



COVERSHEET

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| Minister | Hon Brooke van Velden | Portfolio | Workplace Relations and Safety |
| Title of Cabinet paper | Cabinet papers relating to the repeal of Fair Pay Agreements legislation | Date to be published | 14 February 2024 |

List of documents that have been proactively released

| Date | Title | Author |
|------------------|--|--|
| December 2023 | Repeal of Fair Pay Agreements legislation | Office of the Minister of Workplace Relations and Safety |
| 4 December 2023 | Repeal of Fair Pay Agreements legislation CAB-23-MIN-0470 Minute | Cabinet Office |
| December 2023 | Fair Pay Agreements Act Repeal Bill: Approval for Introduction | Office of the Minister of Workplace Relations and Safety |
| 11 December 2023 | Fair Pay Agreements Act Repeal Bill: Approval for Introduction CAB-23-MIN-0480 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

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.

Repeal of the Fair Pay Agreements Legislation

Portfolio **Workplace Relations and Safety**

On 4 December 2023, Cabinet:

- 1 **agreed** to repeal the Fair Pay Agreements Act 2022, including any consequential amendments made to other Acts made under the Fair Pay Agreements Act 2022;
- 2 **agreed** to repeal the Fair Pay Agreements Regulations 2022, and any amendments made by the Employment Court (Fair Pay Agreement) Regulations 2023 and the Employment Relations Authority (Fair Pay Agreements) Amendment Regulations 2023 that relate to the Fair Pay Agreement (FPA) system, with the exception of the amendment covered in paragraph four below;
- 3 **agreed** that the Bill to repeal the FPA legislation include minor standard transitional provisions (as necessary);
- 4 **agreed** to retain the technical amendment made to the Employment Court Regulations 2000 under the Employment Court (Fair Pay Agreements) Amendment Regulations 2023 to express the figures for Employment Court fees in GST-exclusive form;
- 5 **invited** the Minister for Workplace Relations and Safety (the Minister) to issue drafting instructions to Parliamentary Counsel Office giving effect to the policy decisions in the paper under CAB-23-SUB-0470;
- 6 **authorised** the Minister for Workplace Relations and Safety to make decisions, consistent with the policy in the paper under CAB-23-SUB-0470, on any issues that arise during the drafting process, including transitional provisions;
- 7 **noted** that the Bill is intended to be considered by Cabinet on 11 December 2023 for approval for introduction;
- 8 **noted** that, to repeal the FPA legislation by Christmas 2023, the Bill will need to pass through all parliamentary stages under urgency, and to ensure this occurs, the Minister intends to seek the Leader of the House's approval for the Bill to be passed through all stages under urgency;
- 9 **agreed** that the intention is to pass the Bill before the end of 2023;

- 10 **agreed** that the Ministry of Business, Innovation and Employment should stop granting funding to bargaining sides for initiated FPAs from the day after this decision is taken by Cabinet.

Rachel Hayward
Secretary of the Cabinet