COVERSHEET

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<th>Hon Kris Faafoi</th>
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Information redacted YES

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Some information has been withheld for the reasons of:
- Confidential advice to Government
- Free and frank opinions

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Fair Trading Amendment Bill: Approval for Introduction

On 10 December 2019, the Cabinet Legislation Committee:

1. noted that the Fair Trading Amendment Bill (the Bill) introduces a new prohibition against unconscionable conduct and extends existing protections against unfair contract terms to small trade contracts, as well as making other minor changes;

2. noted that, in line with Cabinet’s authorisation to the Minister for Small Business and the Minister of Commerce and Consumer Affairs to make additional policy decisions consistent with the policy intent of previous decisions [DEV-19-MIN-0189]:

   3.1 the unconscionable conduct prohibition extends to conduct in relation to land, in addition to goods and services;

   3.2 contravention of the provisions relating to directions to leave or not enter premises will be subject to penalties of up to $10,000 for individuals, and up to $30,000 for bodies corporate;

3. approved Fair Trading Amendment Bill [PCO 21917/13.0] for introduction, subject to the final approval of the government caucuses and sufficient support in the House of Representatives;

4. agreed that the Bill be introduced on 17 December 2019;

5. agreed that the government propose that the Bill be:

   6.1 referred to the Economic Development, Science and Innovation Committee for consideration for a period of six months;
6.2 enacted by the end of December 2020, if possible.

Gerrard Carter  
Committee Secretary

**Present:**
Rt Hon Winston Peters  
Hon Chris Hipkins (Chair)  
Hon Andrew Little  
Hon Dr David Clark (part of item)  
Hon David Parker  
Hon Iain Lees-Galloway  
Hon Jenny Salesa  
Hon Kris Faafoi  
Hon Tracey Martin  
Hon Eugenie Sage  
Michael Wood MP (Senior Government Whip)

**Officials present from:**
Office of the Prime Minister  
Officials Committee for LEG

**Hard-copy distribution:**
Minister for Small Business  
Minister of Commerce and Consumer Affairs