



New Zealand Historic Places Trust Pouhere Taonga  
Archaeological Guidelines Series

# Process for Dealing with Overdue Authority Reports



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*Cover photos left to right:*

Detail: Wairau Bar Site Plan. *Photo, Quinn Berentson*

Selection of archaeological reports held in NZHPT library, National Office. *Photo, Joanna Wylie*

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# 1. Introduction

These guidelines have been prepared by the New Zealand Historic Places Trust ('NZHPT') to advise the archaeological community on a process for dealing with the large numbers of overdue reports deriving from archaeological work undertaken as a requirement of the authority process.

This Guideline has arisen as a direct result of the three audits conducted by the NZHPT into the number of overdue authority related reports that archaeologists currently have. These audits have shown that for the authorities granted for the period 1993 (when the new *Historic Places Act* was introduced) until the end of 2003, there are approximately 300 outstanding reports that have not been prepared. With over 300 authorities being granted every year in the period since then, the number of overdue reports will continue to grow.

NZHPT wishes to receive all outstanding reports within a defined timeframe and prevent the reoccurrence of such a backlog of reports such as is currently the case. The process suggested below will form part of the NZHPT's standard operating procedures to ensure consistency of application throughout the organisation.

# 2. Suggested Process

1. All consultants will be given their list of outstanding reports and be given 60 days to confirm that they are all outstanding and do not relate:
  - ▶ to an authority not exercised;
  - ▶ to earthworks carried out without their knowledge/presence; or
  - ▶ to cases where no archaeology was found.
2. Consultants with more than 10 outstanding reports in the years up to 2003 are to provide NZHPT with a timetable for completion which must ensure the steady reduction of numbers.
3. NZHPT will accept the archaeologist's timetable or negotiate a suitable arrangement with each consultant for incremental reduction of numbers.
4. For consultants with fewer than 10 outstanding reports a programme for receipt of outstanding reports will be developed after the completion of the delivery agreements with consultants covered in paragraph 2 above.
5. If a consultant does not honour the agreement made with NZHPT to reduce numbers, NZHPT will give one warning and if reports are not received as agreed NZHPT will consider not granting s17 approvals allowing them to undertake work required for an authority. It is to be noted that principles of administrative law will have to be followed in making each decision to refuse approval.
6. If a consultant who has breached their agreement to deliver reports, wishes to have a s17 approval, one way of satisfying the criteria in s17 would be to deliver some of the overdue reports.
7. If the non-delivery of a report is because the authority holder:

- ▶ has not paid the archaeologist who is withholding the report, or
- ▶ is himself withholding the report

NZHPT will treat the matter as a non-compliance with a condition of the authority and follow it up on that basis.

8. Since the authority holder has a duty to ensure all conditions are observed (including generally filing of reports), the NZHPT will also write to all authority holders whose reports are outstanding if the archaeologist in question has not responded to NZHPT's requests under paragraph 1 above or has consistently not delivered particular reports as agreed.