

# Short-Form Supplementary Departmental Disclosure Statement

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Climate Change Response (Emissions Trading Scheme—Forestry Conversion) Amendment Bill

A short form supplementary disclosure statement for proposed government amendments to a Bill seeks to bring together in one place some selected information to support and enhance the Parliamentary and public scrutiny of those proposed amendments.

It highlights certain significant powers or features in the proposed amendment paper that might be of particular Parliamentary or public interest and warrant an explanation.

It provides a limited supplement to the original disclosure statement for the Climate Change Response (Emissions Trading Scheme—Forestry Conversion) Amendment Bill, dated 6 June 2025, which can be found at this link:

<https://disclosure.legislation.govt.nz/bill/government/2025/174>

Amendments to the Bill occurred when it was considered by the Environment Committee. Explanation of these changes are provided in the Environment Committee's report back to the House.

This supplementary disclosure statement was prepared by Ministry for the Environment and Ministry for Primary Industries.

The Ministry for the Environment and Ministry for Primary Industries certifies that, to the best of their knowledge and understanding, the information provided is complete and accurate at the date of finalisation below.

12 September 2025

## Significant Legislative Features

### Offences, penalties and court jurisdictions

<b>1. Do the proposed amendments create, amend, or remove:</b>	
<b>(a) offences or penalties (including infringement offences or penalties and civil pecuniary penalties)?</b>	<b>NO</b>
<b>(b) the jurisdiction of a court or tribunal (including rights to judicial review or rights of appeal)?</b>	<b>NO</b>

### Privacy issues

<b>2. Do the proposed amendments create, amend, or remove any provisions relating to the collection storage, access to, correction of, use or disclosure of personal information?</b>	<b>YES</b>
<p>The Bill creates provisions to collect information (including personal) necessary to operate the ballot and new registration process. These obligations to provide information are aligned with current information requirements in the CCRA, see section 99 "Obligation to maintain confidentiality".</p> <p>The proposed amendment paper inserts new section 190KY(3) which allows the Environmental Protection Authority to use contact details about a landowner that have been provided by a person who is not the landowner.</p>	
<b>2.1. Was the Privacy Commissioner consulted about these provisions?</b>	<b>NO</b>
<p>As the information requirements are aligned with existing information requirements in the CCRA, specific consultation with the Privacy Commissioner was not conducted.</p>	

### Compulsory acquisition of private property

<b>3. Do the proposed amendments contain any provisions that could result in the compulsory acquisition of private property?</b>	<b>NO</b>
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### Charges in the nature of a tax

<b>4. Do the proposed amendments create or amend a power to impose a fee, levy or charge in the nature of a tax?</b>	<b>NO</b>
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### Retrospective effect

<b>5. Do the proposed amendments affect rights, freedoms, or impose obligations, retrospectively?</b>	<b>NO</b>
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### Strict liability or reversal of the burden of proof for offences

<b>6. Do the proposed amendments:</b>	
<b>(a) create or amend a strict or absolute liability offence?</b>	<b>NO</b>
<b>(b) reverse or modify the usual burden of proof for any offence or civil pecuniary penalty proceeding?</b>	<b>NO</b>

## Civil or criminal immunity

<b>7. Do the proposed amendments create or amend a civil or criminal immunity for any person?</b>	<b>NO</b>
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## Significant decision-making powers

<b>8. Do the proposed amendments create or amend a decision-making power to make a determination about a person's rights, obligations, or interests protected or recognised by law, and that could have a significant impact on those rights, obligations, or interests?</b>	<b>NO</b>
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## Powers to make delegated legislation

<b>9. Do the proposed amendments create or amend a power to make delegated legislation that could amend an Act, define the meaning of a term in an Act, or grant an exemption from an Act or delegated legislation?</b>	<b>YES</b>
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The Bill creates empowering provisions in primary legislation enabling regulations to review and amend the LUC class 6 annual hectare limit which the Bill proposes to initially set in the Act.

These powers are delegated to provide flexibility to amend the annual hectare limit and respond to changing circumstances.

The proposed amendment specifies the date of when the first and second review may occur, with the first review being brought forward one year.

The regulation making power will be constrained by criteria that is specified in the Bill.

<b>10. Do the proposed amendments create or amend any other powers to make delegated legislation?</b>	<b>YES</b>
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The Bill includes empowering provisions to make regulations, that on recommendation of the Minister of Climate Change, are needed to support and operationalise the Bill. The proposed amendments to these provisions are new subsections to 167B – prescribing how the two ballot process functions for LUC class 6 land permits and matters relating to the reallocation and roll-over of unallocated hectares.

## Any other unusual provisions or features

<b>11. Do the proposed amendments contain any provisions (other than those noted above) that are unusual or call for special comment?</b>	<b>NO</b>
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