

**School of Government**

**MAPP 527**  
**REGULATORY POLICY**  
(15 Points)

**Trimester 1 / 2014**

**COURSE OUTLINE**

---

**Names and Contact Details**

**Course Coordinator:** **Professor Claudia Scott**  
Room RH 805, Level 8, Rutherford House, Pipitea Campus  
Telephone: (04) 463 5377  
Email: [claudia.scott@vuw.ac.nz](mailto:claudia.scott@vuw.ac.nz)

**Other Contributors:** The course draws on expertise from academics and practitioners, including Professor Julia Black (London School of Economics, visiting VUW on the Sir Frank Holmes Fellowship); Bronwyn Howell (Institute for Regulation and Competition); James Sargeant and Hayden Fenwick (NZ Treasury), Derek Gill (NZIER) and Dr Peter Mumford (MBIE).

**Administrator:** **Darren Morgan**  
Room RH 821, Level 8, Rutherford House, Pipitea Campus  
Telephone: (04) 463 5458  
Fax: (04) 463 5454  
Email: [darren.morgan@vuw.ac.nz](mailto:darren.morgan@vuw.ac.nz)

**School Office Hours:** 8.30am to 5.00pm, Monday to Friday

**Trimester Dates**

Monday 24 March – Monday 26 May 2014

## **Withdrawal from Course**

Formal notice of withdrawal must be in writing on a Course Add/Drop form (available from either of the Faculty's Student Customer Service Desks or from the course administrator). Not paying your fees, ceasing to attend lectures or verbally advising a member of staff will NOT be accepted as a formal notice of withdrawal.

1. Your fees will be refunded if you withdraw from this course on or before **Thursday 27 March 2014**.
2. The standard last date for withdrawal from this course is **Thursday 15 May 2014**. After this date, students forced to withdraw by circumstances beyond their control must apply for permission on an '*Application for Associate Dean's Permission to Withdraw Late*' including supporting documentation. The application form is available from either of the Faculty's Student Customer Service Desks.

## **Class Times and Room Numbers**

This course is delivered in an intensive format, taught over four days.

**Class Dates:** Thursday 27 – Friday 28 March 2014 AND  
Thursday 15 – Friday 16 May 2014

**Class Times:** 9.00am – 5.00pm each day

**Class Location:** Room RWW 501, Level 5, Railway West Wing, Pipitea Campus  
The timetable is available to view on the Victoria University website at [www.victoria.ac.nz/students/study/timetables](http://www.victoria.ac.nz/students/study/timetables) .

**Attendance is required for all four teaching days**

## **Prescription**

The examination of issues in regulatory policy, with an emphasis on the role of government in addressing risks in the environment, workplace or social setting, and from consumer products.

## **Course Delivery**

This course is delivered in an intensive format in two modules, taught over two consecutive days per module (four days in total).

**Attendance is required for all four teaching days.**

## **Group Work**

Some group work will be included during the course; however, written assessments will be prepared and submitted on an individual basis.

## Expected Workload

The learning objectives set for each course are demanding and, to achieve them, candidates must make a significant commitment in time and effort to reading, studying, thinking, and completion of assessment items outside of contact time. Courses vary in design but all require preparation and learning before the first day of the course and regular learning is also necessary (students who leave everything to the last moment rarely achieve at a high level).

Expressed in input terms, on average, the time commitment required usually translates to approximately 150 hours (including class contact time) for a 15-point course.

## Course Learning Objectives

- To enhance understanding of the key concepts, theories and frameworks relating to regulatory policy and their applicability and relevance to public sector managers and analysts working in the public sector;
- To gain better appreciation of contemporary developments in regulatory policy practice and reform, drawing on theories and experiences – including national and international trends and influences;
- To gain insights and appreciation of regulation and regulatory policy and the particular strengths and weaknesses of different approaches and policy settings/tools, and their suitability to a specific jurisdiction and policy context;
- To provide participants with the opportunity to undertake research on a particular regulatory policy topic and to enhance their understanding and policy insights.

## Course Content

This course examines contemporary issues in regulatory policy, with emphasis on the roles of government and others in designing policies to contribute to enhanced economic, social, environmental and cultural outcomes. It will draw on international as well as New Zealand theory and practices.

Participants will be able to select a particular area of regulatory policy for in-depth study. The format will allow for discussion and debate and draw expertise from both academic and practitioners in the field. Participation is welcome from those seeking a broad overview of regulatory policy, as well as analysts and managers with specific regulatory expertise and experience.

## Readings

The textbook for this course is **Robert Baldwin, Martin Cave and Martin Lodge (2010) *The Oxford Handbook of Regulation*, Oxford University Press**. This can be purchased from [www.amazon.com](http://www.amazon.com) as an e-book which can be downloaded immediately onto your computer.

A listing of topics to be covered in the course follows, together with required readings. Some minor adjustments to topics and programmes may occur to cater to the particular interests of the participants. Readings, other than from the textbook, will be placed on the Blackboard e-learning site.

Thursday 27 March 2014 Day 1: Topics	Required Readings
Introduction: key concepts, theories and approaches to regulation and regulatory policy	<p>Baldwin, Cave and Lodge (2010) chapter 1</p> <p>Frieberg, A. (2010) Chapter 2 Who Regulates? in <i>The Tools of Regulation</i>, Annadale, The Federation Press</p>
Economic and Public Interest Theories of Regulation	<p>Lodge, M. and Wegrich, K. (2012) <i>Managing Regulation</i>, Palgrave Macmillan, pp. 27-46</p> <p>Baldwin, Cave and Lodge (2010) chapters 2-5</p>
Principle-based and Performance-based Regulation	<p>ANZSOG Case Study (2012) A New Future for the Building Industry</p> <p>P. Mumford (2011) Drivers for Performance-based Regulation and its Limitations, <i>Enhancing Performance-based Regulation: Lessons from New Zealand's building control system</i></p>
Operational Aspects of Risk-based Regulation  Professor Julia Black	<p>Compliance and Enforcement Review: Overview of key themes and recommendations for EPA Victoria, at <a href="http://www.epa.vic.gov.au/our-work/publications/publication/2011/february/1367">www.epa.vic.gov.au/our-work/publications/publication/2011/february/1367</a></p> <p>The APRA Supervision Blueprint, at <a href="http://www.apra.gov.au/AboutAPRA/Documents/APRA-Supervision-Blueprint-FINAL.pdf">www.apra.gov.au/AboutAPRA/Documents/APRA-Supervision-Blueprint-FINAL.pdf</a></p> <p>Prudential Regulation Authority, <i>Proactive Intervention Framework</i>, available at <a href="http://www.bankofengland.co.uk/pru/Pages/supervision/approach/proactiveintervention.aspx">www.bankofengland.co.uk/pru/Pages/supervision/approach/proactiveintervention.aspx</a></p> <p>Marine Stewardship Council, Risk Based Framework for Certification, some details available at <a href="http://www.msc.org/about-us/standards/methodologies/fam/msc-risk-based-framework">www.msc.org/about-us/standards/methodologies/fam/msc-risk-based-framework</a> ; see also their FAQs on their RBF</p> <p>(see additional readings for this session on Blackboard)</p>

Friday 28 March 2014 Day 2: Topics	Required Readings
<p>What Counts as Success: Case Study for Financial Regulation</p> <p>Professor Julia Black</p>	<p>C. Coglianese, <i>Measuring Regulatory Performance: Evaluating the Impact of Regulation and Regulatory Policy</i>, OECD Expert Report (2012) available at <a href="http://www.oecd.org/regreform/regulatory-policy/1_coglianese%20web.pdf">www.oecd.org/regreform/regulatory-policy/1_coglianese%20web.pdf</a></p> <p>** Financial Conduct Authority, <i>How the FCA will Investigate and Report on Regulatory Failure</i>, available at <a href="http://www.fca.org.uk/your-fca/documents/how-fca-will-investigate-and-report-on-regulatory-failure">www.fca.org.uk/your-fca/documents/how-fca-will-investigate-and-report-on-regulatory-failure</a> (note that we will be analysing the scenarios set out in this report in class)</p> <p>J. Black, 'Managing Regulatory Risks and Defining the Parameters of Blame: the Case of the Australian Prudential Regulation Authority' (2006) <i>Law and Policy</i> 1-27</p> <p>UK Treasury Select Committee, <i>Run on the Rock</i> (Fifth Report 2007-8) available at <a href="http://www.publications.parliament.uk/pa/cm200708/cmselect/cmtreasy/56/5602.htm">www.publications.parliament.uk/pa/cm200708/cmselect/cmtreasy/56/5602.htm</a></p> <p>FSA, <i>The Failure of the Royal Bank of Scotland: FSA Board Report</i> (2011)</p> <p>FSA Internal Audit Division, <i>The Supervision of Northern Rock, A Lessons Learned Review</i> (FSA, 2008), available at <a href="http://www.fsa.gov.uk/pubs/other/nr_report.pdf">www.fsa.gov.uk/pubs/other/nr_report.pdf</a></p>
<p>The Regulatory State: Strategy, Accountability and Practices</p>	<p>Baldwin, Cave and Lodge (2010) chapters 6-10, 15</p>

<b>Friday 28 March 2014 Day 2: Topics (continued)</b>	<b>Required Readings (continued)</b>
Regulatory Impact Analysis and the Regulatory Quality Management System	<p>Baldwin, Cave and Lodge (2010) chapters 11-13</p> <p>The Treasury's Regulatory Impact Analysis Handbook (2013): <a href="http://www.treasury.govt.nz/publications/guidance/regulatory/impactanalysis">www.treasury.govt.nz/publications/guidance/regulatory/impactanalysis</a></p> <p>System Reports and Stewardship: <a href="http://www.treasury.govt.nz/publications/guidance/regulatory/systemreport">www.treasury.govt.nz/publications/guidance/regulatory/systemreport</a></p> <p>Disclosures: <a href="http://www.dPMC.govt.nz/cabinet/circulars/co13/3">www.dPMC.govt.nz/cabinet/circulars/co13/3</a> and <a href="http://www.treasury.govt.nz/publications/guidance/regulatory/disclosurestatements">www.treasury.govt.nz/publications/guidance/regulatory/disclosurestatements</a></p> <p>NZIER(2011) Be A Whizz at Writing a RIS</p>
Case study	ANZSOG Case Study (2008): Regulatory Reform in the Road Transport Industry (A)

<b>Thursday 15 May 2014 Day 3: Topics</b>	<b>Required Readings</b>
Telecommunications Regulation	Baldwin, Cave and Lodge (2010) chapter 20
Student Presentations	Relevant project outlines
Reforming the Regulatory System	Gill & Frankel (2014) Learning the Way Forward? The Role of Monitoring, Evaluation and Review
Student Presentations	Relevant project outlines

<b>Friday 16 May 2014 Day 4: Topics</b>	<b>Required Readings</b>
Trends in Regulatory Policy and Governance Reform	Baldwin, Cave and Lodge (2010) chapters 24-25  OECD (2012) Recommendation of the Council on Regulatory Policy and Governance, Paris.
Student Presentations	Relevant project outlines
Regulation of the Regulators	
Student Presentations	Relevant project outlines

Participants will have access to additional reading and resource materials relating to the topics which will be located on the Blackboard e-learning site. Some additional documents and handouts will be distributed in class.

This course will provide the opportunity for each student to examine a particular area of regulation which interests them.

**Blackboard** is Victoria University's online environment that supports teaching and learning by making course information, materials and other learning activities available via the internet through the myVictoria student web portal.

To access the Blackboard site for this course:

1. Open a web browser and go to [www.myvictoria.ac.nz](http://www.myvictoria.ac.nz) .
2. Log into myVictoria using your ITS Username (on your Confirmation of Study) and password (if you've never used the Victoria University computer facilities before, your initial password is your student ID number, on your Confirmation of Study, Fees Assessment or student ID card – you may be asked to change it when you log in for the first time).
3. Once you've logged into myVictoria, select Blackboard (from the options along the top of the page) to go to your Blackboard homepage.
4. The "My Courses" section displays the courses you have access to – select the appropriate link to access the course-specific Blackboard site. Please note that only courses that are actually using Blackboard and have been made available to students by their respective course coordinator will be displayed.

**You are recommended to ensure that your computer access to Victoria University's computer facilities, such as myVictoria and Blackboard, is working BEFORE your course starts.** If you have any problems, you should contact the ITS Service Desk on (04) 463 5050 or [its-service@vuw.ac.nz](mailto:its-service@vuw.ac.nz) . See [www.victoria.ac.nz/its/student-services/](http://www.victoria.ac.nz/its/student-services/) for more information.

## **Materials and Equipment**

No special materials and equipment are required.

## **Assessment**

<b>Assignment</b>	<b>Due Date</b>	<b>Weight</b>	<b>Guidelines</b>
1. Essay	Monday 21 April 2014	35%	1,500 words maximum
2. 2 page outline; and short presentation (5 minutes max) on day 3 or 4	Outline due by 9.00am, Monday 12 May 2014	10%	Brief report on a specific regulatory issues relating to your project topic
3. Regulatory Project Report	Monday 26 May 2014	40%	3,000 words maximum
4. Contribution to class discussion	N/A	15%	

Please submit ALL assignments by email attachment to [sog-assignments@vuw.ac.nz](mailto:sog-assignments@vuw.ac.nz) and to [claudia.scott@vuw.ac.nz](mailto:claudia.scott@vuw.ac.nz). Be sure to keep a copy of everything that you send. Provide a word count on the cover sheet of each assignment and **DO NOT** exceed the word limit.

Further details on the assessments will be placed on Blackboard and will be discussed in class.

**There is no final exam for this course.**

**Students should keep a copy of all submitted work.**

## **Penalties**

The ability to plan for and meet deadlines is a core competency of both advanced study and public management. Failure to meet deadlines disrupts course planning and is unfair on students who do submit their work on time. It is expected therefore that you will complete and hand in assignments by the due date. Marks will be deducted at the rate of five per cent for every day by which the assignment is late and no assignments will be accepted after five working days beyond the date they are due. For example, if you get 65% for an assignment, but you handed it in on Monday when it was due the previous Friday, you will get a mark of 50%.

If ill-health, family bereavement or other personal circumstances beyond your control prevent you from meeting the deadline for submitting a piece of written work or from attending class to make a presentation, you can apply for and may be granted an extension to the due date. You should let your course coordinator know as soon as possible in advance of the deadline (if circumstances permit) if you are seeking an extension. Where an extension is sought, evidence, by way of a medical certificate or similar, may be required by the course coordinator.



## **Academic Integrity, Plagiarism, and the Use of Turnitin**

Plagiarism is presenting someone else's work as if it were your own, whether you mean to or not.

'Someone else's work' means anything that is not your own idea. Even if it is presented in your own style, you must still acknowledge your sources fully and appropriately. This includes:

- material from books, journals or any other printed source
- the work of other students or staff
- information from the Internet
- software programs and other electronic material
- designs and ideas
- the organisation or structuring of any such material.

Acknowledgement is required for *all* material in any work submitted for assessment unless it is a 'fact' that is well-known in the context (such as "Wellington is the capital of New Zealand") or your own ideas in your own words. Everything else that derives from one of the sources above and ends up in your work – whether it is directly quoted, paraphrased, or put into a table or figure, needs to be acknowledged with a reference that is sufficient for your reader to locate the original source.

Plagiarism undermines academic integrity simply because it is a form of lying, stealing and mistreating others. Plagiarism involves stealing other people's intellectual property and lying about whose work it is. This is why plagiarism is prohibited at Victoria.

If you are found guilty of plagiarism, you may be penalised under the Statute on Student Conduct. You should be aware of your obligations under the Statute, which can be downloaded from the policy website ([www.victoria.ac.nz/home/about/policy/students.aspx](http://www.victoria.ac.nz/home/about/policy/students.aspx)). You could fail your course or even be suspended from the University.

Plagiarism is easy to detect. The University has systems in place to identify it.

Student work provided for assessment in this course may be checked for academic integrity by the electronic search engine [www.turnitin.com](http://www.turnitin.com). Turnitin is an on-line plagiarism prevention tool which compares submitted work with a very large database of existing material. At the discretion of the Head of School, handwritten work may be copy-typed by the School and subject to checking by Turnitin. Turnitin will retain a copy of submitted materials on behalf of the University for detection of future plagiarism, but access to the full text of submissions will not be made available to any other party.

There is guidance available to students on how to avoid plagiarism by way of sound study skills and the proper and consistent use of a recognised referencing system. This guidance may be found at the following website [www.victoria.ac.nz/home/study/plagiarism.aspx](http://www.victoria.ac.nz/home/study/plagiarism.aspx).

If in doubt, seek the advice of your course coordinator.

**Plagiarism is simply not worth the risk.**

## **Mandatory Course Requirements**

In addition to obtaining an overall course mark of 50 or better, students must submit or participate in all pieces of assessment required for this course.

If you cannot complete an assignment or sit a test or examination, refer to [www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat](http://www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat) .

## **Communication of Additional Information**

The Course Coordinator is available to communicate with students by email and telephone, and to meet by appointment. Additional information will be conveyed to students via email and Blackboard to all class members.

**NOTE:** Information emailed to you via Blackboard can only be sent to your @myvuw.ac.nz email address (the free email address created for you when you enrol and accessed via the myVictoria student web portal). If you want to receive these emails at your preferred email address (e.g. your home or work email address), it is **essential** that you activate your @myvuw.ac.nz email address before the start of the course and you modify the settings so all emails sent to it are automatically forwarded to your preferred email address. Please go to [www.victoria.ac.nz/its/student-services/FAQs.aspx#Email\\_Forward](http://www.victoria.ac.nz/its/student-services/FAQs.aspx#Email_Forward) for more information.

**You are recommended to ensure that your computer access to Victoria University's computer facilities, such as myVictoria, Blackboard and email, is working BEFORE your course starts.** If you have any problems, you should contact the ITS Service Desk on (04) 463 5050 or [its-service@vuw.ac.nz](mailto:its-service@vuw.ac.nz) . See [www.victoria.ac.nz/its/student-services/](http://www.victoria.ac.nz/its/student-services/) for more information.

## **School of Government Service Standards**

Good learning and teaching outcomes for students in School of Government courses depend on many factors, including open, transparent and accountable relationships between teaching and support staff, and students in their various activities. The following service standards indicate some of the key expectations that teaching staff and students can have of each other. In all cases, they represent what the School believes should be 'normal' practice; exceptional circumstances can and will be negotiated as required.

Please note that there are University-wide policies relating to assessment – including rights of review and appeal. Details may be found in the Assessment Handbook (which is reviewed and updated from time to time – [www.victoria.ac.nz/about/governance/dvc-academic/publications](http://www.victoria.ac.nz/about/governance/dvc-academic/publications)).

In general terms, any concerns that a student or students may have should be raised with the course coordinator in the first instance. If that course of action is not appropriate, the School's programme support staff will direct you to the relevant Programme Director/Coordinator.

*Standards relating to staff timeliness of responses to email and phone queries:*

- Email or phone queries from students will be responded to in 48 hours

*Standards relating to availability of course materials:*

- Students on modular or intensive courses will usually have course materials at least 4 weeks before the course starts
- Students on weekly courses will usually have course materials available on the first day of the course

*Standards relating to attendance:*

- It is expected that students will attend all contact teaching sessions for a course. If a student is aware that they will be unable to attend part of a course prior to it commencing, they are required to advise the course coordinator. In such a situation, the student may be declined entry into the course.
- Where a course coordinator approves some non-attendance before the class commences, the course coordinator may set additional item(s) of assessment of learning and teaching objectives for the course for students unable to attend. Advice relating to the submission and assessment of any such additional assessment will be provided by the course coordinator.

*Variations to the assessment details provided in the course outline:*

- Any variation to the assessment details in the course outline will be formally agreed between the course coordinator and students at the earliest possible time, preferably at the beginning of the course.

*Standards relating to assignments – turnaround and feedback:*

- Unless otherwise agreed between students and the course coordinator, items of assessment will be marked within 15 working days of submission.
- Comments on pieces of assessment will allow students to understand the reasons for the mark awarded, relative to the teaching and learning objectives specified in the course outline, and will usually include advice on how the student can improve their grades in future assignments.

## **Student Feedback**

Student feedback on University courses may be found at [www.cad.vuw.ac.nz/feedback/feedback\\_display.php](http://www.cad.vuw.ac.nz/feedback/feedback_display.php) .

## **Link to General Information**

For general information about course-related matters, go to [www.victoria.ac.nz/vbs/studenthelp/general-course-information](http://www.victoria.ac.nz/vbs/studenthelp/general-course-information) .

## **Note to Students**

Your assessed work may also be used for quality assurance purposes, such as to assess the level of achievement of learning objectives as required for accreditation and academic audit. The findings may be used to inform changes aimed at improving the quality of VBS programmes. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.

\*\*\*\*\*