



COVERSHEET

Minister	Hon Cameron Brewer	Portfolio	Commerce and Consumer Affairs
Title of Cabinet paper	Additional Economic Regulation for Tiaki Wai Limited	Date to be published	5 October 2026

List of documents that have been proactively released

Date	Title	Author
August 2026	Additional Economic Regulation for Tiaki Wai Limited	Office of the Minister of Commerce and Consumer Affairs
18 August 2026	Additional Economic Regulation for Tiaki Wai Limited EXP-26-MIN-0033 Minute	Cabinet Office
29 June 2026	Recommendation to impose further economic regulation on Tiaki Wai Limited	Commerce Commission
27 August 2026	Hon Cameron Brewer letter to Commerce Commission - expectations in relation to performance requirement regulation	Office of the Minister of Commerce and Consumer Affairs
24 September 2026	Commerce Commission response to Hon Cameron Brewer on performance requirements for Tiaki Wai Limited	Commerce Commission

Information redacted

YES

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.

Some information has been withheld for the reasons of privacy of natural persons and confidential advice to Government.



Cabinet Expenditure and Regulatory Review 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.

Additional Economic Regulation for Tiaki Wai Limited

Portfolio Commerce and Consumer Affairs

On 18 August 2026, the Cabinet Expenditure and Regulatory Review Committee:

- 1 **noted** that on 29 June 2026, the Commerce Commission (the Commission) recommended that performance requirement regulation under Part 4 of the Commerce Act 1986 (the Act) be imposed on Tiaki Wai Limited (Tiaki Wai) in respect of its water supply and wastewater services;
- 2 **noted** the advice of the Minister of Commerce and Consumer Affairs (the Minister) that the requirement in section 57J of the Act to consult the Minister of Local Government on the Commission's recommendation has been met;
- 3 **noted** that the Minister has accepted the Commission's recommendation under section 57K of the Act;
- 4 **noted** the Minister's intention to write to the Commission to convey the Government's expectations for performance regulation of Tiaki Wai;
- 5 **authorised** the Minister to:
 - 5.1 issue drafting instructions to Parliamentary Counsel Office for an Order in Council to impose performance requirement regulation on Tiaki Wai;
 - 5.2 approve matters that may arise during the course of drafting and may be required to align with these decisions;
- 6 **invited** the Minister to report to the Cabinet Legislation Committee in September 2026 to:
 - 6.1 seek agreement to a proposed Order in Council to impose performance requirement regulation on Tiaki Wai;
 - 6.2 inform the Committee of any substantive matters that have been considered and approved during the legislative drafting process;

Financial Implications

- 7 **noted** that, in November 2024, the Cabinet Expenditure and Regulatory Review Committee approved an annual appropriation to fund the Commission's new functions for regulation of water services under Part 4 of the Act, and agreed to the recovery of those costs through a levy on regulated water services suppliers from 1 July 2025 [EXP-24-MIN-0068];
- 8 **noted** that officials from the Ministry of Business, Innovation and Employment have reviewed the Commission's additional estimated costs to implement performance requirement regulation in respect of Tiaki Wai's water supply and wastewater services and support the following forecast period and outyears levy funding:

	2026/27 (\$m)	2027/28 (\$m)	2028/29 (\$m)	2029/30 (\$m)	2030/31 & outyears (\$m)	Total (\$m)
Performance requirement regulation	0.420	0.420	0.420	0.420	0.420	2.100

- 9 **noted** that implementation of performance requirement regulation for Tiaki Wai will be reflected through the Commission's performance reporting and accountability arrangements;
- 10 **agreed** to fund performance requirement regulation of Tiaki Wai's water supply and wastewater services under Part 4 of the Act, to be fully recovered from Tiaki Wai under the Commerce (Levy on Suppliers of Regulated Goods and Services) Regulations 2009 (the Part 4 levy), in line with the estimated costs as outlined in paragraph 8 above;
- 11 **approved** the following changes to further give effect to paragraph 10 above, fully offset by cost recovery from Tiaki Wai under the Part 4 levy and so fiscally neutral with no impact on the operating balance or net core Crown debt:

	\$m – increase/(decrease)				
Vote Business, Science and Innovation Minister of Commerce and Consumer Affairs	2026/27	2027/28	2028/29	2029/30	2030/31 Outyears
Non-departmental Output Expense: Regulation of Water Services	0.420	0.420	0.420	0.420	0.420

- 12 **noted** the following changes as a result of the decision in paragraphs 10 and 11 above:

	\$m – increase/(decrease)				
Vote Business, Science and Innovation Minister of Commerce and Consumer Affairs	2026/27	2027/28	2028/29	2029/30	2030/31 Outyears
Non-Tax Revenue: Levy on Water Regulated Parties	0.420	0.420	0.420	0.420	0.420

- 13 **agreed** that the proposed change to appropriations for 2026/27 above be included in the 2026/27 Supplementary Estimates and that, in the interim, the increase be met from Imprest Supply.

Sam Moffett
Committee Secretary

Present:

Hon David Seymour (Chair)
Rt Hon Winston Peters
Hon Paul Goldsmith
Hon Louise Upston
Hon Mark Mitchell
Hon Simon Watts
Hon Brooke van Velden
Hon Casey Costello
Hon Cameron Brewer
Hon Mike Butterick
Hon Andrew Hoggard

Officials present from:

Office of the Deputy Prime Minister
Officials Committee for EXP