



## COVERSHEET

<b>Minister</b>	Hon Andrew Bayly	<b>Portfolio</b>	Commerce and Consumer Affairs
<b>Title of Cabinet paper</b>	Competition Settings Review Release of Discussion Document Promoting Competition in New Zealand – A Targeted Review of the Commerce Act 1986	<b>Date to be published</b>	5 December 2024

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
November 2024	Competition Settings Review Release of Discussion Document Promoting Competition in New Zealand – A Targeted Review of the Commerce Act 1986	Office of the Minister for Commerce and Consumer Affairs
13 November 2024	Competition Settings Review: Release of Discussion Document ECO-24-MIN-0261 Minute	Cabinet Office
September	Competition Settings – Opportunity to Review New Zealand’s Competition Settings to Lift Productivity	Office of the Minister for Commerce and Consumer Affairs
25 September 2024	Competition Settings – Opportunity to Review New Zealand’s Competition Settings to Lift Productivity ECO-24-MIN-0206 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.



# Cabinet Economic Policy Committee

## Minute of Decision

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*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.*

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### Competition Settings: Opportunity to Review New Zealand's Competition Settings to Lift Productivity

**Portfolio**                      **Commerce and Consumer Affairs**

On 25 September 2024, the Cabinet Economic Policy Committee:

- 1        **agreed** to progress the following workstreams to review New Zealand's competition settings:
  - 1.1      a review of the Commerce Commission's board performance and governance arrangements to ensure the Commerce Commission has the right expertise and governance to make effective and timely decisions;
  - 1.2      review the merger regime to ensure the Commerce Commission has the tools required to prevent mergers that create competition concerns;
  - 1.3      review the tools to address anti-competitive behaviour and support a fair playing field for business to keep pace with market developments and provide more certainty to firms on what constitutes anti-competitive collusion;
  - 1.4      review the benefit of providing the Commerce Commission with an industry rule-making power as a tool to remedy a market failure;
- 2        **noted** that the Minister of Commerce and Consumer Affairs intends to return to Cabinet for:
  - 2.1      approval to release a discussion paper for public consultation, which sets out the problem definition, issues and options, by the end of 2024;
  - 2.2      approval of final policy proposals on any changes to competition settings in early 2025;
- 3        **noted** that any resulting legislative changes will be progressed through a Commerce Amendment Bill, for which a bid will be submitted for the 2025 Legislation Programme.

Rachel Clarke  
Committee Secretary

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Present: (see over)

**Present:**

Hon David Seymour  
Hon Chris Bishop (Chair)  
Hon Shane Jones  
Hon Brooke van Velden  
Hon Dr Shane Reti  
Hon Simeon Brown  
Hon Paul Goldsmith  
Hon Louise Upston  
Hon Mark Mitchell  
Hon Todd McClay  
Hon Tama Potaka  
Hon Matt Doocey  
Hon Simon Watts  
Hon Nicole McKee  
Hon Melissa Lee  
Hon Andrew Bayly  
Hon Andrew Hoggard  
Hon Mark Patterson  
Simon Court MP

**Officials present from:**

Office of the Prime Minister  
Office of Hon Mark Mitchell  
Office of Hon Andrew Bayly  
Officials Committee for ECO