

# Parliamentary Commissioner for Catastrophic Risk Bill

## Part 1

### Preliminary provisions

#### 1 Title

This Act is the Parliamentary Commissioner for Catastrophic Risk Act 20XX.

#### 2 Commencement

This Act comes into force on the day that is 3 months after the date on which it receives the Royal assent.

#### 3 Purpose

The purpose of this Act is to—

- a. establish an independent Officer of Parliament, the Parliamentary Commissioner for Catastrophic Risk, to provide Parliament with impartial advice and scrutiny on global catastrophic risks and related systemic risks; and
- b. ensure that New Zealand maintains and strengthens its long-term resilience, including the ability to secure basic needs for people in Aotearoa New Zealand in the face of severe global disruption; and
- c. promote transparent, participatory, and anticipatory governance of catastrophic risks, including through deliberative democratic processes; and
- d. oversee and report on the adequacy of New Zealand’s National Risk Assessment and National Risk Register, with particular regard to global catastrophic risks and future generations; and
- e. facilitate cooperation with Australia and Pacific neighbours on cross-border catastrophic risks and resilience.

#### 4 Interpretation

In this Act, unless the context otherwise requires—

**basic needs** means, in relation to people in New Zealand, at least the following:

- a. sufficient safe and nutritious food; and
- b. safe drinking water; and
- c. shelter and warmth adequate to protect health; and

- d. access to essential health care and critical medicines; and
- e. access to essential energy services for cooking, heating, and basic services; and
- f. access to basic information and communication services; and
- g. any additional needs prescribed by regulations made under this Act—

and recognises that resilience to catastrophic risks requires that these needs can be maintained or restored under conditions of severe, potentially prolonged, disruption.

**catastrophic risk** means—

- a. a global catastrophic risk; or
- b. a risk of an event or process that, while not global in scale, could cause severe, long-lasting harm to the safety, wellbeing, or basic needs of people in New Zealand, generally exceeding the response capabilities and capacities of the country.

**global catastrophic risk** means the risk of an event or process that could—

cause very large-scale loss of life, severe and long-lasting harm to human health, or widespread destruction of livelihoods and ecosystems across multiple regions or globally; or

- b. substantially disrupt or damage critical global systems (including food, energy, finance, information, or supply chains) in ways that significantly harm, set back, or threaten to destroy human civilisation at the global scale, generally exceeding the response capabilities and capacities of the world.

(1) For the avoidance of doubt, **global catastrophic risks include**, but are not limited to, risks arising from—

- a. **nuclear war**, nuclear winter, or other large-scale nuclear conflict;
- b. **extreme pandemics** or other biological events (natural, accidental, or deliberate) capable of causing very large-scale loss of life or long-term global disruption;
- c. **catastrophic climate change**, abrupt climate tipping points, with global or near-global impact;
- d. **catastrophic geo-physical events** (such as large magnitude or supervolcanic eruptions)
- e. **Artificial intelligence (AI)-related catastrophic risk**, including loss of control over highly capable AI, misuse of AI to enable large-scale harm, or systemic disruption of critical systems by AI;
- f. large-scale **cyber catastrophes** that severely and persistently disrupt critical infrastructure and services across multiple countries;
- g. severe **disruption to global food systems**, including from combined shocks to trade, production, or key inputs such as fertiliser and fuel;
- h. extreme **space weather events** or near-Earth object impacts;
- i. any other risk that meets the definition of global catastrophic risk in section 4, whether abruptly or across time through systemic or cascading processes

**Parliamentary Commissioner** or **Commissioner** means the Parliamentary Commissioner for Catastrophic Risk appointed under section 5.

**Australia and Pacific neighbours** includes Australia, Pacific Island countries and territories, and relevant regional organisations concerned with security, risk, and resilience.

---

## **Part 2**

### **Parliamentary Commissioner for Catastrophic Risk**

#### **5 Parliamentary Commissioner for Catastrophic Risk is an Officer of Parliament**

- (1) There is established the office of Parliamentary Commissioner for Catastrophic Risk.
- (2) The Commissioner is an Officer of Parliament.
- (3) The Commissioner is responsible to the House of Representatives for the performance of the Commissioner's functions.

#### **6 Appointment, term, and removal**

- (1) The Commissioner is appointed by the Governor-General on the recommendation of the House of Representatives.
- (2) The Commissioner is appointed for a term not exceeding 7 years and may be reappointed.
- (3) The Commissioner may be removed from office only by the Governor-General on an address from the House.

#### **7 Independence**

In performing the Commissioner's functions, the Commissioner—

- a. must act independently and impartially; and
- b. is not subject to direction by any Minister or by the Crown.

---

## **Part 3**

### **Functions, principles, and powers**

#### **8 Functions of the Commissioner**

- (1) The functions of the Commissioner are to provide independent review, advice, and reporting to Parliament on catastrophic risks and resilience, including by—

##### **System-level review and investigation**

- a. reviewing from time to time the systems, arrangements, and processes used by the Government to identify, assess, manage, and respond to catastrophic risks;
- b. investigating the effectiveness of public sector planning, preparedness, and risk management relating to catastrophic risks;
- c. investigating any matter where catastrophic risk may give rise to significant harm, and reporting findings and any recommended preventive or remedial action;

##### **Advice to Parliament**

- d. reporting to the House of Representatives, or to any select committee, on any Bill, petition, or other matter that may have significant implications for catastrophic risk or resilience, whether on request or on the Commissioner's own initiative;

e. inquiring into any matter relating to catastrophic risk when directed by the House of Representatives;

### **Information, awareness, and resilience**

f. promoting the collection, analysis, and dissemination of information relating to catastrophic risks and resilience;

g. encouraging preventive measures and resilience-building actions to reduce catastrophic risks and their impacts;

### **Risk assessment and oversight**

h. monitoring and analysing catastrophic risks, including global catastrophic risks, systemic risks, and the interactions among risks;

i. undertaking or commissioning analysis of such risks, including emerging or converging risks;

j. reviewing, and reporting to Parliament on, the National Risk Assessment and the National Risk Register, including their scope, methodologies, assumptions, and treatment of uncertainty;

k. providing advice on the identification, management, and governance of catastrophic risks across the public sector;

### **Advice on resilience and governance**

l. providing advice and recommendations to Parliament on the adequacy of government arrangements for preventing, preparing for, and responding to catastrophic risks;

m. providing independent advice on legislation, policy, strategies, or expenditure relevant to catastrophic risk and resilience;

n. identifying priorities for research, analysis, and investment in resilience, including measures to maintain or restore basic needs and strengthen critical systems;

### **Engagement and cooperation**

o. consulting with, and promoting informed engagement with, the public and relevant stakeholders on catastrophic risks and resilience;

p. promoting cooperation and information-sharing on catastrophic risks and resilience, including with Australia and Pacific neighbours;

### **Other functions**

q. performing any other functions conferred by this or any other Act.

(2) In performing these functions, the Commissioner must have regard to—

a. the ability of New Zealand to maintain or restore basic needs during and after catastrophic events or processes;

b. the interests of future generations; and

c. the needs and perspectives of tangata whenua.

---

## **9 Principles guiding the Commissioner's work**

In carrying out functions, the Commissioner must have regard to—

a. long-term impacts and intergenerational considerations;

b. prevention and preparedness;

- c. integration across risks and systems;
  - d. collaboration with relevant actors;
  - e. informed public engagement and deliberative democracy; and
  - f. transparency, including clarity about values, assumptions and uncertainties.
- 

## **10 Powers of the Commissioner**

- (1) The Commissioner has all powers necessary to carry out functions under this Act, including powers—
- a. to obtain information from public sector agencies;
  - b. to require the production of relevant documents and data;
  - c. to commission research and expert advice;
  - d. to publish reports and guidance.
- (2) For the purposes of any inquiry directed by the House of Representatives, the Commissioner has the powers of a commission of inquiry under the Commissions of Inquiry Act 1908.
- (3) The Commissioner may appear before and advise select committees.
- (4) The Commissioner must handle confidential information in accordance with applicable law.
- 

## **Part 4**

### **National Risk Assessment and National Risk Register**

#### **11 Oversight of National Risk Assessment**

- (1) The Commissioner must report from time to time to the House on the processes and outputs of the National Risk and Resilience Directorate, noting—
- a. the adequacy of coverage of catastrophic and systemic risks;
  - b. the appropriateness of assumptions, methodologies, and time horizons;
  - c. the treatment of uncertainty;
  - d. any significant omissions.
- (2) The Commissioner may issue guidance on good practice in risk assessment and mitigation.
- 

#### **12 Oversight of National Risk Register**

- (1) The Commissioner must review each iteration of the National Risk Register and report to Parliament on—
- a. its clarity and accessibility;
  - b. its coverage of catastrophic and systemic risks;
  - c. the representation of interdependencies;
  - d. its usefulness for decision-making;
  - e. the degree to which remaining vulnerabilities are communicated;
  - f. the degree to which resilience options are identified for public deliberation.
- (2) The Commissioner may make recommendations on its content and presentation.
- 

## **Part 5**

### **International and regional cooperation**

#### **13 Cooperation with Australia and Pacific neighbours**

- (1) The Commissioner must have regard to opportunities for cooperation on cross-border risks.
- (2) The Commissioner may—
- a. share information and best practice;
  - b. participate in regional initiatives and encourage cooperation;
  - c. advise Parliament on relevant international arrangements.
- 

## **Part 6**

### **Reporting, regulations, and review**

#### **14 Reports to Parliament**

- (1) The Commissioner must, at least once every 2 years, present a report on the state of catastrophic risk and resilience in New Zealand.
- (2) The report must include—
- a. an overview of catastrophic risks;
  - b. an assessment of resilience, including basic needs;
  - c. findings on national risk assessment processes and the National Risk Register;
  - d. recommendations for improvement.
- (3) The Commissioner may present reports at any time.
- 

#### **15 Regulations**

The Governor-General may make regulations—

- a. prescribing additional basic needs;
  - b. prescribing matters necessary for the administration of this Act.
- 

## **16 Review of Act**

- (1) The House must review this Act as soon as practicable after 7 years.
- (2) The review must consider the effectiveness of the Commissioner's functions and powers.

**END OF DRAFT BILL**