



COVERSHEET

Minister	Hon Dr Megan Woods	Portfolio	Energy and Resources
Title of Cabinet paper	Clarifying Energy Resources Levy Obligations for Fossil Gas Production Energy Resources Levy Amendment Bill: Approval for Introduction Energy Resources Levy Amendment Bill: Amendments to Policy Decisions and Approval for Introduction by Delegated Ministers	Date to be published	26 June 2023

List of documents that have been proactively released		
Date	Title	Author
8 March 2023	Clarifying Energy Resources Levy Obligations for Fossil Gas Production	Office of the Minister of Energy and Resources
13 March 2023	Clarifying Energy Resources Levy Obligations for Fossil Gas Production DEV-23-MIN-0018 Minute	Cabinet Office
4 May 2023	Energy Resources Levy Amendment Bill: Approval for Introduction	Office of the Minister of Energy and Resources
8 May 2023	Energy Resources Levy Amendment Bill: Approval for Introduction – Minute of Decision CAB-23-MIN-0162.01 Minute	Cabinet Office
15 May 2023	Additional Item: Energy Resources Levy Amendment Bill CAB-23-MIN-0179 Minute	Cabinet Office
17 May 2023	Energy Resources Levy Amendment Bill: Amendments to Policy Decisions and Approval for Introduction by Delegated Ministers	Office of the Minister of Energy and Resources
17 May 2023	Energy Resources Levy Amendment Bill: Amendments to Policy Decisions and Approval for Introduction by Delegated Ministers DEV-23-MIN-0089 Minute	Cabinet Office

Information redacted**YES / NO**

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 for the reasons of confidentiality, commercial information, free and frank opinion, and legal professional privilege.

[© Crown Copyright, Creative Commons Attribution 4.0 International \(CC BY 4.0\)](#)



Cabinet

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.

Energy Resources Levy Amendment Bill: Approval for Introduction

Portfolio **Energy and Resources**

On 8 May 2023, following reference from the Cabinet Legislation Committee, Cabinet:

- 1 **noted** that the Energy Resources Levy Amendment Bill (the Bill) has sought a category 3 priority on the 2023 Legislation Programme (to be passed if possible before the 2023 general election);
- 2 **noted** that in March 2023, the Cabinet Economic Development Committee (DEV) agreed to amend the Energy Resources Levy Act 1976 (ERL Act) to clarify that the levy applies to all fossil gas produced from licences granted prior to 1 January 1986 [DEV-23-MIN-0018];
- 3 **noted** that the Bill amends section 6 of the ERL Act to clarify that the exemption cannot apply to gas produced from licences granted in relation to a discovery of natural gas made before 1 January 1986;
- 4 **noted** that in March 2023, DEV also agreed that the amendment make clear that this clarification applies throughout the period of four years prior to the amendment coming into force [DEV-23-MIN-0018];
- 5 5.1 **rescinded** the decision referred to in paragraph 4 above; and instead
 5.2 **agreed** to apply the amendment as having had effect on and from 1 January 1986
 Legal professional privilege
- 6 **approved** the Energy Resources Levy Amendment Bill [PCO 25232/6.1] for introduction;
- 7 **agreed** that the Bill be progressed through all parliamentary stages under urgency on Budget night 18 May 2023, subject to ongoing discussions with the Minister of Finance and the Leader of the House.

Rachel Hayward
Secretary of the Cabinet

Secretary's Note: *This minute replaces LEG-23-MIN-0038. A Cabinet minute has been issued for this item as it involves rescinding an earlier Cabinet decision (paragraphs 4 and 5).*