



Summary of Underpinning Analysis: MAJOR EVENTS MANAGEMENT (OLYMPIC GAMES AND COMMONWEALTH GAMES EMBLEMS AND WORDS) ORDER 2026

Agency responsible	Ministry of Business, Innovation and Employment
Portfolio	Tourism and Hospitality
Date finalised	25 June 2026
Identification number	REG-2291

Good law-making: 9(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation

Inconsistency identified? NO

Summary of agency analysis

The New Zealand Olympic Committee (**NZOC**), as the primary stakeholder, requested the amendments and care has been taken to ensure that the new emblems and words to be protected through these amendments do not impact any prior existing rights of third parties nor unreasonably inhibit the ability of the public to continue to be able to use common descriptive terms.

Good law-making: 9(j)

The importance of carefully evaluating—

- the issue concerned; and
- the effectiveness of any relevant existing legislation and common law; and
- whether the public interest requires that the issue be addressed; and



- any options (including non-legislative options) that are reasonably available for addressing the issue; and
- who is likely to benefit, and who is likely to suffer a detriment, from the legislation

Inconsistency identified? NO

Summary of agency analysis

The amendments seek to maintain the ongoing effectiveness of statutory protections for Olympic and Commonwealth Games emblems and words under the Major Events Management Act 2007 (**MEMA**), including updating event emblems and words associated with those games. The updates reflect changes in marketing of upcoming Olympic and Commonwealth Games by host countries and removal of outdated emblems and words association with the hosting of past events.

MEMA recognises that protection for event emblems and words needs to be updated time to time and as relevant for different host countries. MEMA provides for such updates to the protection for Olympic and Commonwealth Games emblems and words to be made by Order in Council. The protections for such emblems and words were last updated in 2019.

Good law-making: 9(k)

The importance of the responsible agency identifying and developing effective arrangements for implementing the legislation

Inconsistency identified? NO

Summary of agency analysis

The protections put in place by the Order will be implemented through existing arrangements under MEMA:

- The NZOC, Ministry of Business, Innovation and Employment, and the Advertising Standards Authority provide guidance on the Act's protections for event organisers and sponsors from unauthorised use of emblems and words.
- Enforcement of the protections is undertaken through established compliance pathways.

No new implementation systems or additional public education measures are required.

Good law-making: 9(l)

Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons

Inconsistency identified? NO

Summary of agency analysis



The amendments will maintain the effectiveness of existing protections against unauthorised use of event-related emblems and words. This will protect the right of event sponsors to gain economic returns, by preventing unauthorised use of emblems and words by non-sponsors.

Good law-making: 9(m)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available

Inconsistency identified? NO

Summary of agency analysis

MEMA provides legislative protection for Olympic and Commonwealth Games emblems and words. It recognises that the protected emblems and words will need updating from time to time and provides for protected emblems and words, which are specified in the Schedule, to be updated by Order in Council.

Updating the Schedule by Order in Council is considered the most effective, efficient and proportionate response to enabling relevant emblems and words to become subject to MEMA's protections.

Rule of Law: 9(a)(i)

The law should be clear and accessible

Inconsistency identified? NO

Summary of agency analysis

The Order updates lists of protected emblems and words within an established statutory framework. It does not introduce new regulatory concepts or obligations.

The Schedule remains clear and accessible to its intended users, including event organisers, sponsors and commercial entities.

Rule of Law: 9(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively

Inconsistency identified? NO

Summary of agency analysis



The Order does not retrospectively alter rights or impose obligations, as protections apply only from commencement and do not affect past use.

Care has been taken to ensure that only emblems and words that are distinctive to the Olympic or Commonwealth Games and capable of protection are included, and that existing trade mark rights and the use of common descriptive terms by third parties are not impacted.

Rule of Law: 9(a)(iii)

Every person is equal before the law

Inconsistency identified? NO

Summary of agency analysis

The amendments apply uniformly to all persons, and to businesses using or seeking to unfairly use protected emblems and words to associate themselves with Olympic or Commonwealth Games for financial gain.

Rule of Law: 9(a)(iv)

There should be an independent impartial judiciary

Inconsistency identified? NO

Summary of agency analysis

The Order makes minor technical amendments and does not alter the existing statutory framework preventing unauthorised use of protected emblems and words relating to Olympic or Commonwealth Games.

Rule of Law: 9(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion

Inconsistency identified? NO

Summary of agency analysis

The Order makes minor technical amendments and does not alter the existing statutory framework preventing unauthorised use of protected emblems and words. The Order does not create any new discretionary decision-making powers.



Liberties: 9(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person

Inconsistency identified? NO

Summary of agency analysis

The Order maintains existing restrictions on the use of certain protected emblems and words associated with Olympic and Commonwealth Games. These restrictions support legitimate interests of the NZOC and games organisers in maximising the benefits for games sponsors and preventing free-riding by non-sponsors associating themselves with the games to the detriment of official sponsors, NZOC and hosting organisations.

Taking of property: 9(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless-

- **there is a good justification for the taking or severe impairment; and**
- **fair compensation for the taking or severe impairment is provided to the owner; and**
- **the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment**

Inconsistency identified? NO

Summary of agency analysis

Officials sought advice on intellectual property and excluded terms where there was a high degree of common use or potential impact on existing trade mark rights. The Order only protects emblems and words associated with upcoming Olympic and Commonwealth Games.

Taxes, fees and levies: 9(d)

The importance of maintaining consistency with section 22(a) of the Constitution Act 1996 (Parliamentary control of taxation)

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis



Taxes, fees and levies: 9(e)

Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

Taxes, fees and levies: 9(f)

Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both—

- the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and
- the costs of efficiently achieving the objective or providing the function

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

Role of courts: 9(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation

Inconsistency identified? NO

Summary of agency analysis

The Order makes minor technical amendments to the Schedule under MEMA. This has no impact on the courts' ability to ascertain the meaning of legislation.

Role of courts: 9(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review

Inconsistency identified? NO

Summary of agency analysis

The Order makes minor technical amendments, and does not alter the existing statutory framework preventing unauthorised use of protected emblems and words.