



COVERSHEET

Minister	Hon Cameron Brewer	Portfolio	Commerce and Consumer Affairs
Title of Cabinet paper	Commerce (Part 4 Regulation—Tiaki Wai Limited) Order 2026	Date to be published	5 October 2026

List of documents that have been proactively released

Date	Title	Author
September 2026	Commerce (Part 4 Regulation—Tiaki Wai Limited) Order 2026	Office of the Minister of Commerce and Consumer Affairs
24 September 2026	Commerce (Part 4 Regulation—Tiaki Wai Limited) Order 2026 LEG-26-MIN-0210 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.

Commerce (Part 4 Regulation—Tiaki Wai Limited) Order 2026

Portfolio **Commerce and Consumer Affairs**

On 24 September 2026, the Cabinet Legislation Committee:

- 1 **noted** that in August 2026, the Cabinet Expenditure and Regulatory Review Committee:
 - 1.1 noted that the Minister of Commerce and Consumer Affairs (the Minister) had accepted the Commerce Commission's recommendation that performance requirement regulation under Part 4 of the Commerce Act 1986 be imposed on Tiaki Wai in respect of its water supply and wastewater services;
 - 1.2 authorised the Minister of Commerce and Consumer Affairs to instruct the Parliamentary Counsel Office to draft an Order in Council to impose performance requirement regulation on Tiaki Wai;
 - 1.3 invited the Minister to report to the Cabinet Legislation Committee to seek agreement to a proposed Order in Council;

[EXP-26-MIN-0033]
- 2 **noted** that the Commerce (Part 4 Regulation—Tiaki Wai Limited) Order 2026 will give effect to the decision referred to in paragraph 1 above;
- 3 **noted** that a waiver of the 28-day rule is sought:
 - 3.1 so that the Commerce (Part 4 Regulation—Tiaki Wai Limited) Order 2026 can come into force as soon as possible;
 - 3.2 on the grounds that performance requirement regulation will confer significant benefits to Wellingtonians and the impact is limited to allowing the Commission to consult on its draft determination more quickly;
- 4 **declined** to waive the 28-day rule;

- 5 **authorised** the submission to the Executive Council of the Commerce (Part 4 Regulation—Tiaki Wai Limited) Order 2026 [PCO 29326/2.0], subject to the Order being amended so that the commencement date complies with the 28-day rule.

Sam Moffett
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Louise Upston (Chair)
Hon Simon Watts
Hon Brooke van Velden
Hon Casey Costello
Hon Scott Simpson
Hon Cameron Brewer
Stuart Smith MP
Todd Stephenson MP

Officials present from:

Officials Committee for LEG