

Plain Language Bill

Member's Bill

Explanatory note

General policy statement

The US Congress passed the Plain Writing Act of 2010 on 13 October, 2010. This requires the US Federal Government to write all new publications, forms, and publicly distributed documents in a “clear, concise, well-organized” manner that follows the best practices of plain language writing. The purpose of the Plain Writing Act 2010 is to improve the effectiveness and accountability of federal agencies by promoting clear government communication that the public can understand and use.

This Bill promotes the use of plain English in official documents and websites. Comprehensible information from government organisations is a basic democratic right. Plain English must become the standard for all official public and private communication in New Zealand. This Bill requires the New Zealand Government to start making that happen.

Clause by clause analysis

Clause 1 is the Title provision.

Clause 2 provides for the Bill to come into force on the day after the date on which it receives the Royal assent.

Clause 3 sets out the purpose of the Bill.

Clause 4 is the interpretation clause.

Clause 5 provides that this Bill binds the Crown.

Clause 6 requires **reporting agencies** to ensure that **relevant documents** use **plain language**.

Clause 7 provides for the Public Service Commissioner to issue plain language guidance.

Clause 8 requires reporting agencies to have plain language officers who are responsible for ensuring the agency's compliance with the Bill.

Clause 9 requires reporting entities to report to the Public Service Commissioner on achieving their responsibilities under the Bill.

Clause 10 provides reporting requirements for the Public Service Commissioner and the Minister on compliance with the Bill.

Clause 11 provides that Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016 and the New Zealand Sign Language Act 2006 are not affected by this Bill.

Rachel Boyack

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Plain Language Act **2021**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent. 5

Part 1

Preliminary provisions

3 Purpose

The purpose of this Act is to improve the effectiveness and accountability of the public service by requiring their communications to be clear and accessible to the public. 5

4 Interpretation

In this Act, unless the context otherwise requires,—

Crown agent means a statutory entity named in Part 1 of Schedule 1 of the Crown Entities Act 2004 10

Commissioner means the Public Service Commissioner appointed under section 42 of the Public Service Act 2020

relevant document means a document (whether in paper or electronic form) that —

- (a) is necessary to obtain a service or file a tax return; 15
- (b) provides information about any benefit or service; or
- (c) explains to the public how to comply with a requirement the public service administers or enforces

Minister means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is responsible for the administration of this Act 20

plain language means language that—

- (a) the intended reader can easily understand after 1 reading; and
- (b) is clear, concise, and well-organised, and follows recognised guidelines of plain language writing 25

public service agency means any of the agencies listed in section 10(a) of the Public Service Act 2020

reporting agency means a Crown agent or a public service agency.

5 Act binds the Crown

This Act binds the Crown. 30

Part 2

Plain language requirements

6 Relevant documents to use plain language

- (1) A reporting agency must ensure that all relevant documents for which it is responsible use plain language. 35

- (2) **Subsection (1)** applies only to relevant documents issued or revised after this Act comes into force.
- 7 Plain language guidance may be issued**
- (1) The Commissioner may issue guidance on how reporting agencies may comply with the plain language requirements under this Act. 5
- (2) The Commissioner must not issue guidance under **subsection (1)** unless the Commissioner is satisfied that all persons and organisations that the Commissioner thinks appropriate have been consulted.
- (3) The Commissioner must, as soon as practicable after they issue guidance, ensure that a copy of the guidance is available free of charge on an Internet site maintained by or on behalf of the Commissioner. 10
- 8 Plain language officers**
- A reporting agency must appoint as plain language officers for the agency 1 or more individuals whose responsibilities include—
- (a) educating agency employees regarding the requirements of this Act: 15
- (b) dealing with complaints or requests from the public regarding the agency's compliance with this Act:
- (c) ensuring that the agency complies with the provisions of this Act.
- 9 Reports to Public Service Commissioner**
- Initial report* 20
- (1) No later than 6 months after this Act comes into force, a reporting agency must report to the Commissioner on the following matters:
- (a) its appointment of a plain language officer:
- (b) actions it has taken to inform all agency staff what this Act requires of them: 25
- (c) training provided to staff on plain language writing:
- (d) the agency's compliance with the requirements of this Act.
- Subsequent reports*
- (2) Following the initial report under **subsection (1)**, reporting agencies must report annually to the Commissioner on how the agency complies with **section 6**. 30
- 10 Compliance reports**
- (1) The Commissioner must report annually to the Minister on compliance by reporting agencies with **section 6**, and may make recommendations to the Minister on plain language guidelines and best practices. 35

- (2) Within 20 working days of receiving the annual report of the Commissioner referred to in **subsection (1)**, the Minister must present a copy of the report to the House of Representatives.

11 Other enactments not affected

Nothing in this Act affects Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016 or the New Zealand Sign Language Act 2006. 5