

NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE (2020)

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 NCP¹.

STRUCTURE

Exceptionally, in 2020 this questionnaire comprises two parts.

Part I is the annual reporting questionnaire for NCPs comprising 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

Part II is an optional set of questions related to the OECD Guidelines stocktaking exercise.

TYPES OF QUESTIONS (relating to Part I. only)

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? <i>If yes, please provide details in table 1 in Annex 1.</i>	Yes/No

2. Open-ended questions

¹ 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".

- 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
If the NCP has several advisory bodies, please specify.	Click here to enter text.

- 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 pre-identified, but other arrangements are possible:
 - Single-agency: The NCP is composed of one individual in a single ministry or government agency, or by a group of individuals belonging to the same service in the same ministry or government agency.
 - 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 business, trade unions, NGOs 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 2020.

SUBMISSION

The questionnaire should be completed by using this word document and sent by email to: RBC@oecd.org copying nicolas.hachez@oecd.org and carissa.munro@oecd.org by **22 January 2021**.

Should you have any questions on how to fill this questionnaire, please contact carissa.munro@oecd.org.

I. NATIONAL CONTACT POINT ANNUAL REPORTING QUESTIONNAIRE (2020)

A. CONTACT INFORMATION	
<i>Please provide the contact information of the person filling in the questionnaire.</i>	
Name:	Adam Dubas
Job title:	Acting Manager, Trade and International team
Email:	Adam.Dubas@mbie.govt.nz
Telephone number:	+64 4896 5124

B. INSTITUTIONAL ARRANGEMENTS	
(a) Structure, location and composition of the NCP	
1. What is the <u>structure of the NCP</u> ?	Inter-agency
2. Who are the members of the NCP? <i>Please describe the functions of the members of the NCP and the ministry/agency or stakeholder organisation they represent. No names are required.</i>	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 agency?	Ministry of Business, Innovation & Employment
If yes, in which department of the ministry or agency?	Labour, Science & Enterprise
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 date of this instrument, and a link if available	Click here to enter text.
<i>Additional comments on Structure, location and composition of the NCP</i> Click here to enter text.	
(b) Advisory body	
5. Does the NCP have one or several <u>advisory bodies</u> ?	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 promotion of the Guidelines. Should a specific instance arise in a specialist area outside of the NCP's ministry's portfolio, consultation would occur with the relevant agencies on the advisory group.

If yes, please list the names of organisations that are represented on the advisory body(ies) and the type of organisation. <i>(e.g. government, business, business organisation, NGO, trade union, academia, consumer organisation, etc.)</i>	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		
6. If an advisory body provides oversight, please describe the oversight procedure	Click here to enter text.		
<i>Additional comments on Advisory body:</i> Click here to enter text.			
(c) Human and financial resources			
7. Does the NCP have dedicated full-time staff? <i>If yes, please indicate the number.</i>	No	There is a dedicated staff member but the NCP role itself is not a full time one.	
8. Does the NCP have dedicated part-time staff? <i>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.</i>	Yes	Where required, existing staff may assist in the exercise of the NCP function – eg in the provision of legal advice.	Three part time staff (0.2 FTA and 0.1FTA)
9. Have any full-time or part-time staff members joined the secretariat during the year? <i>If yes, please indicate how many.</i>	Yes, part-time staff member(s)		Click here to enter text.
10. Have any full-time or part-time staff members left the NCP during the year? <i>If yes, please indicate how many.</i>	No		Click here 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 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 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 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 Human and financial resources:</i> Click here to enter text.	
(d) Reporting	
13. Does the NCP <u>report</u> to the executive on its activities?	Yes
If yes, how often?	N/A- as needed
14. Does the NCP report to the legislative body on its activities?	No
If yes, how often?	N/A
15. Please indicate any other relevant transparency requirement (e.g. access to information or disclosure laws) applicable to the NCP in your country	Click here to enter text.
<i>Additional comments on Reporting:</i> 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 website²	
16. Does the NCP have a website? If yes, please provide the link in the second box.	Yes https://www.mbie.govt.nz/business-and-employment/business/trade-and-tariffs/oecd-guidelines-for-multi-national-enterprises/
If yes, was the website created/renovated this year?	Yes
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

²

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

Explanatory text about due diligence	Yes
Information on the NCP and its mandate	Yes
The NCP Annual Report submitted to the OECD	Yes
The NCP's Report to the executive and/or legislative (if applicable)	N/A: The NCP does not report to the executive and/or legislative
The NCP's peer review report (if applicable)	N/A: The NCP does not have a peer review report
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 procedure	Yes
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
<p><i>Additional comments on NCP website:</i> Click here to enter text.</p>	
(b) Promotional activities³	
18. Does the NCP have a promotional plan for the coming year(s)?	No
19. Did the NCP organise or co-organise events to promote the Guidelines and/or the NCP during the year? <i>If yes, please provide details in table 1 in Annex 1.</i>	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

³ 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.

23. Did the NCP promote the Guidelines among the business community during the year?	Yes
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?	No
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?	Yes
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	No
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
<i>Additional comments on the section Promotional activities: No promotional activities due to impacts of COVID-19.</i>	

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?	Yes
32. Are the rules of procedure available online?	Yes https://mneguidelines.oecd.org/Structures-and-procedures-of-NCPs-for-the-OECD-guidelines-for-multinational-enterprises.pdf

<i>If yes, please provide a link in the second box. If no, please attach a copy of the rules of procedure to this questionnaire</i>		
33. Were the NCP's rules of procedure modified this year?	No	
<i>Additional comments on the section Rules of procedure:</i> Click here to enter text.		
(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	
<i>Additional comments on the section Specific instance practicalities:</i> Click here to enter text.		
(c) Reporting specific instances		
39. Did the NCP receive new specific instance submissions during the year? <i>If yes, please also provide details in Annex 2</i>	No	
40. Did the NCP close specific instances during the year? <i>If yes, please also provide details in Annex 2</i>	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 year? <i>If yes, please also provide details in Annex 2</i>	N/A	

42. Did the NCP follow up on a case during the year? <i>If yes, please also provide details in Annex 2</i>	N/A
43. Is the OECD case database accurate and up to date with regard to cases handled by the NCP? If not, please provide details (missing cases, out of date entries, broken links, etc.) in the additional comments section below.	Yes
<p><i>Additional comments on the section Reporting specific instances:</i> Click here to enter text.</p>	

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	<i>No</i>
Participate in peer learning activities hosted by other NCPs	<i>N/A: The NCP was not invited to such an activity this year</i>
Co-operate with other NCPs in handling specific instances	<i>N/A: The NCP did not handle specific instances this year, either as lead or supporting NCP</i>
Provide mentoring/capacity building to another NCP	<i>No</i>
45. Is the NCP interested in hosting an NCP learning/experience-sharing event in 2021?	<i>Yes</i>
46. Which topic would the NCP consider to be a priority to cover in a peer learning event?	<i>Promotion of the NCP.</i>
47. Is the NCP interested in participating in developing tools for use by NCPs?	<i>Yes</i>
48. Is the NCP interested in acting as a peer reviewer in the future?	<i>Yes</i>
If yes, please specify the semester and the year	<i>Mid-year 2021</i>
<p><i>Additional comments on the section Peer-learning and peer reviews:</i> Click here to enter text.</p>	

F. POLICY COHERENCE ⁴	
49. Have the Guidelines been referred to in relevant national legislation/regulations/policies adopted during the year? <i>(e.g. on responsible business conduct; non-financial reporting, export credits regulation, public procurement)</i>	N/A
If yes, please provide a short summary and a link to the legislation. <i>If a link is not available, please attach a copy of the legislation to this questionnaire.</i>	Click here to enter text.
50. Did your country adopt a National Action Plan (NAP) this year? <i>If yes, please indicate which type of NAP.</i>	Yes NAP on Business and Human Rights
If yes, please provide a link.	https://www.digital.govt.nz/dmsdocument/174~digital-inclusion-action-plan-20202021/html https://oqp.org.nz/new-zealands-plan/fourth-national-action-plan/
If yes, does the NAP make reference to the Guidelines?	No
If yes, does the NAP make reference to the NCP?	No
51. Was a NAP in development this year? <i>If yes, please indicate which NAP.</i>	Yes NAP on Business and Human Rights
If yes, did the NCP participate in the development of the National Action Plan?	No
52. Did the NCP inform officials responsible for trade missions of its relevant statements and reports?	N/A: the NCP did not publish any statement this year
53. Did the NCP inform officials responsible for foreign trade and investment incentives of its relevant statements and reports?	N/A: the NCP did not publish any statement this year
54. Did the NCP inform officials responsible for public procurement of its relevant statements and reports?	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. <i>If a link is not available, please attach a copy of the legislation to this questionnaire.</i>	Click to enter text.
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 activities does the NCP develop to support public procurement practitioners on RBC and OECD due diligence?	N/A

⁴ 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 specific agency’s policies and programmes [...]”

59. Please identify any specific initiatives/good practices involving public procurement and RBC in your country.	N/A
60. Please include any other examples of policy coherence activities.	N/A
<p><i>Additional comments on Policy Coherence:</i> Click here to enter text.</p>	

G. CHALLENGES	
61. Has the NCP faced any particular challenge(s) it would like to highlight this year?	Yes - The impacts of COVID-19 reduced the ability to promote the guidelines. This was due to the need to resource the COVID-19 response, and the public/businesses focus on the response.
<p><i>Additional comments on Challenges:</i> Click here to enter text.</p>	

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-organised and co-organised events to promote the Guidelines and/or the NCP							
Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Organised or co-organised?	Targeted audience <i>e.g. Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc.</i>	Theme <i>e.g. the OECD Guidelines, the NCP activities on sector due diligence guidance documents, etc.</i>

Total number= 1

Table 2

Presentations by the NCP to promote the Guidelines and/or the NCP in events organised by others								
Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Targeted audience <i>e.g. Business representatives, NGOs, Trade unions, Academia, General public,</i>	Organiser(s)	Type of intervention	Theme of the intervention

					<i>Government representatives, etc</i>			
Public presentation on the Guidelines	12/02/2020	Victoria University of Wellington	Conference	10-50	Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc	NZ National Contact Point and Victoria University of Wellington co-organised	Click here to enter text.	Introduction to the guidelines.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

Total number=

1

Annex 2: SPECIFIC INSTANCES

Please provide details of the following in the table below:

1. Specific instances **in progress** during the year (specific instances received and found to merit further examination after the initial assessment, and under consideration by the NCP).
2. Specific instances **concluded** during the year (specific instances that the NCP found to merit further examination after the initial assessment and that have subsequently been closed).
3. Specific instances **not accepted** during the year (specific instances that the NCP found not to merit further examination).
4. Specific instances for which **follow up** was performed during the year (the NCP monitored whether the agreement reached by the parties or its recommendations to the parties have been implemented)

Please add additional lines if needed.

We encourage all NCPs to inform the OECD Secretariat on received specific instances and to provide a final statement as soon as it becomes available, in order to keep the OECD database updated at all times. For all specific instances that have not yet been reported to the OECD Secretariat, please complete and send this [form](#) to ncp-specific-instances@oecd.org⁵.

For all specific instances that are currently IN PROGRESS:

Names of parties	Date received (dd/mm/yyyy)	Is the initial assessment publicly available?	Link to OECD database if available	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.
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Total number= 0

For all specific instances that were CONCLUDED during 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.
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Total number= 0

⁵ According to paragraph 42 of the Commentary on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises, “[...] NCPs will report to the Investment Committee in order to include in the Annual Report on the OECD Guidelines information on all specific instances that have been initiated by parties, including those that are in the process of an initial assessment, those for which offers of good offices have been extended and discussions are in progress, and those in which the NCP has decided not to extend an offer of good offices after an initial assessment”.

For all specific instances that were NOT ACCEPTED during the year:

Title	Date received <i>(dd/mm/yyyy)</i>	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.
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Total number= 0

For all specific instances for which FOLLOW UP was performed during the year:

Title	Date concluded <i>(dd/mm/yyyy)</i>	Date of follow up <i>(dd/mm/yyyy)</i>	Was a public follow up statement issued?	Link to the follow up statement, if applicable
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Total number= 0

II. QUESTIONS RELATED TO THE OECD GUIDELINES STOCKTAKING EXERCISE

A. General questions

1. Please cite what you see as the top three achievements of the work on the OECD Guidelines for Multinational Enterprises.

We acknowledge that the Guidelines are the only multilaterally agreed and comprehensive code of responsible business conduct that governments have committed to promoting. We appreciate the non-binding principles and standards for responsible business conduct in global context consistent with applicable laws and internationally recognised standards.

2. How does your country evaluate the overall suitability of the Guidelines to meet the challenges for RBC in the future? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

3. How does your country evaluate the suitability of the Guidelines for the following themes? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]* Please add any further comments to elaborate on your answer or describe how the Guidelines could better address those themes (e.g. through clarifications, a revision, additional guidance or analytical work, etc.):

- Digitalisation

1 2 3 4 5 6 7 8 9 10

There's no specific mention of digitalisation in the Guidelines but the Internet economy, service and technology enterprises, and intellectual property references are adequately interlaced throughout. The Guidelines could better address 'Digitalisation' by dedicating a chapter to the theme.

- Diversity, including gender

1 2 3 4 5 6 7 8 9 10

The Guidelines could explore ways and expand on inclusion of minorities, particularly in terms of gender. The Guidelines could better address the theme of diversity by including rights associated with peoples of different sexual orientations, and physical and socio-economic abilities. Additional guidance on the theme of 'Diversity' would help with promoting inclusion and equality throughout the Guidelines.

- Global environmental issues (e.g. climate change, biodiversity loss; circular economy)

1 2 3 4 5 6 7 8 9 10

Environmental issues are adequately addressed in the Guidelines. The Guidelines could better address the theme of global environmental issues by providing a higher number of sufficient environmental impact assessments.

- Indigenous peoples' rights
1 2 3 4 5 6 7 8 9 10

Indigenous peoples' rights could be better addressed throughout the Guidelines. The Guidelines reference United Nations instruments that elaborate further on the rights of indigenous peoples, such as the United Nations Guiding Principles on Business and Human Rights, but there is no avenue to locate these instruments in the Guidelines. Additional guidance on this theme would therefore be beneficial. The OECD should explore writing a chapter on this theme.

- Animal welfare
1 2 3 4 5 6 7 8 9 10

Animal welfare is not directly addressed in the Guidelines. Providing a section in the Guidelines for the theme of 'Animal welfare' should be considered.

- Integrity, lobbying
1 2 3 4 5 6 7 8 9 10

We find that the theme of 'integrity and lobbying' adequately addresses the specific themes and contemporary challenges of today.

- Corporate governance (e.g. Director and fiduciary duties, senior management oversight and accountability, remuneration)
1 2 3 4 5 6 7 8 9 10

Corporate governance is well-adapted to addressing the contemporary challenges faced by Adherents.

- Scope of enterprises covered (e.g. non-traditional MNEs, SMEs, other)
1 2 3 4 5 6 7 8 9 10

The Guidelines exclusively address MNEs well. The Guidelines could directly address SMEs that are active on a national and multinational level to expand the scope of relevance to further enterprises.

- Interpretation of the Guidelines and monitoring of NCP network (taking into account the creation of the WPRBC in 2013)
1 2 3 4 5 6 7 8 9 10

We find the interpretation of the Guidelines and monitoring of NCP network is adequate.

- Other (please specify):
1 2 3 4 5 6 7 8 9 10

Insert additional comments here:

4. How does your country evaluate the suitability of the provisions of the Procedural Guidance regarding interpretation of the Guidelines and monitoring of the NCP network, taking into account the creation of the WPRBC in 2013? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

5. The 2011 update of the Guidelines introduced the “proactive agenda” which has developed and implemented due diligence guidance through multi-stakeholder processes in specific sectors or for specific RBC issues. What would you say are the main achievements of the Working Party’s multi-stakeholder work on due diligence since its inception, and what should be prioritised or included to address the key issues for RBC in the future?

6. How does your country evaluate the suitability of the provisions on due diligence in the Guidelines, in particular in light of the various due diligence guidance adopted since 2011? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]* Please add any further comments to elaborate on your answer or describe how the Guidelines could better address those themes (e.g. through clarifications, aligning commentary with core elements of due diligence from the OECD Due Diligence Guidance for RBC, cross referencing the various guidance in the Guidelines, etc.):

1 2 3 4 5 6 7 8 9 10

B. Chapter-specific questions

I. CONCEPTS AND PRINCIPLES

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda.

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to 'Concepts and Principles' to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

II. GENERAL POLICIES

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to 'General Policies' to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

III. DISCLOSURE

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to 'Disclosure' to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

Information regarding disclosures in New Zealand:
<http://disclosure.legislation.govt.nz/>

IV. HUMAN RIGHTS

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda.

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show

regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to 'Human Rights' to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

Information and links to legislation on constitutional issues and human rights in New Zealand: <https://www.justice.govt.nz/justice-sector-policy/constitutional-issues-and-human-rights/human-rights/>

V. EMPLOYMENT AND INDUSTRIAL RELATIONS

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. New Zealand has a robust employment relations regulatory system which reflects the internationally recognised fundamental labour principles and rights contained in the 1998 International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work and acknowledged by ILO Member states. This includes the rights to freedom of association, collective bargaining, non-discrimination and the abolition of forced labour referenced in the Guidelines. New Zealand also has a robust set of statutory minimum conditions at work and a comprehensive health and safety at work and accident compensation system; all of which bind MNEs operating in New Zealand. NZ will continue to incorporate the guidelines in our policy agenda.

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents, however the challenges posed by the changing nature and organisation of work and employment may raise issues of adequacy over time. Trends such as the platform and gig economy and casualization are likely to blur traditional boundaries between employees and contractors, or whether the relationships concerned are primarily employment or commercial in nature. These may in term raise issues over whether the current scope and application of the Guidelines is adequate.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

In September 2009 the NZ NCP received a specific instance from a trade union regarding the activities of an Australian MNE operating in New Zealand. The application related to employment and industrial relations as it concerned the employment of migrant workers as contractors as opposed to employees. The NZ NCP undertook an initial assessment, in consultation with the Australian and German NCPs. The NCP concluded that the issues raised in the specific instance did not merit further examination, and decided not to proceed further. The NZ NCP however encouraged the parties to meet to discuss differences in their understanding of the circumstances giving rise to the problems.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

Information on minimum employment rights in New Zealand may be found at www.employment.govt.nz

Legislation governing employment and employment rights, including the Employment Relations Act 2000, the Holidays Act 2003, the Equal Pay Act 1972, the Health and Safety at Work Act 2015, the Minimum Wage Act 1983 may be sourced at www.legislation.govt.nz

The website of the New Zealand NCP and information on the administration of the Guidelines may be found at www.mbie.govt.nz/business-and-employment/business/trade-and-tariffs/oecd-guidelines-for-multi-national-enterprises/

VI. ENVIRONMENT

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda.

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to the 'Environment' to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

The website for New Zealand’s Ministry for the Environment:
<https://www.mfe.govt.nz/>

New Zealand specific Environmental reporting:
<https://www.mfe.govt.nz/more/environmental-reporting>

VII. COMBATting BRIBERY, BRIBE SOLICITATION AND EXTORTION

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda.

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to ‘Combatting Bribery, Bribe Solicitation and Extortion’ to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

Information on facilitation payments and New Zealand's anti-bribery laws:
<https://www.justice.govt.nz/assets/Documents/Publications/Facilitation-Payments-Guide.pdf>

A guide for New Zealand Businesses in 'Saying No to Bribery and Corruption':
<https://www.justice.govt.nz/assets/Documents/Publications/Ministry-of-Justice-Anti-Corruption-Guide.pdf>

VIII. CONSUMER INTERESTS

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda.

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to 'Consumer Interests' to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

Legislation governing consumer rights in New Zealand:
<https://www.legislation.govt.nz/act/public/1993/0091/latest/DLM311053.html>

New Zealand has a comprehensive consumer protection legislation framework.
For information about our consumer protection laws see:
<https://www.consumerprotection.govt.nz/>

IX. SCIENCE AND TECHNOLOGY

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda. There are no specific themes or issues that stand out.

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today. There are no specific themes or contemporary challenges this chapter fails to address adequately.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to 'Science and Technology' to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

The principles in the guidelines are implicitly included in our investment plans which set the Government's expectations for outcomes from science investments. These plans apply to a broader range of entity types than multinationals.

Examples of these plans can be found at the following links:

- <https://www.mbie.govt.nz/dmsdocument/1262-2019-endeavour-fund-investment-plan>
- <https://www.mbie.govt.nz/assets/436ecb3be9/strategic-science-investment-fund-investment-plan.pdf>

X. COMPETITION

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda.

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show

regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to 'Competition' to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

Information on the Competition regulatory system in New Zealand:
<https://www.mbie.govt.nz/cross-government-functions/regulatory-stewardship/regulatory-systems/competition-regulatory-system/>

Competition regulation and policy: <https://www.mbie.govt.nz/business-and-employment/business/competition-regulation-and-policy/>

Website to New Zealand's Commerce Commission; our government agency that enforces competition, fair trading and consumer credit contracts laws:
<https://comcom.govt.nz/>

XI. TAXATION

1. How does your country evaluate the continued relevance of the provisions in this Chapter? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*

1 2 3 4 5 6 7 8 9 10

2. On which specific themes or issues do you find this chapter to be particularly well-adapted to and successful in addressing the contemporary challenges faced by Adherents? Please provide examples.

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda.

3. Which specific themes or contemporary challenges do you find this chapter currently fails to address or fails to address adequately? Please provide examples.

We find this chapter adequately addresses the specific themes and contemporary challenges of today.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with in relation to this chapter (please provide the link to the cases in the NCP case database, and a short explanation of what these cases show regarding the continued relevance or not of this chapter, explaining any strengths, weaknesses, gaps, or complexities of the Guidelines illustrated by the case)?

N/A. NZ has not received any cases relating to 'Taxation' to date.

5. Please include information and links on any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of this Chapter.

The New Zealand Inland Revenue website; the government agency that administers taxation: <https://www.ird.govt.nz/about-us>

PROCEDURAL GUIDANCE

1. How does your country evaluate the continued relevance of the provisions of the Procedural Guidance? *[Scale 1-10, with 10 being highest suitability and 1 the lowest]*
1 2 3 4 5 6 7 8 9 10
2. Which existing provisions of the Procedural Guidance have enabled NCPs to effectively fulfil their mandate and lead to achievements?

We find this chapter adequately adapted to addressing the contemporary challenges faced by Adherents. NZ will continue to incorporate the guidelines in our policy agenda.

3. Which provisions do you think are missing or are inadequate in this regard?

We find this chapter adequately addresses the specific themes and contemporary challenges of today.

4. Please provide examples of the most relevant specific instances that your NCP has dealt with, and which illustrate the continued relevance of the Procedural Guidance, leading to achievements; or which show gaps or inadequacies in the Procedural Guidance (please provide the link to the case in the NCP case database, and a short explanation)?

N/A. NZ has not received any cases relating to 'Procedural Guidance' to date.

5. Please include any national policy, regulation, guidance or other relevant document that are of relevance for the implementation of the Procedural Guidance.

The website of the New Zealand NCP and information on the administration of the Guidelines may be found at www.mbie.govt.nz/business-and-employment/business/trade-and-tariffs/oecd-guidelines-for-multi-national-enterprises/

END OF QUESTIONNAIRE