



COVERSHEET

Minister	Hon Dr Megan Woods	Portfolio	Energy and Resources
Title of Cabinet paper	Amendments to New Zealand's Engine Fuel Specifications Regulations 2011	Date to be published	6 May 2022

List of documents that have been proactively released

Date	Title	Author
March 2022	Amendments to New Zealand's Engine Fuel Specifications Regulations 2011	Office of the Minister of Energy and Resources
17 March 2022	LEG-22-MIN-0030 Minute	Cabinet Office

Information redacted

NO

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Amendments to New Zealand's Engine Fuel Specifications Regulations 2011

Portfolio **Energy and Resources**

On 17 March 2022, the Cabinet Legislation Committee:

- 1 **noted** that on 13 November 2019, the Cabinet Economic Development Committee agreed that the Engine Fuel Specifications Regulations 2011 be amended to establish new requirements for the sale of marine fuel oil to ensure compliance with Annex VI of the International Convention for the Prevention of Pollution from ships (MARPOL) can be demonstrated [DEV-19-MIN-0304];
- 2 **noted** that the Minister of Energy and Resources is proposing a new schedule of requirements for marine fuel oil for both retail and non-retail sale to give effect to MARPOL Annex VI obligations, these obligations also involve new requirements for Bunker Delivery Notes (BDN) and fuel oil samples which will apply to vessels over 400 gross tonnage;
- 3 **noted** that once New Zealand's domestic legislation is aligned to give effect to MARPOL Annex VI, the Minister of Foreign Affairs will sign an instrument of accession to the Agreement and the Ministry of Foreign Affairs and Trade will arrange for its deposit with the International Maritime Organization;
- 4 **noted** that MARPOL Annex VI will enter into force three months after the deposit of the instrument of accession, in accordance with Article 15(5) of MARPOL;
- 5 **noted** that it is not possible to complete the commencement clauses in the Engine Fuels Specifications Amendment Regulations 2022 as the date of deposit of the instrument of accession is not yet known;
- 6 **noted** the commencement date for the Engine Fuels Specifications Amendment Regulations 2022 will align with the date of entry into force of Annex VI obligations for New Zealand (being the date three months after the date of deposit of the instrument of accession);
- 7 **noted** that the Engine Fuel Specifications Amendment Regulations 2022 will be submitted to the Executive Council after the instrument of accession has been deposited;
- 8 **authorised in principle**, the submission to the Executive Council of the Engine Fuel Specifications Amendment Regulations 2022 [PCO 24108/11.0] on the basis of paragraph 9;
- 9 **noted** that the Ministry of Business, Innovation and Employment will work with the Ministry of Transport and Maritime New Zealand to implement the new requirements under MARPOL Annex VI.

Rebecca Davies
Committee Secretary

Present:

Hon Dr Megan Woods
Hon Andrew Little
Hon David Parker
Hon Poto Williams
Hon Kris Faafoi
Hon Michael Wood (Chair)
Hon Kiri Allan
Hon Meka Whaitiri
Keiran McAnulty, MP (Senior Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG