

Proactive Release

This document is proactively released by Te Manatū Waka the Ministry of Transport.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it.

Listed below are the most commonly used grounds from the OIA.

<u>Section</u>	<u>Description of ground</u>
6(a)	as release would be likely to prejudice the security or defence of New Zealand or the international relations of the New Zealand Government
6(b)	as release would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by <ul style="list-style-type: none"> (i) the Government of any other country or any agency of such a Government; or (ii) any international organisation
6(c)	prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial
9(2)(a)	to protect the privacy of natural persons
9(2)(b)(ii)	to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
9(2)(ba)(i)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public
9(2)(ba)(ii)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest
9(2)(f)(ii)	to maintain the constitutional conventions for the time being which protect collective and individual ministerial responsibility
9(2)(f)(iv)	to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
9(2)(g)(i)	to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
9(2)(h)	to maintain legal professional privilege
9(2)(i)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
9(2)(j)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)



Cabinet

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.

Clean Vehicle Bill: Targets and Other Matters

Portfolio **Transport**

On 20 December 2021, Cabinet:

1 **noted** that:

1.1 the Land Transport (Clean Vehicles) Amendment Bill (the Bill) will implement the Clean Vehicle Standard and Clean Vehicle Discount Scheme [CAB-21-MIN-0004 and CAB-21-MIN-0128.01];

1.2 the Bill was introduced to the House in August 2021 [LEG-21-MIN-0121];

2 **noted** that:

2.1 vehicle CO2 targets in the Bill should be set so as to maintain affordable supply and ensure New Zealand is prioritised in global markets for the supply of low emission vehicles;

2.2 due to a lack of firm commitments by manufacturers about supplying zero emission utes to New Zealand, there is uncertainty about the achievability of the Bill's 2026 and 2027 vehicle CO2 targets;

3 **noted** that Cabinet has agreed to review the CO2 targets in 2024, allowing targets to be relaxed if they are too challenging, or tightened if that is appropriate [CAB-21-MIN-0004];

4 **agreed** to retain the 2026 targets currently in the Bill;

5 **agreed** to retain the 2027 targets currently in the Bill;

6 **noted** that on 26 January 2021, Cabinet agreed that the Clean Vehicle Standard does not apply to scratch built vehicles and modified vehicles certified by the Low Volume Vehicle Technical Association Incorporated [CAB-21-MIN-0004, paragraph 48.5];

7 **rescinded** the decision referred to in paragraph 6 above; and instead

- 8 **agreed** to the following changes to exclusions in the Clean Vehicle Discount and Clean Vehicle Standard, as specified in each case:
- 8.1 that motor sport vehicles, as defined in the Land Transport Rule: Frontal Impact 2001, are excluded from the Clean Vehicle Standard and the Clean Vehicle Discount;
 - 8.2 that disability vehicles that have a modification that are issued a 'LV3A' or 'LV3B' certificate through the Low Volume Vehicle process prior to being registered are excluded from paying charges under the Clean Vehicle Discount, and that they are otherwise included in the Clean Vehicle Standard and Clean Vehicle Discount, including being eligible for rebates;
 - 8.3 that scratch-built vehicles certified through the Low Volume Vehicle Technical Association Incorporated's processes are excluded from Clean Vehicle Discount and the Clean Vehicle Standard;
- 9 **agreed** that any vehicle that is imported and converted to zero emissions before it is entry certified can be treated as though it was manufactured as a zero emission vehicle for the purposes of the Clean Vehicle Standard and Clean Vehicle Discount;
- 10 **noted** that the list of excluded vehicles will be prescribed in regulations for the Clean Vehicle Discount and Clean Vehicle Standard;
- 11 **agreed** that charges paid under the Clean Vehicle Discount Scheme may be refunded:
- 11.1 where Waka Kotahi is satisfied that an error has resulted in excess charges being paid, and that any refund will be to the extent of the excess or the amount paid in error; or
 - 11.2 where the first registration of the vehicle has been reversed;
- 12 **invited** the Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to give effect to paragraphs 8 and 11 above in regulations relating to the Clean Vehicle Discount and Clean Vehicle Standard, as applicable, including any necessary consequential amendments, savings and transitional provisions;
- 13 **authorised** the Minister of Transport to make any minor, technical, or consequential changes that arise consistent with the policy intent of paragraphs 8 and 11 above;

S. 9(2)(f)(iv)

s 9(2)(f)(iv)

Michael Webster
Secretary of the Cabinet

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