



COVERSHEET

Minister	Hon Cameron Brewer	Portfolio	Commerce and Consumer Affairs
Title of Cabinet paper	Companies Act 1993 (Address Information) Amendment Regulations 2026	Date to be published	8 October 2026

List of documents that have been proactively released

Date	Title	Author
September 2026	Companies Act 1993 (Address Information) Amendment Regulations 2026	Office of the Minister of Commerce and Consumer Affairs
24 September 2026	Companies Act 1993 (Address Information) Amendment Regulations 2026 LEG-26-MIN-0207 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.

In Confidence

Office of the Minister of Commerce and Consumer Affairs

Chair, Cabinet Legislation Committee

Companies Act 1993 (Address Information) Amendment Regulations 2026

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the Companies Act 1993 (Address Information) Amendment Regulations 2026 (the **Regulations**).

Policy

- 2 On 18 November 2026, the Companies (Address Information) Amendment Act 2025 (the **Act**) will come into force. The Act will amend the Companies Act 1993 to allow directors to apply to have their residential address withheld from public view on the Companies Register. To withhold their address, directors must provide a statutory declaration verifying that public availability of their residential address is likely to result in physical or mental harm to them or someone that they live with.
- 3 A director submitting an application to withhold their residential address must include certain information, such as an alternative address, and submit it in the ‘prescribed form’.
- 4 The Regulations will (i) allow the Registrar of Companies to approve forms for directors to use to apply to have their residential address withheld from public view, and (ii) set out the categories of information required for those forms.
- 5 Section 395(1)(a) of the Companies Act 1993 enables regulations to be made prescribing forms for the purposes of the Companies Act. Section 53 of the Legislation Act 2019 can be applied to authorise a person (in this case, the Registrar of Companies) to approve a form to be used for supplying prescribed information.
- 6 The forms themselves will not be secondary legislation, as the Registrar’s discretion is limited to matters of presentation.
- 7 These regulations are routine, implementing administrative detail required by the Act and did not require any new policy decisions. Therefore, consistent with the Cabinet Manual, I directed officials to instruct the Parliamentary Counsel Office (**PCO**) on their content.

Timing and 28-day rule

- 8 The Regulations will be notified in the Gazette on 1 October 2026 and come into force on 18 November 2026. This complies with the 28-day rule. The commencement date aligns with the commencement of the relevant provisions of the Act.

Compliance

- 9 These Regulations comply with:
- 9.1 the principles of the Treaty of Waitangi;
 - 9.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
 - 9.3 the principles and guidelines set out in the Privacy Act 2020;
 - 9.4 relevant international standards and obligations;
 - 9.5 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.

Regulations Review Committee

- 10 There are no grounds for the Regulations Review Committee to draw these regulations to the attention of the House under Standing Order 327.

Certification by Parliamentary Counsel

- 11 The draft regulations were certified by the Parliamentary Counsel Office (PCO) as being in order for submission to Cabinet.

Regulatory Analysis

- 12 As the Minister of Commerce and Consumer Affairs authorised drafting of the Companies Act 1993 (Address Information) Amendment Regulations 2026 without Cabinet approval, Cabinet's impact analysis requirements do not apply.

Consistency with principles of responsible regulation

- 13 These regulations are excluded from the requirement to provide a CAS and Summary of Underpinning Analysis on the grounds that they are regulations which prescribe forms or the content of forms. This exclusion provision is set out in clause 4(2)(c) of the *Regulatory Standards (Excluded Legislation) Notice 2026*.

Publicity

- 14 The Companies Office will be publishing information about the process to apply to use an alternative address and the form.

Proactive release

- 15 I propose that this Cabinet paper be proactively released on the MBIE website within 30 business days, with any redactions as appropriate under the Official Information Act 1982.

Consultation

- 16 Because these regulations are a routine administrative matter, no consultation has been undertaken.

Recommendations

- 17 I recommend that the Cabinet Legislation Committee:
- 1 **note** that the Companies (Address Information) Amendment Act 2025 will come into force on 18 November 2026;
 - 2 **note** that the Companies Act 1993 (Address Information) Amendment Regulations 2026 are made under s 395(1)(a) of the Companies Act 1993 (regulations may prescribe forms), as extended by section 53(2)(a) and (c) of the Legislation Act 2019 (extension of power to approve or prescribe forms)
 - 3 **note** that the Companies Act 1993 (Address Information) Amendment Regulations 2026 will prescribe the information required from directors applying to withhold their residential address and will allow the Registrar of Companies to approve the forms to be used for this purpose;
 - 4 **authorise** the submission to the Executive Council of the Companies Act 1993 (Address Information) Amendment Regulations 2026;
 - 5 **note** that the Companies Act 1993 (Address Information) Amendment Regulations 2026 will come into force on 18 November;

Authorised for lodgement

Hon Cameron Brewer

Minister of Commerce and Consumer Affairs

**Companies Act 1993 (Address Information) Amendment
Regulations 2026**

Order in Council

At Wellington this day of 2026

Present:
in Council

These regulations are made under section 395 of the Companies Act 1993 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Companies Act 1993 (Address Information) Amendment Regulations 2026.

2 Commencement

These regulations come into force on 18 November 2026.

3 Principal regulations

These regulations amend the Companies Act 1993 Regulations 1994.

4 New regulation 4B inserted (Matters relating to application to alter address information for safety reason)

After regulation 4A, insert:

4B Matters relating to application to alter address information for safety reason

- (1) This regulation applies for the purposes of section 360D(3)(a) of the Act (application to alter address information for safety reason).
- (2) The information that a person must supply or make available in connection with an application under section 360D(3) of the Act is the information set out in Schedule 1A (the **prescribed information**).
- (3) The Registrar may approve a form or a method, format, or medium in which the prescribed information must be supplied or made available.
- (4) A form or a method, format, or medium approved by the Registrar—
 - (a) may require the supply or making available only of the prescribed information; and
 - (b) must include a means of supplying the statutory declaration required under section 360D(3)(b) of the Act.

5 New Schedule 1A inserted

After Schedule 1, insert the Schedule 1A set out in the Schedule of these regulations.

Schedule
New Schedule 1A inserted

r 5

Schedule 1A
**Prescribed information for application to alter address information
for safety reason**

r 4B

- 1 The following information in relation to the director referred to in section 360D(1) of the Act:
 - (a) the director's full legal name:
 - (b) any other name by which the director has been, or is likely to have been, identified on the New Zealand register:
 - (c) the director's phone number:
 - (d) the director's email address:
 - (e) the director's current residential address:
 - (f) the director's proposed alternative address:
 - (g) information needed to verify that the proposed alternative address complies with section 360E of the Act, including the following:
 - (i) if the alternative address is at the offices of any firm of accountants, barristers and solicitors, or any other person,—
 - (A) the name of that firm or person; and
 - (B) particulars of the location in any building of those offices:
 - (ii) if the alternative address is located in a building containing a number of premises, particulars of its location in the building:
 - (h) any company (including any proposed company) in relation to which the director is a current or prospective director (a **relevant company**):
 - (i) for each relevant company, whether the director is—
 - (i) a current or prospective director; and
 - (ii) a current or prospective shareholder, or not a shareholder.
- 2 The following information in relation to a shareholder referred to in section 360F(1)(b) of the Act:
 - (a) the shareholder's full legal name:
 - (b) any other name by which the shareholder has been, or is likely to have been, identified on the New Zealand register:

- (c) any relevant company in relation to which the shareholder is a current or prospective shareholder:
 - (d) for each relevant company identified in paragraph (c), whether the shareholder is a current or prospective shareholder:
 - (e) information needed for the purpose of verifying the shareholder's consent to the Registrar complying with section 360F(2) of the Act in relation to the shareholder, including a statement that the shareholder consents to the Registrar—
 - (i) taking reasonable steps to prevent public access to the residential address of the shareholder in their capacity as a shareholder of a company identified in paragraph (c) from the New Zealand register (including by redacting information from a document that is publicly available from the New Zealand register); and
 - (ii) ensuring that the alternative address identified under item 1(f) is publicly available from the New Zealand register for the shareholder in their capacity as a shareholder of a company identified in paragraph (c).
- 3 The following information in relation to a relevant company:
- (a) the company's name:
 - (b) either,—
 - (i) in relation to a registered company, the number allocated to the company on the New Zealand register; or
 - (ii) in relation to a proposed company, the company's name reservation number (being the number allocated on reservation of the proposed company's name).
- 4 If a person is completing the application on behalf of the director, the name and contact details of the person completing the application.
- 5 The following information to the extent that it is readily available to the director at the time of making the application:
- (a) in relation to a current director of a relevant company, information relating to when they became a director:
 - (b) in relation to a current shareholder of a relevant company, information relating to when they became a shareholder:
 - (c) in relation to the director or to a shareholder residing with the director at the address identified in item 1(e), information relating to when they began residing at that address.

Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations but is intended to indicate their general effect.

These regulations, which come into force on 18 November 2026, amend the Companies Act 1993 Regulations 1994 (the **principal regulations**).

Regulation 4 inserts *new regulation 4B* into the principal regulations, and *regulation 5* inserts a corresponding *new Schedule 1A*.

New regulation 4B and new Schedule 1A are made under section 395(1)(a) of the Companies Act 1993 (the **Act**), as extended by section 53(2)(a) and (c) of the Legislation Act 2019.

New regulation 4B and new Schedule 1A relate to sections 360D to 360G of the Act, which enable company directors to apply for certain publicly available residential address information to be replaced with alternative address information. Section 360D(3)(a) of the Act requires such an application to be in the prescribed form. The principal regulations do not prescribe a form. Instead, the effect of *new regulation 4B and new Schedule 1A* is that—

- the information that must be supplied or made available in the application is the information identified in *new Schedule 1A*; and
- under *new regulation 4B(3)*, the Registrar of Companies may approve the form in which the information must be supplied or made available; and
- under *new regulation 4B(4)*, a form approved by the Registrar may relate only to the information identified in *new Schedule 1A* and must include a means of supplying the statutory declaration required under section 360D(3)(b) of the Act.

This is consistent with section 53(2)(a) and (c) of the Legislation Act 2019, which provides that a power in legislation to approve or prescribe a form includes the following:

- a power to identify the information to be supplied or made available;
- a power to authorise a prescribed person to approve or prescribe a form for supplying information or making information available.

Under section 53(3) of the Legislation Act 2019, those powers may be exercised in place of the power to prescribe a form.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

These regulations are administered by the Ministry of Business, Innovation, and Employment.