

13 January 2025

Ministry for Regulation,  
[RSBconsultation@regulation.govt.nz](mailto:RSBconsultation@regulation.govt.nz)

Re: Submission on the Regulatory Standards Bill

Tēnā koutou katoa

Te Whare Piki Ora o Māhutonga – the Royal Australasian College of Surgeons (RACS) is the leading advocate for surgical standards, professionalism and surgical education in Aotearoa New Zealand and Australia. Our mission is ‘*To improve access, equity, quality and delivery of surgical care that meets the needs of our diverse communities*’.

A strong focus on health advocacy is a central competency of a surgeon, and a core value of this College. We are committed to achieving a fair, safe and sustainable health system that delivers equitable access, equitable healthcare services, and equitable healthcare outcomes for Māori and for Pacific peoples consistent with the Pae Ora (Healthy Futures) Act 2022.

The RACS Māori Health Advisory Group (MHAG) provides advice and support to the College and has a programme of support for Māori surgical trainees working in New Zealand. The College has also made a commitment to Indigenous Health in both New Zealand and Australia. The College’s Indigenous position statement outlines RACS ongoing obligations under Te Tiriti o Waitangi, the United Nations Declaration on the Rights of Indigenous People (UNDRIP) and the Close the Gap Statement of Intent.

As chair of MHAG, I endorse the submission sent by the New Zealand College of Public Health Medicine. In particular, I support the statements regarding the omission of references to Te Tiriti o Waitangi/ The Treaty of Waitangi;

*“The Ministry’s own advice notes “Of significance is that the proposals do not include a principle related to the Treaty / te Tiriti and its role as part of good law-making, meaning that the Bill is effectively silent about how the Crown will meet its duties under the Treaty/ te Tiriti in this space. We anticipate that the absence of this explicit reference may be seen as politically significant for Māori and could be perceived as an attempt by the Crown to limit the established role of the Treaty/te Tiriti as part of law-making”. This omission is deeply concerning, and more so given the Bill is being developed alongside a parallel review of Treaty of Waitangi provisions in 28 pieces of existing legislation, and the Principles of the Treaty of Waitangi Bill, which the College has strongly opposed. Te Tiriti is an essential consideration in our law-making process because it is our foundational constitutional document. The cumulative effect of these developments is to erode the very purpose and status of te Tiriti in our constitutional arrangements and law making. Any set of principles for responsible regulation in Aotearoa New Zealand must address how the Crown will meet its obligations to Māori under te Tiriti”<sup>1</sup>.*

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<sup>1</sup> [1735945955201](https://www.legislation.govt.nz/other/information/1735945955201)



The College's Māori Strategic Plan 'Te Rautaki Māori 2024-2026'<sup>2</sup> includes its commitment to Te Tiriti O Waitangi, articulated in Pae Ora (Healthy Futures) Act 2022, the New Zealand Government's vision for Māori health which provides a platform for Māori to live well and healthy in an environment that supports a good quality of life.

Of most concern is the inclusion of the Pae Ora (Healthy Futures) Act 2022, as one of the 28 Act's under review and therefore in the line of fire. As an Orthopaedic surgeon I have witnessed inequities in both the public and private health systems. This is not acceptable. Therefore, I strongly oppose the Regulatory Standards Bill.

**Nāku noa, nā**

**John Mutu-Grigg**

**FRACS**

**Chair, Māori Health Advisory Committee**

**RACS represents more than 8300 surgeons and 1300 surgical Trainees and Specialist International Medical Graduates across Aotearoa New Zealand and Australia. We are the accredited training provider in nine surgical specialities. Surgeons are also required by RACS and Te Kaunihera Rata o Aotearoa - Medical Council of Aotearoa, to continue with surgical education and review of their practice throughout their surgical careers.**

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<sup>2</sup> [Maori health strategic plan](#)  
Royal Australasian College of Surgeons