



COVERSHEET

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| Minister | Hon Shane Jones | Portfolio | Associate Energy |
| Title of Cabinet paper | Fuel Industry (Diesel Resilience) Amendment Regulations 2025 | Date to be published | 16 February 2026 |

List of documents that have been proactively released

| Date | Title | Author |
|-----------------|--|---|
| December 2025 | Fuel Industry (Diesel Resilience) Amendment Regulations 2025 | Office of Associate Minister for Energy |
| 4 December 2025 | Fuel Industry (Diesel Resilience) Amendment Regulations 2025 LEG-25-MIN-0253 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

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.

Fuel Industry (Diesel Resilience) Amendment Regulations 2025

Portfolio **Associate Energy**

On 4 December 2025, the Cabinet Legislation Committee:

- 1 **noted** that in April 2025, the Cabinet Economic Policy Committee agreed to develop regulations under section 69 of the Fuel Industry Act 2020 to increase the diesel minimum stockholding obligation from 21 to 28 days' cover from 1 July 2028, for fuel importers with a market share above 10 per cent [ECO-25-MIN-0044];
- 2 **noted** that the Fuel Industry (Diesel Resilience) Amendment Regulations 2025 will give effect to the decision above;
- 3 **noted** that, before regulations can be made under section 69(1), section 58(3) of the Fuel Industry Act 2020, which relates to regulations relating to stockholding obligation, requires the Minister for Energy (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;
 - 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;
 - 3.2.2 that the economic costs associated with complying with the stockholding obligation are not disproportionate;
- 4 **noted** that, before recommending the making of an Order in Council under section 69(1), 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 criteria:
 - 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;
 - 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 regulations can be made 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;
- 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 have been met;
- 7 **authorised** the submission to the Executive Council of the Fuel Industry (Diesel Resilience) Amendment Regulations 2025 [PCO 28131/5.0];
- 8 **noted** that Part 1 of the Fuel Industry (Diesel Resilience) Amendment Regulations 2025 (which relates to how market share is to be calculated) will come into force on 1 April 2027, and that Part 2 (which relates to the change in diesel days' cover) will come into force on 1 July 2028.

Tom Kelly
Committee Secretary

Present:

Hon David Seymour
Hon Chris Bishop (Chair)
Hon Paul Goldsmith
Hon Shane Jones
Hon Nicole McKee
Hon Casey Costello
Hon James Meager
Stuart Smith, MP

Officials present from:

Officials Committee for LEG
Office of the Associate Minister of Justice (Hon Nicole McKee)