

## Proactive Release

This document is proactively released by Te Manatū Waka the Ministry of Transport.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it. \*Note - N/A (see below)

Listed below are the most commonly used grounds from the OIA.

N/A - Document released in full. No information has been withheld for this proactive release

<u>Section</u>	<u>Description of ground</u>
6(a)	as release would be likely to prejudice the security or defence of New Zealand or the international relations of the New Zealand Government
6(b)	as release would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by <ul style="list-style-type: none"> <li>(i) the Government of any other country or any agency of such a Government; or</li> <li>(ii) any international organisation</li> </ul>
6(c)	prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial
9(2)(a)	to protect the privacy of natural persons
9(2)(b)(ii)	to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
9(2)(ba)(i)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public
9(2)(ba)(ii)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest
9(2)(f)(ii)	to maintain the constitutional conventions for the time being which protect collective and individual ministerial responsibility
9(2)(f)(iv)	to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
9(2)(g)(i)	to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
9(2)(h)	to maintain legal professional privilege
9(2)(i)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
9(2)(j)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

**In Confidence**

Office of the Minister of Transport

Cabinet Legislation Committee

**LAND TRANSPORT (CLEAN VEHICLE STANDARD) AMENDMENT REGULATIONS 2025****Proposal**

- 1 This paper seeks authorisation for submission to the Executive Council of the Land Transport (Clean Vehicle Standard) Amendment Regulations 2025.

**Policy**

- 2 The Clean Vehicle Standard (the Standard) reduces CO<sub>2</sub> emissions and motoring costs through its annual CO<sub>2</sub> targets that progressively reduce. Vehicle importers are required to pay a penalty if they do not meet the targets across the vehicles they import or through the purchasing of credits from other importers.
- 3 The Standard applies to all light vehicles except motorcycles, trailers, mopeds, temporary imports, and those not needing entry certification. Exclusions include disability vehicles, motorsport, scratch-built, special interest vehicles, and vehicles over 40 years old.
- 4 In April 2024, the Cabinet Economic Policy Committee agreed that the Standard be moved to a cost-recovery model [ECO-24-MIN-0049 refers]. From 1 July 2025, this will be enabled by new sections inserted to the Land Transport Act 1998 by the Land Transport (Clean Vehicle Standard) Amendment Act 2024.
- 5 On 4 March 2025, the Cabinet Expenditure and Regulatory Review Committee agreed that a fee of \$19.53 (excluding GST) per vehicle be payable when a vehicle subject to the Standard is first registered in New Zealand, along with other matters to implement and enforce this fee [EXP-25-MIN-0006 refers].
- 6 The fee of \$19.53 (excluding GST) is calculated by spreading the forecast cost of administering the Standard (\$5.46 million for FY 2025/2026) across an average of 279,600 vehicles imported annually into New Zealand between 2015 and 2024.
- 7 The Land Transport (Clean Vehicle Standard) Amendment Regulations 2025 (the Regulations) implement cost recovery for the Standard, in line with these decisions. The Regulations amend the Land Transport (Clean Vehicle Standard) Regulations 2022 to specify that:
  - 7.1 An applicant for registration for a vehicle subject to the Standard, that has not previously been registered, must pay a fee of \$19.53 (excluding GST),

- 7.2 The applicant must pay the fee when they pay the fee for registration of the vehicle,
- 7.3 The New Zealand Transport Agency Waka Kotahi (the Agency) may impose an additional reasonable charge on the applicant in connection with the administration of payment of the fee,
- 7.4 The Director of the Agency (the Director) may waive or refund the fee if the Director is satisfied that a person has paid the fee in error or there are special circumstances applicable to the case,
- 7.5 The Director may decline to process a person's registration application until they have paid the fee for which they are liable and any associated administration charge, and
- 7.6 The Director may recover an unpaid fee and any associated administration charge as a debt due to the Crown.

### **Timing and 28-day rule**

- 8 The Regulations will commence on 1 July 2025, in compliance with the 28-day rule.

### **Compliance**

- 9 The Regulations comply with:
  - 9.1 the principles of the Treaty of Waitangi;
  - 9.2 advice from the Treaty Provisions Officials Group on any Treaty of Waitangi provisions (advice was not sought as there were no relevant provisions);
  - 9.3 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
  - 9.4 the principles and guidelines set out in the Privacy Act 2020;
  - 9.5 relevant international standards and obligations;
  - 9.6 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 10 No statutory prerequisites apply to the making of the Regulations.

### **Regulations Review Committee**

- 11 We have not identified any grounds for the Regulations Review Committee to draw the Regulations to the attention of the House of Representatives.

### **Certification by Parliamentary Counsel**

- 12 The Regulations were certified by the Parliamentary Counsel Office as being in order for submission to Cabinet.

## Impact Analysis

- 13 A Stage 2 Cost Recovery Impact Assessment was prepared in accordance with the necessary requirements and was submitted at the time that Cabinet approval was sought of the policy relating to the Regulations [EXP-25-SUB-0006 refers].

## Publicity

- 14 The new Standard cost recovery fee will be publicised once the Regulations are gazetted in mid-2025. The Agency will be communicating how and when the fee will be paid via:
- 14.1 A report published on the Clean Car Standard consultation page on the Agency website,
  - 14.2 Media release,
  - 14.3 Frequently asked questions for media and the Agency contact centre,
  - 14.4 Emails to Land Transport Rules subscribers and Standard account holders,
  - 14.5 Item in the Agency Vehicle Trader News e-newsletter,
  - 14.6 Update to Registration Agents e.g. AA, VTNZ, and
  - 14.7 Website update on 1 July 2025 when fees take effect.

## Proactive release

- 15 This Cabinet paper and its corresponding minute will be proactively released within 30 business days of final decisions being taken by Cabinet, subject to redaction as appropriate under the Official Information Act 1982.

## Consultation

- 16 Public consultation on this proposal ran from 19 November to 10 December 2024 [EXP-25-SUB-0006 refers].
- 17 The Controller and Auditor-General's good practice guide on setting and administering fees and levies for cost recovery was consulted.
- 18 The Treasury, the Ministry for the Environment, the Ministry of Foreign Affairs and Trade, the Agency, the Ministry for Regulation, the Ministry of Business, Innovation and Employment, and the Parliamentary Counsel Office were consulted on this Cabinet paper and the Regulations. The Department of the Prime Minister and Cabinet was informed.

## Recommendations

I recommend that the Cabinet Legislation Committee:

**IN CONFIDENCE**

- 1 **note** that on 4 March 2025, the Cabinet Expenditure and Regulatory Review Committee agreed that a fee of \$19.53 (excluding GST) per vehicle be payable when a vehicle subject to the Standard is first registered in New Zealand, along with other matters to implement and enforce this fee [EXP-25-MIN-0006 refers];
- 2 **note** that the Land Transport (Clean Vehicle Standard) Amendment Regulations 2025 will give effect to the decision referred to in paragraph 1 above;
- 3 **authorise** the submission to the Executive Council of the Land Transport (Clean Vehicle Standard) Amendment Regulations 2025;
- 4 **note** that the Land Transport (Clean Vehicle Standard) Amendment Regulations 2025 come into force on 1 July 2025.

Authorised for lodgement

Hon Chris Bishop

Minister of Transport

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MINISTRY OF TRANSPORT TE MANATŪ WAKA



# Cabinet Legislation Committee

## Minute of Decision

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### Land Transport (Clean Vehicle Standard) Amendment Regulations 2025

Portfolio                      Transport

On 15 May 2025, the Cabinet Legislation Committee:

- 1        **noted** that in March 2025, the Cabinet Expenditure and Regulatory Review Committee agreed that a fee of \$19.53 (excluding GST) per vehicle be payable when a vehicle subject to the Clean Vehicle Standard is first registered in New Zealand, along with other matters to implement and enforce this fee [EXP-25-MIN-0006];
- 2        **noted** that the Land Transport (Clean Vehicle Standard) Amendment Regulations 2025 will give effect to the decision referred to in paragraph 1 above;
- 3        **authorised** the submission to the Executive Council of the Land Transport (Clean Vehicle Standard) Amendment Regulations 2025 [PCO 27239/5.0];
- 4        **noted** that the Land Transport (Clean Vehicle Standard) Amendment Regulations 2025 come into force on 1 July 2025.

Tom Kelly  
Committee Secretary

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**Present:**

Rt Hon Winston Peters  
Hon Chris Bishop (Chair)  
Hon Louise Upston  
Hon Judith Collins KC  
Hon Brooke van Velden  
Hon Casey Costello  
Hon Nicole McKee  
Hon James Meager  
Stuart Smith, MP  
Jamie Arbuckle, MP  
Todd Stephenson, MP

**Officials present from:**

Officials Committee for LEG



# Cabinet

## Minute of Decision

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### Report of the Cabinet Legislation Committee: Period Ended 16 May 2025

On 19 May 2025, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 16 May 2025:

[REDACTED]	Out of Scope [REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
LEG-25-MIN-0083	<b>Land Transport (Clean Vehicle Standard) Amendment Regulations 2025</b> Portfolio: Transport	CONFIRMED
[REDACTED]	Out of Scope [REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

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Out of Scope

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Diana Hawker  
for Secretary of the Cabinet