



## COVERSHEET

<b>Minister</b>	Hon Shane Jones	<b>Portfolio</b>	Energy
<b>Title of Cabinet paper</b>	Fuel Industry (Fuel Resilience) Amendment Regulations 2025	<b>Date to be published</b>	17 July 2025

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
May 2025	Fuel Industry (Fuel Resilience) Amendment Regulations 2025	Office of the Associate Minister for Energy Minister
8 May 2025	Fuel Industry (Fuel Resilience) Amendment Regulations 2025 LEG-25-MIN-0066 Minute	Cabinet Office

### Information redacted

**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.



# Cabinet Legislation Committee

## Minute of Decision

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### Fuel Industry (Fuel Resilience) Amendment Regulations 2025

**Portfolio**                      **Associate Energy**

On 8 May 2025, the Cabinet Legislation Committee:

- 1        **noted** that in November 2024, Cabinet agreed to develop regulations under section 69 of the Fuel Industry Act 2020 to impose a location-specific jet fuel stockholding at or near Auckland Airport, and Wiri Terminal, to be separated out for the information disclosure purposes [CAB-24-0458.01];
- 2        **noted** that the Fuel Industry (Fuel Resilience) Amendment Regulations 2025 will give effect to the decision above;
- 3        **noted** that before recommending the making of an Order in Council under section 69(1), section 58(3) of the Fuel Industry Act 2020, which relates to regulations relating to stockholding obligation, requires the Minister to:
  - 3.1        have regard to the resilience of supplies of each type of obligation fuel and to the current or recent commercial stockholding levels for that type of fuel; and
  - 3.2        consider that the stockholding obligation balances the following objectives:
    - 3.2.1        that there are sufficient engine fuel stocks available in New Zealand to meet demand and to adequately manage the impacts of plausible fuel supply disruption scenarios; and
    - 3.2.2        that the economic costs associated with complying with the stockholding obligation are not disproportionate;
- 4        **noted** that section 63(3) of the Fuel Industry Act 2020, which relates to information disclosure requirements, requires the Minister to have regard to the need for the following conditions before recommending the making of an Order in Council under section 69(1):
  - 4.1        transparency and timeliness of information about fuel industry participants' fuel stockholding levels at national, regional, and bulk storage facility levels and at specific locations (such as Auckland International Airport);
  - 4.2        information required for assessing the adequacy of fuel stockholding levels in New Zealand for meeting New Zealand demand in a plausible fuel supply disruption scenario;

- 5 **noted** that, before recommending the making of an Order in Council under section 69(1), section 69(2) of the Fuel Industry Act 2020 requires the Minister to:
- 5.1 have consulted any fuel industry participants that the Minister considers are likely to be significantly affected by the regulations; and
- 5.2 be satisfied that the regulations are necessary or desirable after having regard to the purpose of Part 4 of the Act and to the relevant costs and benefits;
- 6 **noted** the advice of the Associate Minister for Energy that the requirements in paragraphs 3 to 5 above have been met;
- 7 **noted** that the fuel stock counted towards the obligation and the information reported on will be ‘net stock’, excluding stock at the bottom of the tank that is not normally disturbed;
- 8 **authorised** the submission to the Executive Council of the Fuel Industry (Fuel Resilience) Amendment Regulations 2025 [PCO 26994/13.0];
- 9 **noted** that the Fuel Industry (Fuel Resilience) Amendment Regulations 2025 will come into force on 1 November 2026.

Tom Kelly  
Committee Secretary

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**Present:**

Rt Hon Winston Peters (Chair)  
Hon Paul Goldsmith  
Hon Louise Upston  
Hon Judith Collins KC  
Hon Shane Jones  
Hon Brooke van Velden  
Hon Chris Penk  
Hon Penny Simmonds  
Hon James Meager  
Hon Scott Simpson  
Jamie Arbuckle, MP  
Todd Stephenson, MP

**Officials present from:**

Officials Committee for LEG  
Attorney-General’s Office