young	1 April 1999	31 March 2002
Angela Foulkes	14 November 2000	13 November 2003
Piers Reid	14 November 2000	13 November 2002

An appointment/reappointment process is currently underway for the three Commission members whose terms expired in March and May this year.

Members of the Film and Literature Board of Review

Name	Date of Original Appointment	Expiry Date of Present Term
Claudia Elliott (President)	12 June 2001	1 June 2004
Greg Presland (Deputy President)	12 June 2001	1 June 2004
Mark Andersen (Member)	12 June 2001	1 June 2004
Peter Cartwright (Member)	12 June 2001	1 June 2004
Dr Brian McDonnell (Member)	12 June 2001	1 June 2004
Marion Orme (Member)	12 June 2001	1 June 2004
Dr Lalita Rajasingham (Member)	12 June 2001	1 June 2004
Stephen Stehlin (Member)	12 June 2001	1 June 2004
Pamela Meekings-Stewart (Member)	23 May 1995	23 May 2002 *

* There is provision under the Act for a Board member to remain in office until a successor to that member has been appointed. The appointment process to replace Pamela Meekings-Stewart is underway but had not been completed when Parliament was dissolved for the Election.

Members of the Film and Video Labelling Body

Name	Date of Original Appointment	Expiry Date of Present Term
Carole Gribble (Auckland)	20 November 1994	No expiry date
Carol Hughes (Cambridge)	20 November 1994	No expiry date
Manying IP	20 November 1994	No expiry date

Vote Internal Affairs

Appropriations	2002/03	
	Annual	Other
	\$000	\$000
<i>Departmental Output Classes</i>		
Policy Advice - Internal Affairs	2,386	-
Information and Advisory Services	1,988	-
Gaming and Censorship Regulatory Services	9,885	-
Identity Services	48,998	-
Services for Ethnic Affairs	1,343	-
Contestable Services	-	1,004
<i>Non-Departmental Output Classes</i>		
Classification of Films, Videos and Publications	2,205	-
<i>Other Expenses to be Incurred by the Crown</i>		
Miscellaneous Grants – Internal Affairs	48	-
Royal Commission of Inquiry into Genetic Modification	-	-
Royal Life Saving Commonwealth Council	1	-
<i>Capital Contributions to the Department</i>		
Capital Investment	4,055	-
Total Appropriations	70,909	1,004