

SUBMISSION ON Modern Slavery Bill

25 May 2026

To: Education and Workforce Committee

Name of Submitter: Horticulture New Zealand

Supported by: Potatoes NZ, Strawberry NZ, NZ Vegetable Council, NZ Apple & Pears, NZ GAP Committee

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PART 1

Submission structure

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Our submission

Horticulture New Zealand (HortNZ) thanks the Committee for the opportunity to submit on the Modern Slavery Bill.

HortNZ wishes to be heard in support of our submission.

The details of HortNZ's submission and decisions we are seeking are set out in our submission below.

HortNZ's Role

Background to HortNZ

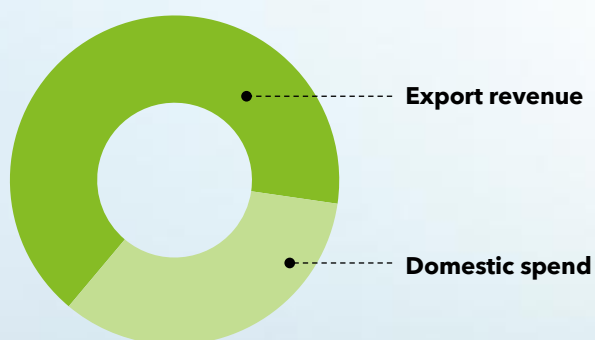
HortNZ represents the interests of approximately 4,300 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruits and vegetables. The horticultural sector provides over 40,000 jobs.

There are approximately 80,000 hectares of land in New Zealand producing fruit and vegetables for domestic consumers and supplying our global trading partners with high quality food.

It is not just the direct economic benefits associated with horticultural production that are important. Horticulture production provides a platform for long term prosperity for communities, supports the growth of knowledge-intensive agri-tech and suppliers along the supply chain, and plays a key role in helping to achieve New Zealand's climate change objectives.

The horticulture sector plays an important role in food security for New Zealanders. Over 80% of vegetables grown are for the domestic market and many varieties of fruits are grown to serve the domestic market.

HortNZ's purpose is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand.



Industry value \$7.54bn
Farmgate value \$4.89bn
Export revenue \$4.99bn
Domestic spend \$2.55bn

Source: HortNZ Annual Report 2025

Executive Summary

HortNZ supports efforts to reduce worker exploitation and improve labour practices within supply chains however HortNZ is concerned the Bill, as currently drafted, is heavily focused on disclosure and reporting obligations without clearly demonstrating how the framework will improve identification, investigation or enforcement outcomes relating to modern slavery and worker exploitation.

The proposed framework relies significantly on businesses self-reporting and there is a risk the system becomes an ineffective high-trust compliance model. HortNZ is concerned that businesses willing to engage in exploitative practices are also the businesses least likely to accurately disclose issues within their operations or supply chains. It is also unclear what constitutes a supply chain as it relates to a reporting entity, and how far back the requirement to report can reach.

HortNZ is also concerned about the practical impact the Bill will have across horticulture supply chains. Although most growers will not be directly captured by the reporting threshold, they are likely to be repeatedly asked to provide substantially the same information to multiple large businesses across the supply chain. This creates a significant risk of duplication, inconsistent reporting requirements, and additional administrative burden for growers. HortNZ recognises that the current complexities within the supply chain are why this Modern Slavery Bill is being drafted and through the NZGAP Social Practice Add-On¹ and GLOBALG.A.P. GRASP², HortNZ is uniquely positioned to proactively address these challenges and collaborate on guidance for the horticulture sector.

The horticulture sector already operates within a range of audited worker welfare, employment, immigration, and assurance frameworks. Existing industry assurance scheme standards such as GLOBALG.A.P. GRASP and NZGAP Social Practice require growers to provide extensive information relating to worker welfare which are then independently audited. These schemes are proven, trusted standards and develop the ability for multiple customers/retailers to receive audit reports directly from HortNZ, bypassing the need for growers to manage multiple requests. This presents a genuine, shared value-add for both growers and their customers.

Employers utilising seasonal visa schemes such as the Accredited Employer Work Visa, Global Seasonal Work Visa, and the Recognised Seasonal Employer scheme are also already subject to significant immigration and employment compliance obligations administered by Immigration New Zealand, including reporting and monitoring requirements relating to migrant workers and worker welfare.

¹https://www.nzgap.co.nz/NZGAP_Public/Programmes/Social_Practice/NZGAP_Public/Programmes/Social_Practice.aspx

²https://www.globalgap.org/what-we-offer/solutions/grasp/?utm_source=chatgpt.com&Certification+bodies=%7B%22globalFilter%22%3A%22%22%2C%22sorting%22%3A%5B%7B%22id%22%3A%22certification%22%2C%22desc%22%3Afalse%7D%5D%2C%22pagination%22%3A%7B%22pageIndex%22%3A0%2C%22pageSize%22%3A15%7D%2C%22columnFilters%22%3A%5B%5D%7D

HortNZ also notes that labour contractor arrangements remain one of the areas where exploitation risks are more likely to arise within the horticulture sector. However, it is unclear how contractor oversight is intended to operate under the proposed framework, particularly where contractors themselves may sit outside the reporting threshold and have no direct relationship with the reporting entity.

There are also concerns regarding the treatment of commercially sensitive information. Growers and other businesses within the supply chain may be reluctant to openly disclose sensitive information where it could impact commercial relationships, reputation, or dealings with buyers and suppliers. HortNZ considers greater guidance and safeguards are needed around how information is collected, handled, protected, and shared to ensure businesses can engage openly with the framework without unintended commercial consequences. This includes how incidents that have been already reported to the Labour Inspectorate that are under current or pending investigation, are handled so as to not compromise those investigations.

Submission

HortNZ considers greater clarity is needed regarding how the information collected under the Bill will be used to identify, investigate, and address genuine instances of modern slavery. HortNZ would place greater value on identification and addressing exploitation rather than creating additional reporting and administrative requirements for businesses.

There is also a risk that the framework established by the Bill becomes primarily a “tick-box” exercise rather than a mechanism that meaningfully identifies and addresses modern slavery and worker exploitation. The Bill establishes a largely high-trust reporting framework that relies heavily on businesses being truthful and transparent in the information they provide. While many businesses will engage with the requirements in good faith, HortNZ is concerned that businesses willing to deliberately exploit workers are also the businesses least likely to accurately disclose issues within their operations or supply chains. As a result, there is a risk the framework places a significant compliance burden on already compliant businesses, while more serious exploitation and non-compliance may remain hidden.

HortNZ is also concerned about how commercially sensitive information, allegations, complaints and unresolved matters may be treated under the proposed framework. The Bill requires reporting entities to disclose information relating to incidents, complaints, risks, and actions taken in response. In practice, growers and other businesses within the supply chain may be reluctant to openly disclose allegations, contractor concerns, or unresolved worker issues where the information may be commercially sensitive or could impact relationships with buyers, exporters, or retailers. There is a risk that businesses become cautious about documenting or escalating concerns due to potential reputational consequences or fear of commercial repercussions. HortNZ considers the Bill should provide greater clarity around how sensitive information will be handled, used, and protected to ensure businesses are encouraged to engage openly and honestly with the framework rather than becoming reluctant to report or discuss issues.

1. Recommendations

HortNZ recommends the following changes and considerations be incorporated into the Bill:

- Consideration be given to standardised templates or annual declarations that can be used consistently across supply chains
- Existing industry assurance scheme standards such as GLOBALG.A.P. GRASP and NZGAP Social Practice Add-on can be recognised as equivalent to reporting requirements under the Bill, for those businesses potentially in the supply chain(s) of multiple reporting entities, to streamline provision of validated supporting evidence rather than needing to respond to multiple supplier questionnaires for the same information
- Greater clarity be provided regarding how labour contractor arrangements are intended to operate within the framework

- Clear safeguards and guidance be developed regarding the handling of commercially sensitive and personal information
- Add a definition of supply chain

2. Definition of supply chain

HortNZ considers the Bill should include a clear definition of supply chain to provide greater certainty regarding the scope of reporting obligations. As currently drafted, the Bill refers to reporting on 'operations and supply chains' but does not define what constitutes a supply chain for the purposes of the legislation. It is also unclear how far through the supply chain reporting obligations are expected to extend, including whether the expectation is limited to direct commercial relationships or intended to include multiple tiers of suppliers and service providers. A clearer definition would provide greater certainty for businesses participating in supply chain reporting processes.

Given the complexity of horticultural supply chains which often involve growers, contractors, packhouses, exporters, freight providers, processors and retailers, HortNZ would welcome the opportunity to work with the Committee on developing a practical and workable definition of supply chain for the purposes of the Bill.

3. Supply Chain Reporting Requirements

The structure of the Bill means growers are likely to face multiple scenarios where substantially the same information is requested repeatedly by different reporting entities across the produce supply chain.

For example, a grower may:

- Supply produce through a large packhouse
- Supply produce to an exporter
- Use freight or logistics providers involved in moving produce
- Supply supermarkets directly or indirectly through wholesale arrangements
- Engage with processors or other large entities involved in the movement or sale of produce

On this example alone, a grower could potentially be required to provide substantially similar information to multiple entities that individually meet the reporting threshold under the Bill. HortNZ is concerned this will create a significant administrative burden on growers despite much of the information already existing within audited industry assurance schemes such as GLOBALG.A.P. GRASP and NZGAP Social Practice.

4. Industry Assurance Schemes

The Bill does not recognise the existing audited social practice and worker welfare assurance frameworks already operating within the horticulture sector. Many of the reporting requirements contemplated under the Bill are already addressed through established industry assurance programmes, particularly GLOBALG.A.P. GRASP for export produce and the NZGAP Social Practice Add-On for the domestic market.

GLOBALG.A.P. GRASP is an internationally recognised social practice assessment and requires growers to demonstrate systems and records relating to:

- Worker health, safety and welfare
- Employment conditions and labour management practices, including wages, working hours, leave, and employment arrangements
- Worker representation and freedom of association
- Grievance and complaints processes for workers
- Worker awareness and communication regarding employment rights, harassment, discrimination protections, and labour authority contacts
- Social risk assessment and due diligence processes
- Contractor and subcontracted labour oversight
- Independent third-party audit and verification requirements
- Traceability and supply chain transparency requirements.

GLOBALG.A.P. certification is internationally recognised and is commonly required by international retailers and export buyers as part of supplier management systems.

The NZGAP Social Practice Add-On, which primarily applies to produce supplied to the domestic market, was developed using GLOBALG.A.P. GRASP as the benchmark and adapted to reflect New Zealand conditions. The Social Practice Add-On already requires growers to provide and maintain detailed information relating to:

- Business details and responsible management, including legal entity details, responsible managers, audit details, corrective actions, and sign-off requirements
- Annual self-assessment requirements and declarations relating to good social practice, anti-bullying commitments, and prevention of illegal employment payment practices
- Workforce arrangements, employment agreements, worker eligibility, and ongoing right-to-work checks
- Employment record keeping, including visa records, leave records, working hours, wage records, and employment history requirements
- Time, wage, leave, and remuneration records, including minimum wage compliance, overtime, public holiday entitlements, deductions, and piece rate arrangements
- Worker induction, training, and awareness of employment rights, including anti-discrimination protections, child labour restrictions, leave entitlements, and freedom of association
- Complaints procedures, including anonymous reporting mechanisms, protections against retaliation, complaint resolution processes, and complaint record keeping
- Contractor management and due diligence requirements, including contractor verification, signed agreements, due diligence assessments, subcontractor oversight, and social practice compliance expectations
- Employee representation and participation requirements
- Accommodation standards where accommodation is provided.

Importantly, growers operating within these schemes are audited against the standard (above requirements) and corrective actions are required within set timeframes where non-compliances are identified.

HortNZ considers the Bill should better recognise existing industry assurance scheme standards where growers have GLOBALG.A.P. GRASP and NZGAP Social Practice

certification. Growers also already operate within extensive food safety, traceability, and record-keeping obligations under the Food Act, supported in practice through assurance schemes such as NZGAP and GLOBALG.A.P.

Many of the reporting requirements contemplated under the Bill are already subject to audit through these schemes and recognition of these schemes as equivalent for audit and reporting purposes within this Bill could help reduce compliance burden and avoid growers being repeatedly asked to provide substantially the same information to multiple reporting entities across the supply chain.

Importantly, there is precedent within existing legislation for leveraging industry assurance systems to support compliance outcomes and avoid unnecessary duplication. For example, Freshwater Farm Plans under Part 9A of the Resource Management Act³, provides a pathway for industry assurance programmes, like NZGAP, that meet criteria in the regulations to be recognised by the Minister. Approved programmes can audit and certify their members that require freshwater farm plans. The criteria cover aspects including the process and oversight of audit and certification, content requirements to meet regulation, and reporting on behalf of its members.

A similar recognition pathway could be provided through this Bill for industry assurance programmes like NZGAP, that could substantially alleviate the compliance burden faced by growers operating within the supply chains of reporting entities. Growers are already audited against modern slavery and employment law requirements through their GAP scheme in order to sell their produce to supermarkets in New Zealand and Australia.

GLOBALG.A.P. GRASP and NZGAP Social Practice standards are attached as appendices which demonstrate the level of scrutiny growers are already subject to.

HortNZ also notes that many packhouses are already audited against recognised ethical trade standards through the Sedex Members Ethical Trade Audit (SMETA)⁴, often as a requirement of major retailers and export customers. SMETA assessments cover a range of matters directly relevant to the intent of the Bill, including labour standards, worker health and safety, working conditions, ethics, recruitment practices and risks relating to forced labour and worker exploitation.

5. Immigration Reporting requirements

HortNZ notes that employers utilising seasonal visa schemes such as the Accredited Employer Work Visa, Global Seasonal Work Visa, and the Recognised Seasonal Employer scheme already operate within extensive immigration and employment compliance frameworks administered by Immigration New Zealand (INZ). Employers are required to meet a range of obligations relating to employment standards, record keeping, worker welfare, lawful recruitment practices, wage and hours requirements, and ongoing compliance monitoring.

These existing systems already require significant reporting in relation to migrant labour and worker welfare within the horticulture sector. HortNZ therefore considers it important the Bill recognises the extensive compliance frameworks already operating in

³ <https://www.legislation.govt.nz/act/public/1991/69/en/latest/#LMS375840>

⁴ <https://www.sedex.com/solutions/smeta-audit/>

practice and avoids creating additional overlapping reporting obligations that duplicate information already provided through existing immigration processes. This is particularly relevant within contractor arrangements, where employment relationships and oversight responsibilities can become more complex.

6. Labour Contractors

Labour contractors are one of the higher-risk areas within the horticulture sector, with many historical cases of worker exploitation occurring through contractor arrangements. In many cases, these issues are only identified after complaints are made or enforcement action is undertaken.

However, it is unclear how contractors are intended to be captured within the proposed framework where they have no direct relationship with the larger reporting entity and are instead engaged directly by the grower.

HortNZ is concerned about the potential legal and reputational risks for growers who may be required to provide contractor related information to reporting entities in good faith, despite having limited ability to independently verify the accuracy or completeness of that information.

Growers will need to rely on information provided by contractors themselves, and given contractor arrangements are one of the areas where exploitation risks are more likely to arise, there is a risk growers become exposed to compliance uncertainty or potential liability where inaccurate, incomplete information or exploitation is subsequently identified. HortNZ considers greater clarity is needed regarding the extent of grower responsibilities, verification expectations, and reliance on third-party information within the framework.