



COVERSHEET

Minister	Hon Dr Duncan Webb	Portfolio	Commerce and Consumer Affairs
Title of Cabinet paper	Incorporated Societies Act 2022: Proposed Regulations	Date to be published	4 July 2023

List of documents that have been proactively released		
Date	Title	Author
May 2023	<i>Incorporated Societies Act 2022: Proposed Regulations</i>	Office of the Minister of Commerce and Consumer Affairs
May 2023	<i>Annex 1: Table of Base regulations</i>	MBIE
May 2023	<i>Annex 2: Table of Top-up regulations</i>	MBIE
May 2023	<i>Annex 3: Regulatory Impact Statement for Top-up regulations</i>	MBIE
17 May 2023	<i>DEV-23-MIN-0085 Minute</i>	Cabinet Office

Information redacted YES / 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.

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.

Incorporated Societies Act 2022: Proposed Regulations

Portfolio Commerce and Consumer Affairs

On 17 May 2023, the Cabinet Economic Development Committee:

Background

- 1 **noted** that on 5 April 2022, the Incorporated Societies Act 2022 (the 2022 Act) received Royal Assent;
- 2 **noted** that the 2022 Act gives the Minister of Commerce and Consumer Affairs the power to recommend regulations for various purposes relating to incorporated societies;
- 3 **noted** that:
 - 3.1 new regulations are required to implement provisions in the 2022 Act so that the new regime can function effectively;
 - 3.2 these must be in place by 5 October 2023 when the relevant provisions of the Act come into force;

Policy proposals

- 4 **noted** that the proposals for new regulations outlined in the paper under DEV-23-SUB-0085 can be split into two groups:
 - 4.1 base regulations – comprising regulations necessary to give effect to the purposes of the 2022 Act in relation to matters that are uncontroversial;
 - 4.2 top-up regulations – comprising regulations necessary to give effect to the purposes of the 2022 Act where there is genuine scope to consider different options for what those regulations provide for;
- 5 **agreed** to the proposals for the base regulations, as set out in the table in Annex 1 to the paper under DEV-23-SUB-0085;
- 6 **agreed** to the proposals for the top-up regulations, as set out in the table in Annex 2 to the paper under DEV-23-SUB-0085;

7 Confidential advice to Government

Legislative implications

- 8 **noted** that on 29 September 2022, the Cabinet Government Administration and Expenditure Review Committee authorised the Minister of Commerce and Consumer Affairs to issue drafting instructions to the Parliamentary Counsel Office for an exposure draft of the regulations ahead of obtaining policy approval [GOV-22-MIN-0034], but that the preference now is to seek policy agreement to the proposals outlined in paragraphs 5 and 6 above;
- 9 **invited** the Minister of Commerce and Consumer Affairs to issue drafting instructions to the Parliamentary Counsel Office to give effect to paragraphs 5 and 6 above;
- 10 **authorised** the Minister of Commerce and Consumer Affairs to approve the release of an exposure draft of the proposed regulations if there is time in the drafting process to do so;
- 11 **authorised** the Minister of Commerce and Consumer Affairs to make decisions consistent with the overall policy decisions in the paper under DEV-23-SUB-0085 on any matters that might arise during the drafting process or as a result of consultation on an exposure draft of the regulations.

Janine Harvey
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Dr Megan Woods
Hon Michael Wood
Hon Dr Ayesha Verrall
Hon Willie Jackson
Hon Kiri Allan
Hon Damien O'Connor
Hon David Parker
Hon Peeni Henare
Hon Priyanca Radhakrishnan
Hon Kieran McAnulty
Hon Barbara Edmonds
Hon Dr Duncan Webb
Hon Rino Tirikatene
Hon Dr Deborah Russell
Hon Rachel Brooking
Hon Jo Luxton

Officials present from:

Office of the Prime Minister
Officials Committee for DEV