



COVERSHEET

Minister	Hon Dr Duncan Webb	Portfolio	Commerce and Consumer Affairs
Title of Cabinet paper	Credit Contracts and Consumer Finance Amendment Regulations 2023	Date to be published	6 April 2023

List of documents that have been proactively released		
Date	Title	Author
March 2023	Credit Contracts and Consumer Finance Amendment Regulations 2023	Office of the Minister of Commerce and Consumer Affairs
30 March 2023	Minute of Decision - Credit Contracts and Consumer Finance Amendment Regulations 2023 LEG-23-MIN-0025 Minute	Cabinet office

Information redacted

YES

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.

Some information has been withheld under

- Constitutional conventions.



Cabinet Legislation Committee

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.

Credit Contracts and Consumer Finance Amendment Regulations 2023

Portfolio Commerce and Consumer Affairs

On 30 March 2023, the Cabinet Legislation Committee:

- 1 **noted** that in January 2022, the Minister of Commerce and Consumer Affairs initiated an investigation into changes to the Credit Contracts and Consumer Finance Act 2003 and associated regulations that came into force on 1 December 2021;
- 2 **noted** that on 4 July 2022, the Cabinet Business Committee agreed to [CBC-22-MIN-0038];
 - 2.1 adjust the scope of expenses that need to be estimated by lenders to more explicitly exclude discretionary expenses;
 - 2.2 amend the Regulations to reduce 'double counting' of expenses associated with revolving credit contracts such as credit cards and buy-now pay later schemes;
 - 2.3 expand the exception in regulation 4AH to include refinancing of credit contracts that borrowers have with other lenders where this would be in the best interests of the borrower;
- 3 **noted** that the Credit Contracts and Consumer Finance Amendment Regulations 2023 give effect to the decisions referred to in paragraph 2 above;
- 4 **authorised** the submission to the Executive Council of the Credit Contracts and Consumer Finance Amendment Regulations 2023 [PCO 24828/6.0];
- 5 **noted** that the Credit Contracts and Consumer Finance Amendment Regulations 2023 come into force on 27 April 2023;
- 6 **noted** that section 138(1BA) of the Credit Contracts and Consumer Finance Act 2003 provides that the Minister may recommend regulations under section 138(1)(abd) only after consulting the persons or representatives of the persons who the Minister considers will be substantially affected by the regulations;
- 7 **noted** that the Minister of Commerce and Consumer Affairs advises that the statutory conditions referred to in paragraph 6 have been met.

Rebecca Davies
Committee Secretary

Attendance: see over

Present:

Hon Grant Robertson (Chair)
Hon Andrew Little
Hon David Parker
Hon Kieran McAnulty
Hon Barbara Edmonds
Hon Dr Duncan Webb
Hon Willow-Jean Prime
Tangi Utikere, MP (Chief Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG