



COVERSHEET

Minister	Hon Louise Upston	Portfolio	Tourism and Hospitality
Title of Cabinet paper	Freedom Camping (Self-contained Motor Vehicles – Extension of Period 4) Regulation 2025	Date to be published	29 May 2025

List of documents that have been proactively released

Date	Title	Author
2 April 2025	Freedom Camping (Self-contained Motor Vehicles – Extension of Period 4) Regulation 2025	Office of Minister of Tourism and Hospitality
10 April 2025	Freedom Camping (Self-contained Motor Vehicles – Extension of Period 4) Regulation 2025 <i>LEG-25-MIN-0051 Minute</i>	Cabinet Office

Information redacted

YES / NO (please select)

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In Confidence

Office of the Minister for Tourism and Hospitality

Chair, Cabinet Legislation Committee

FREEDOM CAMPING (SELF-CONTAINED MOTOR VEHICLES – EXTENSION OF PERIOD 4) REGULATIONS 2025

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the *Freedom Camping (Self-contained Motor Vehicles – Extension of Period 4) Regulations 2025* (Regulations).

Executive Summary

- 2 Transitional Period 4 in the Freedom Camping Act 2011 (Act) applies to motor vehicles that are not owned by a rental company (private vehicles).
- 3 On 2 December 2024, Cabinet Business Committee agreed to extend Transitional Period 4 for private vehicles by one year to 7 June 2026 [CBC-24-MIN-0131].
- 4 The Regulations at Appendix One make this change.

Policy

- 5 The Self-contained Motor Vehicles Legislation Act 2023 (Amendment Act)¹ and its associated regulations improve the management of vehicle-based freedom camping by creating a regulatory system that central and local government can rely on to reduce the effects of freedom camping on communities and the environment.
- 6 Transitional Period 4 for private vehicles to become certified self-contained currently ends on 6 June 2025.
- 7 Transitional Period 4 can be extended by up to two years (four years after the Amendment Act came into force) by Order in Council under clause 3(1) of the Schedule 1AA of the Act.²
- 8 On my recommendation, the Cabinet Business Committee agreed to extend Transitional Period 4 for private vehicles by one year to 7 June 2026 [CBC-24-MIN-0131]. This decision was confirmed by Cabinet on 9 December 2024 [CAB-24-MIN-0472].

¹ The Self-contained Motor Vehicles Legislation Act 2023 amended the Plumbers, Gasfitters, and Drainlayers Act 2006 and the Freedom Camping Act 2011.

² Following the process under clause 4 of Schedule 1AA of the Act.

- 9 A one-year extension to Transitional Period 4 for private vehicles will ensure there is enough capacity in the freedom camping system for people to get their vehicles certified without unduly delaying the benefits of the new system.

Timing and 28-day rule

- 10 I propose that the Regulations be submitted to the Executive Council on 14 April 2025 and be notified in the New Zealand Gazette on 17 April 2025.
- 11 The Regulations will come into force on 15 May 2025 in compliance with the 28-day rule.

Compliance

- 12 The Regulations comply with each of the following:
- 12.1 the principles of the Treaty of Waitangi
 - 12.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993
 - 12.3 the principles and guidelines set out in the Privacy Act 2020
 - 12.4 relevant international standards and obligations
 - 12.5 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 13 The Regulations are made under clause 3 of Schedule 1AA of the Act. Clause 3 allows the Governor-General, by Order in Council made on my recommendation, to make Regulations extending Transitional Period 4 by up to two years (four years after the commencement date of the Act).
- 14 Clause 4 of Schedule 1AA of the Act sets out the process requirements before I can recommend an Order in Council be made under clause 3. I have followed these process requirements, including considering the number of certification authorities, the number of motor vehicle inspectors and the number of motor vehicles with a certificate of self-containment.
- 15 To ensure I have considered all possible matters, the Ministry of Business, Innovation and Employment (MBIE) conducted a public consultation on my behalf (as outlined in paragraph 23).
- 16 As required under clause 4(2) of Schedule 1AA, I am satisfied that an Order in Council to extend Transitional Period 4 by one year is necessary to allow sufficient time for:
- 16.1 private vehicle owners to apply for a certificate of self-containment
 - 16.2 self-containment certification authorities to carry out their functions under the Plumbers, Gasfitters, and Drainlayers Act 2006.

Regulations Review Committee

- 17 I do not consider that there are grounds for the Regulations Review Committee to draw the Regulations to the attention of the House of Representatives under Standing Order 327.

Certification by Parliamentary Counsel

- 18 The Parliamentary Counsel Office has certified the proposed Regulations as being in order for submission to Cabinet.

Impact Analysis

- 19 A Regulatory Impact Assessment was prepared in accordance with the necessary requirements and was submitted at the time Cabinet approval for the recommended changes were sought [CBC-24-MIN-0131].

Publicity

- 20 On 9 December 2024, Cabinet authorised the Minister for Tourism and Hospitality to publicly announce the decision to recommend an extension to Transitional Period 4 prior to the Regulations specifying the new end date being agreed [CAB-24-MIN-0472]. I made this announcement on the 27 February 2025.
- 21 I intend to work with MBIE to publicly announce the Regulations being agreed.

Proactive release

- 22 This paper will be proactively released, with appropriate redactions, within 30 business days.

Consultation

- 23 MBIE undertook a public consultation between 8 October and 1 November 2024 on three options (status quo, one-year extension and two-year extension) and received 462 submissions. A submissions analysis was provided to the Cabinet Business Committee [CBC-24-MIN-0131].
- 24 In addition, MBIE consulted with the following organisations: Department of Conservation, Department of Internal Affairs, Department of Prime Minister and Cabinet, Kāinga Ora, Land Information New Zealand, Ministry for the Environment, Ministry of Health, Ministry of Housing and Urban Development, Ministry of Justice, Ministry of Social Development, Ministry of Transport, NZ Transport Agency Waka Kotahi, Parliamentary Counsel Office, Te Puni Kōkiri, the Treasury and – Ministry of Disabled People – Whaikaha.

Recommendations

I recommend that the Cabinet Legislation Committee:

- 1 **notes** that on 2 December 2024, the Cabinet Business Committee agreed to extend the transitional period for the certification of vehicles that are not owned by a rental company (private vehicles) by one year to 7 June 2026 [CBC-24-MIN-0131]
- 2 **notes** that the Freedom Camping (Self-contained Motor Vehicles – Extension of Period 4) Regulations 2025 will give effect to the decision referred to in recommendation 1 above
- 3 **notes** that the Freedom Camping Act 2011 (Act) provides a two-year transitional period for the certification of vehicles that are not owned by a rental company (private vehicles), ending on 6 June 2025
- 4 **notes** that the responsible Minister (Minister) may, under clause 3 of Schedule 1AA of the Act, recommend that the transitional period be extended by up to four years after 7 June 2023 by regulations made by Order in Council
- 5 **notes** that under clause 4(2) of Schedule 1AA of the Act, the Minister may only recommend that an Order in Council is made if the Minister is satisfied that the Order is necessary or desirable to allow sufficient time for:
 - 5.1 persons (other than rental companies) who own a motor vehicle that has not yet been issued with a certificate of self-containment to apply for a certificate of self-containment under section 87U(1) of the Plumbers, Gasfitters, and Drainlayers Act 2006
 - 5.2 self-containment certification authorities to carry out their functions under section 87U(2) and (3) of that Act
- 6 **notes** that before the Minister can recommend that an Order in Council is made, under clause 4(1)(a) of Schedule 1AA of the Act, the Minister must consider, if relevant:
 - 6.1 the number of persons who have to date been appointed as self-containment certification authorities under section 87C(3) of the Plumbers, Gasfitters, and Drainlayers Act 2006
 - 6.2 the number of persons who have to date been appointed as motor vehicle inspectors under section 87T(1) of that Act
 - 6.3 the number of motor vehicles that have to date been issued with a certificate of self-containment under section 87U(3)(d) of that Act
 - 6.4 any other matters that the Minister considers relevant
- 7 **notes** that before the Minister can recommend that an Order in Council is made, under clause 4(1)(b) of the Schedule 1AA of the Act, the Minister must consult with any persons or groups that the Minister considers necessary or desirable to assist the Minister to make an assessment under clause 4(2) of Schedule 1AA of the Act

IN CONFIDENCE

- 8 **notes** that the advice of the Minister for Tourism and Hospitality is that the requirements in clause 4 of Schedule 1AA of the Act have been met
- 9 **authorises** the submission of the Freedom Camping (Self-contained Motor Vehicles – Extension of Period 4) Regulations 2025 to the Executive Council
- 10 **notes** that the Freedom Camping (Self-contained Motor Vehicles – Extension of Period 4) Regulations 2025 will come into force on 15 May 2025 in compliance with the 28-day rule.

Authorised for lodgement

Hon Louise Upston

Minister for Tourism and Hospitality

**Appendix One: Freedom Camping (Self-contained Motor Vehicles –
Extension of Period 4) Regulations 2025**

Attached separately.