



COVERSHEET

Minister	Hon Dr Megan Woods	Portfolio	Building and Construction
Title of Cabinet paper	Construction Contracts (Retention Money) Amendment Bill: Further policy decision	Date to be published	11 November 2022

List of documents that have been proactively released

Date	Title	Author
February 2022	Construction Contracts (Retention Money) Amendment Bill: Further policy decision	Office of the Minister for Building and Construction
9 February 2022	Construction Contracts (Retention Money) Amendment Bill: Further policy decision DEV-22-MIN-0006 Minute	Cabinet Office

Information redacted

YES

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.

Some information has been withheld for the reason of Confidential advice to Government.



Cabinet Economic Development 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.

Construction Contracts (Retention Money) Amendment Bill: Further Policy Decisions

Portfolio **Building and Construction**

On 9 February 2022, the Cabinet Economic Development Committee:

Background

- 1 **noted** that:
 - 1.1 the Construction Contracts (Retention Money) Amendment Bill (the Bill) makes changes to the retention money regime in the Construction Contracts Act 2002 to strengthen and clarify the existing requirements;
 - 1.2 the Bill was reported back to the House on 22 November 2021, and is awaiting its second reading;

Supplementary order paper

- 2 **agreed** that the Chief Executive of the Ministry of Business, Innovation and Employment be given the function to investigate and enforce the newly introduced offences in the Bill, if the Chief Executive considers that it is desirable to do so;
- 3 **agreed** that this retention money regime investigation and enforcement function be funded through the building levy;
- 4 **agreed** that the building levy be used to fund functions that will support the Ministry of Business, Innovation and Employment's retention money regime investigation and enforcement function, namely to:
 - 4.1 provide information and education on the retention money regime;
 - 4.2 monitor compliance with the retention money regime;
 - 4.3 provide advice to the Minister for Building and Construction on the retention money regime;

Legislative implications

- 5 **authorised** the Minister for Building and Construction to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above paragraphs;

- 6 **authorised** the Minister for Building and Construction to make additional policy decisions and minor or technical changes, consistent with the policy intent of the above paragraphs, on issues that arise during the drafting of the Supplementary Order Paper and regulations.

Janine Harvey
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon David Parker
Hon Nanaia Mahuta
Hon Poto Williams
Hon Stuart Nash
Hon Kris Faafoi
Hon Michael Wood
Hon Dr David Clark
Hon Dr Ayesha Verrall
Hon Meka Whaitiri
Hon Phil Twyford
Rino Tirikatene MP
Dr Deborah Russell MP

Officials present from:

Office of the Prime Minister
Officials Committee for DEV