## NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE (2019)

This questionnaire is designed to help National Contact Points fulfil their reporting obligations as described in the Procedural Guidance of the OECD Guidelines for Multinational Enterprises. The answers to the questions should reflect the nature and results of the activities of the NCP<sup>1</sup>.

#### STRUCTURE

This questionnaire comprises 61 questions and 2 annexes under the following headings:

- A. Contact information
- B. Institutional arrangements
- C. Information and promotion
- D. Specific instances
- E. Peer learning and peer reviews
- F. Policy coherence
- G. Challenges

Annex 1: NCP PROMOTIONAL ACTIVITIES Annex 2: SPECIFIC INSTANCES

#### **TYPES OF QUESTIONS**

#### 1. Questions with predefined answers

For most questions, a pre-defined set of answers are provided in a drop-down menu (e.g. Yes-No-N/A). For each of these questions, please select the appropriate answer in the dropdown menu.

#### Example:

(b) Promotional activities	
19. Did the NCP organise or co-organise events to promote the Guidelines and/or the NCP during the year? If yes, please provide details in table 1 in Annex 1.	Yes/No

#### 2. Open-ended questions

a) Some questions are open-ended, and in these cases an answer box is provided. Many of these questions are meant to complement a question with predefined answers. Please keep responses precise and short.

#### Example:

(b) Advisory body	
5. Does the NCP have one or several advisory bodies?	Yes/No

<sup>1</sup> Page 74 of the Procedural Guidance of the OECD Guidelines for Multinational Enterprises: "Reports should contain information on the nature and results of the activities of the NCP, including implementation activities in specific instances".

If the NCP has several advisory bodies, please specify. Click here to enter text.	
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b) "Additional comments" boxes are situated at the end of each section. Please feel free to enter any additional information you would like to share in these boxes.

### Example:

Additional comments on Advisory body Click here to enter text

#### TERMS USED IN THE QUESTIONNAIRE

A number of terms are used throughout the questionnaire. Definitions are provided below. Please note that these definitions are exclusively intended to assist in clarifying the terms used in this questionnaire. These terms will be underlined the first time they are used in this questionnaire.

- **Structure of the NCP:** The organisational set up of the NCP. Four NCP structures have been preidentified, but other arrangements are possible:
  - Single-agency: The NCP is composed of one individual in a single ministry, or by a group of individuals belonging to the same service in the same ministry.
  - Inter-agency: The NCP is composed of a group of representatives from several ministries or government agencies.
  - Expert-based: The NCP is composed of experts who are external to government.
  - Multipartite: The NCP is composed of a group of government officials and stakeholder representatives.
- Secretariat: Government officials or group of government officials acting as the permanent office of an NCP.
- Advisory body: Some NCPs have an advisory body which can be consulted by the NCP on a range of activities and issues on which it provides advice. Advisory bodies can include representatives from trade unions, NGOs, business and/or academia, along with representatives of other government ministries or agencies. They do not normally form part of the NCP and do not have decision-making power on accepting or concluding specific instances. Some advisory bodies also provide oversight to the NCP (see below).
- **Oversight:** Monitoring of the NCP's activities performed by an Advisory body, for example on whether the NCP has followed its own rules of procedures.
- Dedicated budget: A budget that is allocated to the NCP on a regular basis (e.g. every year) to carry
  out its functions and activities.
- Reporting: In addition to the present report to the OECD, some NCPs provide a regular account of their activities to their national government or parliament. This reporting can take several forms: ongoing through regular reporting channels, or through the presentation of a periodic report, which may be made public.

• **Stakeholder meeting:** A stakeholder meeting is a meeting organised by the NCP to exchange with stakeholders, including trade unions, NGOs and the business community that are not part of the main body or of the advisory body of the NCP.

### **REPORTING PERIOD**

The reporting period for this questionnaire is from 1 January to 31 December 2019.

## SUBMISSION

The questionnaire should be completed by using this word document and sent by email to: <u>RBC@oecd.org</u> copying <u>nicolas.hachez@oecd.org</u> and <u>kathryn.dovey@oecd.org</u> by <u>24 January 2020</u>.

Should you have any questions on how to fill this questionnaire, please contact <u>nicolas.hachez@oecd.org</u>.

# NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE (2019)

### A. CONTACT INFORMATION

*Please provide the contact information of the person filling in the questionnaire.* 

Name:	Adam Dubas
Job title:	Principal Policy Advisor, Trade and International
	team
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Telephone number:	+64 4896 5124

B. INSTITUTIONAL ARRANGEMENTS		
(a) Structure, location and composition of the NCP		
1. What is the <u>structure</u> of the NCP?	Inter-agency	
2. Who are the members of the NCP? Please describe the functions of the members of the NCP and the ministry/organisation they represent. No names are required.	The NCP function is exercised by a designated official as part of the broader range of duties of the unit	
3. If the NCP is not a <u>single-agency NCP</u> , does it have a <u>secretariat</u> ?	Yes	
If yes, in which ministry or government body?	Ministry of Business Innovation & Employment	
If yes, in which department of the ministry or government body?	Labour and Immigration Policy	
4. Has the NCP been established through a legislative, regulatory or administrative instrument (e.g. a statute, a decree, a ministerial resolution)?	No	
If yes, please provide the name and dated of this instrument, and a link if available	Click here to enter text.	
Additional comments on Structure, location and composition of the NCP Click to enter text. (b) Advisory body		
5. Does the NCP have one or several advisory bodies?	Yes	
If the NCP has several advisory bodies, please specify.	Interagency stakeholder advisory group	
If yes, please describe the advisory body(ies)' functions (e.g. advising on promotion, on specific instance handling in general, on individual cases, providing <u>oversight</u> , etc.)	The interagency stakeholder advisory group is periodically convened by the NCP to discuss relevant issues, receipt/progress of specific instance cases, outcomes of OECD meetings and	

If yes, please list the names of organisations that are represented on the advisory body(ies) and the type of organisation. (e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)	Foreign Affa Trade Unior New Zealan	Treasury, Reserve Bank, Justice, Environment, Foreign Affairs, Inland Revenue, the NZ Council of Trade Unions, Etu union, Business New Zealand, New Zealand Directors' Institute, Sustainable Business Council, Human Rights Commission.		
If yes, please indicate how often the advisory body(ies) meets	Once a year	Once a year		
6. If an advisory body provides <u>oversight</u> , please describe the oversight procedure	Click to ente	Click to enter text.		
<i>Additional comments on <b>Advisory body</b>:</i> The Advisory will meet twice a year in 2020 and onwards				
(c) Human and financial resources				
7. Does the NCP have dedicated full-time staff? If yes, please indicate the number.	No	There is a dedicated staff member but th NCP role itself is not full time one		ber but the tself is not a
8. Does the NCP have dedicated part-time staff? If yes, please indicate in the second box the number of part-time staff members and in the third box the percentage of time spent on NCP matters for each part-time staff member.	Yes	Where required, existing staff mayTwo partassist in the exercise of the NCP function -(0.2 FTA		Two part time staff (0.2 FTA and 0.1FTA)
9. Have any full-time or part-time staff members joined the secretariat/support office during the year? If yes, please indicate how many.	No			to enter text.
10. Have any full-time or part-time staff members left the NCP during the year? If yes, please indicate how many.	No Click here to enter t		to enter text.	
11. Did the NCP have a <u>dedicated budget</u> this year?	No		•	
If no, were financial resources for promotional activities allocated on an ad hoc basis when requested by the NCP?	Yes			
If no, were financial resources for specific instances allocated on an ad hoc basis when requested by the NCP?	N/A: The NC year	N/A: The NCP did not handle specific instances this year		
12. During the year, did the human and financial resources available to the NCP allow it to:				
Handle specific instances in an efficient and timely manner	N/A: The NC this year	N/A: The NCP did not handle a specific instance this year		
Organise promotional events	Yes			
Attend NCP meetings at the OECD	Yes			
Attend events organised by other NCPs		N/A: The NCP was not invited to/chose not to attend such events		
Attend events organised by stakeholders	N/A: The NCP was not invited to/chose not to attend such events			

Cover professional mediator fees or in-house mediator fees	N/A: The NCP did not need to hire a professional mediator this year
Conduct fact-finding research into specific instances	N/A: The NCP did not need to conduct fact finding research this year
If you answered no to any of the above, please specify	The NCP did not receive any specific instances this year
<i>Additional comments on <b>Human and financial resources</b>: Click here to enter text.</i>	
(d) Reporting	
13. Does the NCP <u>report</u> to the government on its activities?	Yes
If yes, how often?	N/A – as needed
14. Does the NCP report to parliament on its activities?	No
If yes, how often?	N/A
15. Please indicate any other relevant transparency requirement applicable to the NCP in your country	
Additional comments on <b>Reporting:</b> The NCP reports to the relevant Minister as required – for instance, on the lodgement and resolution of specific instance cases	

C. INFORMATION AND PROMOTION	]	
(a) NCP website <sup>2</sup>		
16. Does the NCP have a website? If yes, please provide the link in the second box.	Yes	https://www.mbie.govt.nz/busin ess-and- employment/business/trade- and-tariffs/oecd-guidelines-for- multi-national-enterprises/
If yes, was the website created/renovated this year?	Yes (the website was u	pdated)
17. Are the following items available on the NCP website?		
Information about the Guidelines and the role of the NCP		
The text of the Guidelines	Yes	
A description of the Guidelines	Yes	
The OECD Due Diligence Guidance Documents	Yes	
Explanatory text about due diligence	Yes	

This includes dedicated NCP webpages as part of the Ministry's website.

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Information on the NCP and its mandate	Yes
The NCP Annual Report submitted to the OECD	Yes
The NCP's Report to government and/or parliament (if applicable)	N/A
The NCP's peer review report (if applicable)	N/A
Information about specific instances	
Information on how to submit a specific instance	Yes
An online form to submit a specific instance	No
The NCP's rules of procedures	No
All final statements since 2011	Yes
Information on promotional activities	
The NCP's promotional plan	No
Information on upcoming events promoting the Guidelines	No
Information on past events promoting the Guidelines	No
Contact information	
Information on how to make an enquiry to the NCP	Yes
A phone number to reach the NCP directly	No
An email address to reach the NCP directly	Yes
Additional comments on NCP website: Click here to enter text.	
(b) Promotional activities <sup>3</sup>	
18. Does the NCP have a promotional plan for the coming year(s)?	Yes
19. Did the NCP organise or co-organise events to promote the Guidelines and/or the NCP during the year? If yes, please provide details in table 1 in Annex 1.	Yes
20. Did the NCP make a presentation to promote the Guidelines and/or the NCP in events organised by others? <i>If yes, please provide details in table 2 in Annex 1.</i>	No
21. Did the NCP make use of social media to communicate on NCP promotional activities during the year?	Yes
22. Did the NCP hold a <u>stakeholder meeting</u> during the year?	No
23. Did the NCP promote the Guidelines among the business community during the year?	Yes

<sup>&</sup>lt;sup>3</sup> Attendance of NCP meetings held at the OECD and other OECD events such as the Global Forum on Responsible Business Conduct are not considered to be promotional activities.

24. Did the NCP carry out any training on the Guidelines aimed at businesses during the year?	No
25. Did the NCP promote the Guidelines among NGOs during the year?	Yes
26. Did the NCP promote the Guidelines among trade unions during the year?	No
27. Did the NCP promote the Guidelines among government agencies during the year?	No
28. Did the NCP promote the Guidelines among embassies abroad during the year?	No
29. Did the NCP promote the Guidelines to investment promotion agencies during the year?	No
30. Did the NCP focus on any of the following during promotional activities during the year:	
OECD Due Diligence Guidance for Responsible Business Conduct	Yes
OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector	No
Due Diligence for Responsible Corporate Lending and Securities Underwriting and/or Responsible Business Conduct for Institutional Investors	No
OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas	No
OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector	No
OECD-FAO Guidance for Responsible Agricultural Supply Chains	No
Additional comments on the section <b>Promotional activities</b> : Click here to enter text.	

D. SPECIFIC INSTANCES		
(a) NCP rules of procedure for handling specific instances		
31. Does the NCP have rules of procedure describing the handling of specific instances?	No	
32. Are the rules of procedure available online? If yes, please provide a link in the second box. If no, please attach a copy of the rules of procedure to this questionnaire	N/A: The NCP doesn't have rules of procedure for handling specific instances	Click here to enter text.
33. Were the NCP's rules of procedure modified this year?	N/A	

Additional comments on the section <b>Rules of procedure</b> : The NCP is currently developing rules of procedure with the aim to publish the rules in 2020	
(b) Specific instance practicalities	
34. Does the NCP confirm receipt of a specific instance submission?	Yes
35. Does the NCP request feedback from the parties on the procedure following the conclusion of a specific instance?	Yes
36. Has the NCP staff undergone training in dispute resolution or problem solving (e.g. mediation)?	Yes
37. Did the NCP engage professional mediators during the year?	N/A: The NCP did not handle specific instances this year
38. Did the NCP staff or members conduct mediation this year?	N/A: The NCP did not handle specific instances this year
Additional comments on the section <b>Specific instance</b> <b>practicalities</b> : Internal consultation will occur after receipt of specific instances; legal advice may be sought over specific issues.	
(c) Reporting specific instances	
39. Did the NCP receive new specific instance submissions during the year? If yes, please also provide details in Annex 2	No
40. Did the NCP close specific instances during the year? If yes, please also provide details in Annex 2	No
41. Of the specific instances that were already in progress at the start of the year, are there any that are still ongoing at the end of the calendar year? If yes, please also provide details in Annex 2	N/A
42. Did the NCP follow up on a case during the year? If yes, please also provide details in Annex 2	N/A
43. Is the OECD <u>case database</u> accurate and up to date with regard to cases handled by the NCP?	Yes

Additional comments on the section **Reporting specific instances**: Click here to enter text.

E. PEER LEARNING AND PEER REVIEWS	
44. Did the NCP take part in the following activities with other NCPs during the year:	
Host a peer learning activity	No
Participate in peer learning activities hosted by other NCPs	N/A: The NCP was not invited to such an activity this year
Co-operate with other NCPs in handling specific instances	N/A: the NCP did not handle specific instances this year, either as lead or supporting NCP
Provide mentoring/capacity building to another NCP	No
45. Is the NCP interested in hosting an NCP learning/experience- sharing event in 2020?	Yes
46. Which topic would the NCP consider to be a priority to cover in a peer learning event?	Promotion of the NCP
47. Is the NCP interested in participating in developing tools for use by NCPs?	Yes
48. Is the NCP interested in acting as a peer reviewer in the future?	Yes
If yes, please specify the semester and the year	Mid-year 2020
Additional comments on the section <b>Peer-learning and peer</b> <b>reviews</b> : Click here to enter text.	

F. POLICY COHERENCE <sup>4</sup>	
49. Have the Guidelines been referred to in relevant national legislation/regulations/policies adopted during the year? (e.g. on responsible business conduct; non-financial reporting, export credits regulation, public procurement)	N/A

<sup>&</sup>lt;sup>4</sup> Paragraph 37 of the Commentary on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises: "Statements and reports on the results of the proceedings made publicly available by the NCPs could be relevant to the administration of government programmes and policies. In order to foster policy coherence, NCPs are encouraged to inform these government agencies of their statements and reports when they are known by the NCP to be relevant to a specifics agency's policies and programmes [...]."

If yes, please provide a short summary and a link to the legislation. If a link is not available, please attach a copy of the legislation to this questionnaire.	Click here to enter text.		
50. Did your country adopt a National Action Plan (NAP) this year? If yes, please indicate which type of NAP	No	Choose an item.	
If yes, please provide a link	Click to enter text.		
If yes, does the NAP make reference to the Guidelines?	Choose an item.		
If yes, does the NAP make reference to the NCP?	Choose an item.		
51. Was a NAP in development this year? If yes, please indicate which NAP.	No	Choose an item.	
If yes, did the NCP participate in the development of the National Action Plan?	Choose an item.		
52. Did the NCP communicate public statements on specific instances to officials responsible for trade missions?	N/A: the NCP did not pu year	blish any statement this	
53. Did the NCP communicate public statements on specific instances to officials responsible for foreign trade and investment incentives?	N/A: the NCP did not pu year	N/A: the NCP did not publish any statement this year	
54. Did the NCP communicate public statements on specific instances to public procurement officials?	N/A: the NCP did not publish any statement this year		
55. Does your national legislation or policy on public procurement refer to the Guidelines and/or OECD due diligence instruments and/or to the NCP process?	No		
If yes, please provide a link to the legislation. If a link is not available, please attach a copy of the legislation to this questionnaire.	Guidelines/related in Government public reflects OECD guidelines the topic. This inclu strengthen provisions	xplicit link to the MNE struments, the NZ procurement framework s and recommendations on ides work underway to regarding the integrity of onduct. The framework can rement.govt.nz	
56. Have public procurement officials/practitioners consulted the NCP on the Guidelines and OECD due diligence instruments or involved the NCP in specific public procurement opportunities?	No		
57. Were public procurement officials involved in any of your training/outreach activities?	No		
58. What tools or projects does the NCP develop to support public procurement practitioners on RBC and OECD due diligence?	N/A		
59. Please flag any specific initiatives/good practice involving public procurement and RBC in your country.	N/A		
60. Please indicate any other examples of policy coherence activities.	N/A		

Additional comments on Policy Coherence: Click here to enter text.

G. CHALLENGES	
61. Has the NCP faced any particular challenge(s) it would like to highlight this year?	N/A
Additional comments on <b>Challenges</b> : Click here to enter text.	

#### Annex 1: NCP PROMOTIONAL ACTIVITIES

Please provide information on the events organised or co-organised by the NCP (Table 1), and events in which the NCP has participated to promote the Guidelines (Table 2). Please select the event type, size and type of audience as well as the theme from the dropdown menus for each event. Please add additional lines if needed.

## Table 1

NCP-organ	ised and co-org	anised events to	promote the Guidelin	ies and/or the N	ICP		
Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Organised or co- organised?	Targeted audience e.g. Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc.	Theme e.g. the OECD Guidelines, the NCP activities on sector due diligence guidance documents, etc.
Public presentati on	02/09/2019	University of Auckland, Auckland	Other	10-50	Co-organised	Students, academia	Introduction to the Guidelines, the NCP and sector guidance
Public presentati on	02/09/2019	University of Auckland, Auckland	Other	<10	Co-organised	Academia, business, general public	Introduction to the Guidelines, the NCP and sector guidance

Total number=	2
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## Table 2

Present	ations by the NCP	to promote the	Guidelines and/or t	he NCP in events orga	nised by others			
Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Targeted audience e.g. Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc	Organiser(s)	Type of intervention	Theme of the intervention

Total number=	0
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## Annex 2: SPECIFIC INSTANCES

For all specific ins	tances that were CO	NCLUDED durinį	g the year:			
Title	Date received (dd/mm/yyyy)	Date concluded (dd/mm/yyyy)	Link to OECD database if available	Outcomes achieved	Does the final statement plan for follow up?	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.

Total number= 0

Total number= 0

For all specific instances that were NOT ACCEPTED during the year:							
Title	Date received (dd/mm/yyyy)	Link to OECD database if available	Reasons for not accepting the specific instance	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.			
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.			
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.			
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.			

	number= 0	Total
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For all specific ins	tances for which FOL	LOW UP was perform	ned during the year:	
Title	Date concluded (dd/mm/yyyy)	Date of follow up (dd/mm/yyyy)	Was a public follow up statement issued?	Link to the follow up statement, if applicable

Total number=	0	
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END OF QUESTIONNAIRE