

MINISTRY OF BUSINESS, INNOVATION & EMPLOYMENT



COVERSHEET

Minister	Hon Dr David Clark	Portfolio	Commerce and Consumer Affairs
Title of briefing	Water Services Economic Efficiency and Consumer Protection Bill – Approval for Introduction	Date to be published	8 December 2022

List of documents that have been proactively released			
Date	Title	Author	
October 2022	Water Services Economic Efficiency and Consumer Protection Bill – Approval for Introduction	Office of the Minister of Commerce and Consumer Affairs	
20 October 2022	Water Services Economic Efficiency and Consumer Protection Bill – Approval for Introduction LEG-22-MIN-0172 Minute	Cabinet office	

Information redacted

YES

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Some information has been withheld for the reason of Confidential advice to Government.

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Cabinet Legislation Committee

Minute of Decision

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Water Services Economic Efficiency and Consumer Protection Bill: Approval for Introduction

Portfolio Commerce and Consumer Affairs

On 20 October 2022, the Cabinet Legislation Committee:

- 1 **noted** that the Water Services Economic Efficiency and Consumer Protection Bill (the Bill) Confidential advice to Government
- 2 **noted** that the Bill provides for a regulatory regime to promote outcomes for consumers in water services markets consistent with those achieved in a competitive market, and to improve the quality of water services;
- 3 **noted** that in June 2022, Cabinet authorised the Minister of Commerce and Consumer Affairs to make minor or technical changes, as well as additional policy decisions, consistent with the general policy intent, on issues that arise in drafting and passage through the House [CAB-22-MIN-0207];
- 4 **noted** that the following changes have been made to the Bill to reflect additional policy decisions taken by the Minister of Commerce and Consumer Affairs under the delegated authority mentioned above:
 - 4.1 establishing a single consumer dispute resolution scheme for all three waters in the Bill that replaces the complaints framework set out for drinking water suppliers in sections 38–40 of the Water Services Act 2021;
 - 4.2 providing that quality determinations by the Commerce Commission be subject to merits reviews by the High Court; and
 - 4.3 changing the name of the Water Commissioner to the Water Services Commissioner;
- 5 **approved** the Water Services Economic Efficiency and Consumer Protection Bill [PCO 23496] for introduction, subject to the final approval of the government caucus and sufficient support in the House of Representatives;

- 6 **agreed** that the Bill be introduced on 26 October 2022;
- 7 **agreed** that the government propose that the Bill be:

7.1 referred to the Finance and Expenditure Committee for consideration, Confidential advice to Government

7.2 enacted by July 2023.

Sam Moffett Committee Secretary

Present:

Hon Andrew Little (Chair) Hon Nanaia Mahuta Hon Poto Williams Hon Meka Whaitiri Dr Duncan Webb, MP **Officials present from:** Office of the Prime Minister Officials Committee for LEG