

## Proactive Release

Date: 11 August 2025

The following Cabinet paper and related Cabinet minute have been proactively released by the Minister for Trade and Investment.

Title	Reference
Cabinet Minute of Decision	CAB-25-MIN-0220
United Arab Emirates Comprehensive Economic Partnership Agreement	LEG-25-MIN-0111
United Arab Emirate Comprehensive Partnership Agreement Legislation Amendment Act Commencement Order 2025	

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act). Where this is the case, the relevant sections of the Act that would apply have been identified. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Key to redaction codes:

- 9(2)(h): to maintain legal professional privilege.

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# Cabinet

## Minute of Decision

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### Report of the Cabinet Legislation Committee: Period Ended 27 June 2025

On 30 June 2025, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 27 June 2025:

LEG-25-MIN-0111

**United Arab Emirates  
Comprehensive Economic  
Partnership Agreement Legislation  
Amendment Act Commencement  
Order 2025**  
Portfolio: Trade and Investment

CONFIRMED

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Rachel Hayward  
Secretary of the Cabinet



# Cabinet Legislation Committee

## Minute of Decision

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### United Arab Emirates Comprehensive Economic Partnership Agreement Legislation Amendment Act Commencement Order 2025

Portfolio                      Trade and Investment

On 26 June 2025, the Cabinet Legislation Committee:

- 1        **noted** that the New Zealand – United Arab Emirates Comprehensive Economic Partnership Agreement (CEPA) will enter into force on such date as the Parties may agree in writing, once the Parties confirm completion of their respective applicable domestic processes for entry into force;
- 2        **noted** that in December 2024, the Cabinet Foreign Policy and National Security Committee approved the text of the CEPA and invited the Minister for Trade and Investment to issue drafting instructions to Parliamentary Counsel Office to draft legislation to give effect to the CEPA [FPS-24-MIN-0037];
- 3        **noted** that in April 2025, the Cabinet Legislation Committee approved the United Arab Emirates Comprehensive Economic Partnership Agreement Legislation Amendment Bill for introduction [LEG-25-MIN-0046];
- 4        **authorised** the submission to the Executive Council of the United Arab Emirates Comprehensive Economic Partnership Agreement Legislation Amendment Act Commencement Order 2025 [PCO 28114/2.0] when the date of entry into force of the CEPA is known;
- 5        **authorised** officials to bring the CEPA into force (in accordance with Article 22.5 (Entry into Force) of the CEPA);
- 6        **noted** that the date on which the United Arab Emirates Comprehensive Economic Partnership Agreement Legislation Amendment Act Bill (the Bill) will be brought into force by the Order will be the date on which the CEPA enters into force;
- 7        **agreed** to a waiver of the 28-day rule to facilitate more expeditious entry into force of the Bill and the CEPA.

Tom Kelly  
Committee Secretary

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**Attendance:** (See over)

**Present:**

Hon David Seymour  
Hon Chris Bishop (Chair)  
Hon Simeon Brown  
Hon Paul Goldsmith  
Hon Louise Upston  
Hon Dr Shane Reti  
Hon Todd McClay  
Hon Shane Jones  
Hon Brooke van Velden  
Hon Tama Potaka  
Hon Simon Watts  
Hon Casey Costello  
Hon Nicole McKee  
Hon Chris Penk  
Hon Andrew Hoggard  
Jamie Arbuckle, MP  
Todd Stephenson, MP

**Officials present from:**

Officials Committee for LEG

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Office of the Minister for Trade and Investment  
Chair, Cabinet Legislation Committee

## **NEW ZEALAND - UNITED ARAB EMIRATES COMPREHENSIVE ECONOMIC PARTNERSHIP AGREEMENT LEGISLATION AMENDMENT ACT: COMMENCEMENT ORDER**

### **Proposal**

- 1 This paper seeks authorisation for:
  - 1.1 submission to the Executive Council of the New Zealand – United Arab Emirates Comprehensive Economic Partnership Agreement Legislation Amendment Act Commencement Order; and
  - 1.2 a waiver of the 28-day rule for the Order.
- 2 The Order (Annex One) is necessary to bring the Act into force. The Act will implement and gives effect to New Zealand's obligations under the New Zealand – United Arab Emirates Comprehensive Economic Partnership Agreement (CEPA).
- 3 The Order contains a placeholder for the commencement date of the Act. These details will be inserted, and the Order finalised, once the date of entry into force of the Agreement is known (which will be finalised in bilateral discussions with the UAE further to the enabling entry into force provision in the CEPA).

### **Policy**

- 4 Most of the obligations in the CEPA are already met by New Zealand's existing domestic legal and policy regime. A small number of legislative and regulatory amendments are required, however, to align New Zealand's domestic law with certain obligations in the CEPA. These amendments are provided for in the New Zealand – United Arab Emirates Comprehensive Economic Partnership Agreement Legislation Amendment Bill.
- 5 The Bill progressed to its second and subsequent readings during the week of 23 June.
- 6 The Bill is an omnibus Bill that amends the Overseas Investment Act 2005, the Overseas Investment Regulations 2005, the Customs and Excise Act 2018, the Tariff, and the Customs and Excise Regulations 1996.
- 7 Following royal assent, the Act will come into force on a date appointed by the Governor-General by Order in Council. This accommodates Article 22.5 (Entry into Force) of the CEPA, which stipulates that entry into force will occur 60 days, or on a date otherwise agreed, after the date on which the Parties have notified each other of the completion of the necessary domestic procedures.

- 8 The Order implements policy decisions already considered by Cabinet as reflected in the Bill; the Order does not require any new policy decisions to be made and is entirely routine.
- 9 The Act must come into force on the same day that the CEPA enters into force. The exact commencement date for the Act to come into force will be inserted into the Order after Cabinet considers it, but before it is provided to the Executive Council.
- 10 The United Arab Emirates has indicated that it will be ready for entry into force in early August. New Zealand agencies have confirmed they will be ready to implement the regulatory changes necessary to give effect to the CEPA by 1 August.
- 11 Approval of the Order is the last step in New Zealand's domestic process to bring the CEPA into force. Completion of New Zealand's domestic processes will:
- 11.1 allow New Zealand to signal to the UAE that it is also ready for entry into force; and
  - 11.2 allow the CEPA to enter into force by quarter 3 of 2025 as agreed by Cabinet.
- 12 Therefore, Cabinet approval is sought now for the Order to be submitted to the Executive Council, once the entry into force date for the CEPA is agreed with the UAE. Seeking this approval now will ensure the timeframe between royal assent of the Act and entry into force of the CEPA is as quick as possible. This will enable the economic benefits of the CEPA to be felt as soon as possible.
- 13 Approval to submit a commencement order and other secondary legislation to the Executive Council once the date of entry into force was known has occurred for the implementation of previous FTAs, including for the United Kingdom Free Trade Agreement (*CAB-22-MIN-0570*).
- 14 If approval of the Order is sought after royal assent, agreeing an entry into force date with the UAE for the CEPA would need to take into consideration the time required to seek approval of the necessary Order. This would unnecessarily delay the economic benefits of the CEPA being felt by New Zealand business.

### Timing and 28-day rule

- 15 Given the UAE is ready for entry into force, a waiver of the 28-day rule will facilitate a more expeditious entry into force of the Act and the CEPA. Given the targeted nature of the regulatory changes required and the commercial advantages of a rapid entry into force, I suggest that the Act will only confer benefit on the public.
- 16 Therefore, and consistent with paragraph 7.101 of the Cabinet Manual, I am seeking a waiver of the 28-day rule to be able to bring the CEPA into force as early as possible.

### Compliance

- 17 The Order complies with:
- 17.1 the principles of the Treaty of Waitangi;



- 17.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
- 17.3 the principles and guidelines set out in the Privacy Act 2020;
- 17.4 relevant international standards and obligations; and
- 17.5 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.

### **Certification by Parliamentary Counsel**

- 18 The Order has been certified by the Parliamentary Counsel Office as being in order for submission to Cabinet, subject to a waiver of the 28-day rule being granted and the need to add the commencement date to the Order (once that date is known).

### **Impact Analysis**

- 19 In accordance with the Cabinet Manual and Standing Orders 405 and 406, all multilateral treaties or “major bilateral treaties of particular significance” concluded by New Zealand require the preparation of a National Interest Analysis (NIA). A NIA for the CEPA was prepared in accordance with the necessary requirements, and was considered by Cabinet at the time that approval to sign the FTA was sought (*CAB-24-MIN-0510*).

### **Publicity**

- 20 Following the completion of Parliamentary processes, and on agreement of an entry into force date with the UAE, I will issue a press release and officials will engage with stakeholders.
- 21 The Order will be gazetted and published on the New Zealand Legislation website.

### **Proactive release**

- 22 This paper should be proactively released within 30 business days of the final decision being taken by Cabinet, with redactions where necessary.

### **Consultation**

- 23 The following agencies were consulted in the development of this paper: Land Information New Zealand, New Zealand Customs Service, the Treasury, and Parliamentary Counsel Office.

## Recommendations

I recommend that Cabinet Legislation Committee:

- 1 **note** that the New Zealand – United Arab Emirates Comprehensive Economic Partnership Agreement (CEPA) will enter into force on such date as the Parties may agree in writing, once the Parties confirm completion of their respective applicable domestic processes for entry into force;
- 2 **note** that on 16 December 2024 Cabinet approved the text of the CEPA and invited the Minister for Trade and Investment to issue drafting instructions to Parliamentary Counsel Office to draft legislation to give effect to the CEPA (*CAB-24-MIN-0510*);
- 3 **note** that on 7 April 2025 Cabinet approved the text of the New Zealand – United Arab Emirates Comprehensive Economic Partnership Agreement Legislation Amendment Bill for introduction into the House (*CAB-25-MIN-0106*);
- 4 **note** that the New Zealand – United Arab Emirates Comprehensive Economic Partnership Agreement Legislation Amendment Bill is progressing to Second Reading, Committee of the Whole House and the Third Reading during the week of 23 June;
- 5 **authorise** the submission to the Executive Council of the annexed New Zealand – United Arab Emirates Comprehensive Economic Partnership Agreement Legislation Amendment Act Commencement Order 2025 when the date of entry into force of the CEPA is known;
- 6 **authorise** officials to bring the CEPA into force (in accordance with Article 22.5 (Entry into Force) of the CEPA);
- 7 **note** that the date on which the Act will be brought into force by the Order will be the date on which the CEPA enters into force;
- 8 **agree** a waiver of the 28-day rule to facilitate more expeditious entry into force of the Act and the CEPA.

Authorised for lodgement

Hon Todd McClay

Minister for Trade and Investment

**Annex One: New Zealand – United Arab Emirates Comprehensive Economic  
Partnership Agreement Legislation Amendment Act Commencement Order**

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