

The Treasury

Treasury Advice Related to Modernising the EQC Act Information Release

May 2022

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Treasury Report: Modernising the Earthquake Commission Act: revised conduct recommendations

Date:	18 November 2021	Report No:	T2021/2871
		File Number:	TY-2-1-17

Action sought

	Action sought	Deadline
Hon Dr David Clark Minister Responsible for the Earthquake Commission	agree that the EQC Act should include a code of conduct that is published in the statement of performance expectations	13 December 2021

Contact for telephone discussion (if required)

Name	Position	Telephone	1st Contact
Craig Fookes	Principal Advisor, Earthquake Commission Policy Team ^[39]	N/A	✓
Siobhan Duncan	Team Leader, EQC Policy, Earthquake Commission Policy Team	N/A	

Minister's Office actions (if required)

Return the signed report to Treasury.
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Note any feedback on the quality of the report

Enclosure: No

Treasury Report: Modernising the Earthquake Commission Act: revised conduct recommendations

Purpose of Report

1. You met with officials from the Earthquake Commission (EQC) and the Treasury on Wednesday 10 November 2021 to discuss our report entitled Modernisation of the Earthquake Commission Act: Conduct Requirements (T2021/2048 refers).
2. This report provides modified recommendations reflecting your decisions on the EQC code of conduct.

Use of this report

3. This report is intended to:
 - be read alongside our report entitled *Modernisation of the Earthquake Commission Act: Conduct Requirements* (T2021/2048 refers)
 - provide replacement recommendations that we recommend you sign in place of the split recommendations (h-m) in report T2021/2048.
4. The changes remove the split recommendations included in our previous report to reflect your decisions relating to:
 - inclusion of the proposed code of conduct (and any revisions) within the annual *Statement of Performance Expectations (SoPR)*;
 - the process for interim changes to the customer code involving agreement by both the Board and Minister.
 - publication of any such changes on EQC's website.

IN-CONFIDENCE

Recommended Action

- a **note** the recommendations in this report are intended to replace recommendations *h-m* in Treasury Report T2021/2048;
- b **agree** the Earthquake Commission (“EQC”) should be responsible for preparing a Code of Conduct (the “Code”) that defines how claimants should be treated and that this Code must be approved by the EQC Board;
agree/disagree
- c **agree** the Minister responsible for the Earthquake Commission must approve the Code and any subsequent amendments to the Code proposed by the EQC;
agree/disagree
- d **agree** the Minister Responsible for the Earthquake Commission may request amendments to the proposed or then-current Code;
agree/disagree
- e **agree** the Code and any interim amendments be published in EQC’s next annual Statement of Performance Expectations;
agree/disagree
- f **note** EQC have indicated that they will publish any agreed changes to the Code on their website; and
- g **note** the use of a code of conduct within the Act will provide flexibility as to how future conduct obligations are defined following the conclusion of other work intended to respond to the Inquiry into the EQC (e.g. recommendations relating to dispute resolution that MBIE are currently consulting on).

Siobhan Duncan
Team Leader, EQC Policy



Hon Dr David Clark
Minister Responsible for the Earthquake Commission