

Submission on discussion document: Adjustments to the climate-related disclosures regime

Your name and organisation

Name	Angus Dale-Jones
Date	14 February 2025
Organisation (if applicable)	Corporate Trustees Association
Contact details	021 038 0035 or info@cta.org.nz

Privacy and publication of responses

[To tick a box below, double click on check boxes, then select 'checked'.]

☐ The Privacy Act 2020 applies to submissions. Please check this box if you do not wish your name or other personal information to be included in any information about submissions that MBIE may publish.

☐ MBIE intends to upload submissions received to MBIE's website at www.mbie.govt.nz. If you do not want your submission to be placed on our website, please check the box and provide an explanation in the box below.

I do not want my submission placed on MBIE's website because... *[Insert text]*

Please check if your submission contains confidential information

☐ I would like my submission (or identified parts of my submission) to be kept confidential, and **have stated below** my reasons and grounds under the Official Information Act that I believe apply, for consideration by MBIE.

I would like my submission (or identified parts of my submission) to be kept confidential because...
[Insert text]

Responses to discussion document questions

Please enter your responses in the space provided below each question.

Chapter 2: Reporting Thresholds	
1	Do you have any information about the cost of reporting for listed issuers?
2	Do you consider that the listed issuer thresholds (and director liability settings) are a barrier to listing in New Zealand?
3	When considering the listed issuer reporting threshold, which of the three options do you prefer, and why?
4	If the XRB introduced differential reporting, would this impact on your choice of preferred option?
5	Do you think that a different reporting threshold for listed issuers should be considered (i.e., not one of the options above) and, if so, why?
6	If Option 2 or 3 was preferred do you think that some listed issuers would still choose to voluntarily report (even if not required to do so by law)? And, if so, why?
7	What are the advantages and disadvantages of a listed issuer being in a regulated climate reporting regime?
8	Do you have information about the cost of reporting for investment scheme managers?
9	Do you have information about consumers being charged increased fees due to the cost of climate reporting?
10	When considering the reporting threshold for investment scheme managers, which of the three options do you prefer, and why?

	CTA welcomes efforts to ensure that the CRD regime is not unduly onerous, or out of step with international markets. However, the challenge is less about where to set legislated thresholds, not least because by July 2027 Australia will have more stringent CRD thresholds for schemes than NZ's existing requirements (see the last row of the table in para 34 of the consultation document). What is more important is to align the extent of disclosure requirements to the circumstances of particular schemes and companies. CTA therefore welcomes the work the XRB is proposing on differential reporting and ISSB's work on proportionality and scalability (see https://youtu.be/VKKWIXazYWA). Consequently, until XRB's differential reporting approach has been developed, CTA prefers maintaining the status quo in relation to the legislated thresholds. For now, therefore, CTA supports option 1.
11	If the XRB introduced differential reporting, would this impact on your choice of preferred option? CTA welcomes XRB's differential reporting work. Please see our answer to question 10 above.
12	Do you think that a different reporting threshold for investment scheme managers should be considered (i.e., not one of the options above) and, if so, why? No. CTA recommends that the legislated thresholds are not adjusted, at least until XRB's differential reporting proposals have been developed and put into practice.
13	When considering the location of the thresholds, which Option do you prefer and why? CTA recommends that consideration of this question be deferred until XRB's differential reporting proposals have been developed and put into practice.
14	For Option 2 (move thresholds to secondary legislation) what statutory criteria do you think should be met before a change may be made, e.g., a statutory obligation to consult. What should the Minister consider or do before making a change?
Chapter 3: Climate reporting entity and director liability settings	
15	When considering the director liability settings, which of the four options do you prefer, and why?
16	Do you have another proposal to amend the director liability settings? If so, please provide details.
17	If the director liability settings are amended do you think that will impact on investor trust in the climate statements?
18	If you support Option 3, should this be extended so that section 23 is disapplied for both climate reporting entities and directors? If so, why?

19	If you support Option 4 (introduce a modified liability framework, similar to Australia) what representations should be covered by the modified liability, i.e., should it cover statements about scope 3 emissions, scenario analysis or a transition plan, and/or other things?
20	If you support the introduction of a modified liability framework, how long should the modified liability last for? And who should be covered, ie., should it prevent actions by just private litigants, or should the framework cover the FMA as well? (Criminal actions would be excluded)
Chapter 4: Encouraging reporting by subsidiaries of multinational companies	
21	Do you think that there would be value in encouraging New Zealand subsidiaries of multinational companies to file their parent company climate statements in New Zealand?
22	Do you think that, alternatively, there would be value in MBIE creating a webpage where subsidiaries of multinational companies could provide links to their parent company climate statements?
Final comments	
23	Please use this question to provide any further information you would like that has not been covered in the other questions.