

Appendix 2: Ministerial Advisory Group - Draft terms of reference

Ministerial Advisory Group to support the development of an adaptation framework

- 1 The Ministry for the Environment (the Ministry) is leading policy work to develop an adaptation framework to ensure New Zealand adapts to climate change in a way that minimises overall long-term costs to New Zealand and New Zealanders, while recognising that there are issues of well-being, fairness, transition, and specific Māori interests to be addressed.

PURPOSE AND SCOPE

- 2 The purpose of the Ministerial Advisory Group (the Group) is to support the Minister of Climate Change (the Minister) and the Associate Minister of Climate Change by advising on policy relating to New Zealand's adaptation framework.

FUNCTIONS OF THE GROUP (roles and responsibilities)

- 3 The functions of the Group are governed by these Terms of Reference.
- 4 The primary function of the Group is to provide advice to the Minister and the Associate Minister of Climate Change on the adaptation framework, from the perspective of sector leaders.
- 5 The Group may also provide advice for the Ministry for the Environment.
- 6 The form of the advice provided by the Group will be established by the Ministry and the Minister, and may include meetings with officials and/or the Minister. It may include commenting on papers produced by officials or third parties.

GROUP MEMBERS AND APPOINTMENTS

- 7 All members of the Group, including the Chair, will be appointed by the Minister.
- 8 The Group will have up to 8 members including the Chair.
- 9 Any changes to member numbers and required skills will be agreed by the Minister in consultation with the Chair.
- 10 The initial appointments are made for a period of 12 months and may be extended for a further period as agreed by the Minister.

- 11 The Ministry will provide a secretariat and support for the Group.
- 12 The Chair will lead the Group by setting agendas, working with the secretariat, and providing the main point of liaison with the Group.
- 13 If the Chair is unable to perform their duties at any time, they should inform the Ministry without delay.

REQUIRED SKILLS, EXPERIENCE AND KNOWLEDGE

Members

Members of the Group will be selected for their skills, experience and knowledge of working in sectors that are, or are likely to be, affected by natural hazard risk. Collectively, they should have:

- Significant expertise in one or more of the following sectors:
 - banking
 - insurance
 - local government
- Knowledge and /or experience relating to:
 - te ao Māori and mātauranga Māori
 - economics.

Chair

As a member of the Group, the Chair will have the skills, experience and knowledge expected of members. In addition, the Chair will have significant experience of governance and previous experience as a Chair. Familiarity with government processes would be useful.

MEETINGS AND TIME COMMITMENT

- 14 The Group will be expected to meet once every month during its term.
- 15 Meetings will normally be held in person. Members may meet on-line where appropriate and as agreed with the Chair.
- 16 The group may be asked to collaborate with the Ministry on a series of deep dives on particular topics to external stakeholders. Collaboration with members on deep dives will be limited to one meeting per member. Work undertaken by members on the deep dives may be in addition to the monthly meetings.
- 17 The Ministry has a budget to operate the Group, including travel costs. The Group and its members will not have an independent budget.

PRINCIPLES

- 18 The members of the Group will adhere to the following principles:
 - Members will contribute their experience as experts, leaders and decision makers. By working together, the members will seek to take a cross-sectoral and system view.
 - Members recognise that the Group is advisory in nature and:
 - there is no requirement for members to reach a consensus view on any topic
 - there is no obligation on the Ministry or the Minister to follow the advice provided by the Group.
- 19 The Group is not required to produce an official report but may be asked to provide written comment or advice.
- 20 Where the Group wants to seek the views of a third party on draft policy (such as from another government agency) the Chair will ensure this is facilitated through the Ministry and that the Ministry is in attendance. In such cases a confidentiality agreement may be required.

OPERATION OF THE GROUP

- 21 How the Group operates will be agreed by the Group itself, under the guidance of its Chair and in accordance with the Terms of Reference.
- 22 At the first meeting of the Group, the Chair will discuss, confirm, and have endorsed the Terms of Reference, a quorum, the Conflict Management Register, the frequency of Group meetings and an initial work plan.
- 23 The Ministry will establish a secretariat to support the Group and provide relevant papers and information in advance of the Group's meetings.
- 24 The Chair, supported by the secretariat, will set a forward work programme covering matters relevant to the Group's purpose. The secretariat will also support the Chair to set meeting agendas, with a specific view to where the Group can meaningfully contribute to the development of the adaptation framework.
- 25 The Ministry, the Minister, or Group members may propose items for the agenda. All agenda items will be subject to the Chair's approval.
- 26 The Ministry may provide feedback to the Group on how its advice was considered.

CONCLUSION OF WORK

- 27 The Group may be disestablished by the Minister at any time or at the close of 12 months.

FEES and EXPENSES

- 28 Fees will be paid according to the Cabinet Fees Framework. The Group was assessed as Group 4, level 2 under the Framework. The daily fees will be \$974 for the Chair, and \$616 for members.
- 29 The Chair and members will be reimbursed for actual and reasonable travel, meal and accommodation costs on receipt of invoice. The Chair and members will obtain the Ministry's consent prior to incurring costs they intend to claim reimbursement on.

CONFIDENTIALITY

- 30 The work of the Group is confidential.
- 31 Members of the Group will:
- be discreet in all matters relating to the work of the Group. This includes matters relating to the Ministry, the Minister, and the affairs of the New Zealand Government generally
 - keep confidential all information relating to the matters they obtain or become aware of through their work with the Group (the "information")
 - not, other than as required by law, disclose or discuss the information with any person who is not:
 - part of the Group or
 - employed by a Minister or otherwise a part of the Crown, or
 - an officer, employee or authorised agent of the Ministry.

CONFLICTS OF INTEREST

- 32 The members of the Group will disclose conflicts of interest that relate to the work of the Group.
- 33 Members will perform their functions in good faith, with honesty and impartiality, and will avoid situations that may compromise their integrity, or otherwise lead to conflicts of interest.
- 34 Members will complete a Conflict of Interest Declaration, and if necessary, a Conflict of Interest Management Plan will be prepared.

- 35 Members of the Group who have a specific, real conflict of interest in relation to an issue or item at any time will advise the Chair and recuse themselves from consideration of those issues or items.
- 36 A conflicts of interest register will be maintained. Members are expected to regularly reassess whether any new conflicts have emerged as the work progresses and inform the Chair immediately.
- 37 The Chair, in discussion with the Ministry, will ensure that each conflict is managed appropriately through the Conflict Management Plan. If conflicts of interest cannot be managed, that person will no longer participate in the Group.

MEDIA

- 38 The Group, and Group members acting in that capacity, will not make media statements without the prior agreement of the Ministry.
- 39 If members of the Group are asked to provide comment on any issue relating to the work of the Group, they will forward the question or request to the Chair and to the Ministry for the Environment through the mailbox:
AdaptationSecretariat@mfe.govt.nz.

AMENDMENTS

- 40 The Minister may amend these Terms of Reference following consultation with the Chair.