



COVERSHEET

Minister	Hon Duncan Webb	Portfolio	Commerce and Consumer Affairs
Title of Cabinet paper	Incorporated Societies Regulations 2023: Authorisation for submission to the Executive Council	Date to be published	16 October 2023

List of documents that have been proactively released		
Date	Title	Author
August 2023	Incorporated Societies Regulations 2023: Authorisation for submission to the Executive Council	Office of the Minister of Commerce and Consumer Affairs
August 2023	Stage 2 Cost Recovery Impact Statement	MBIE
31 August 2023	Incorporated Societies Regulations 2023 LEG-23-MIN-0186 Minute	Cabinet Office

Information redacted

YES / NO (please select)

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 reasons of Legal professional privilege and Confidential advice to Government.



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.

Incorporated Societies Regulations 2023

Portfolio **Commerce and Consumer Affairs**

On 31 August 2023, the Cabinet Legislation Committee:


Context

- 1 **noted** that on 5 April 2022 the Incorporated Societies Act 2022 (the 2022 Act) received Royal assent;
- 2 **noted** that the new regulations must be in place by 5 October 2023 when the 2022 Act comes fully into force;

Regulations

- 3 **noted** that on 17 May 2023 the Cabinet Economic Development Committee (DEV) agreed to new base and top-up regulations for the Incorporated Societies Act 2022 [DEV-23-MIN-0085]:
 - 3.1 base regulations – comprising regulations necessary to give effect to the purposes of the 2022 Act in relation to matters that are uncontroversial;
 - 3.2 top-up regulations – comprising regulations necessary to give effect to the purposes of the 2022 Act where there was genuine scope to consider different options for what those regulations should provide for;
- 4 **noted** that DEV authorised the Minister of Commerce and Consumer Affairs to release an exposure draft of the proposed regulations and 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 [DEV-23-MIN-0085];
- 5 **noted** that the Minister of Commerce and Consumer Affairs has made some further decisions consistent with the authority referred to in paragraph 4;
- 6 **noted** that regulations 16, 50, 51, 52, 53 and 54, and clauses 3, 4, 5, 6 and 7 of Schedule 1 of the Incorporated Societies Regulations 2023 (the Regulations) can only be made on the recommendation of the Minister of Commerce and Consumer Affairs once certain conditions have been met, and the Minister is satisfied those conditions have been met;
- 7 **noted** that the Regulations will give effect to the decisions referred to in paragraph 3;

8 Legal professional privilege



Policy decisions

9 **agreed** to set the fees for registration and restoration under the 2022 Act at the same level as under the Incorporated Societies Act 1908 as follows:

9.1 Registration fee – \$88.89 exclusive of goods and services tax;

9.2 Restoration fee – \$177.78 exclusive of goods and services tax;

10 **noted** that this proposal is reflected in the Regulations;

Authorisation of submission

11 **authorised** the submission to the Executive Council of the Incorporated Societies Regulations 2023 [PCO 25566/9.0];

12 **noted** that the Regulations come into force on 5 October 2023.

Sam Moffett
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Andrew Little
Hon Kieran McAnulty
Hon Barbara Edmonds
Hon Dr Duncan Webb
Hon Willow-Jean Prime
Hon Rachel Brooking
Tangi Utikere, MP (Chief Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG