

Proactive Release

Date: 22 July 2025

The following Cabinet paper/s and related Cabinet minute/s have been proactively released by the Ministry of Foreign Affairs and Trade:

Title	Reference
<i>Cabinet Minute of Decision -</i>	CAB-25-MIN-0186
<i>Cabinet Legislation Committee – Russia Sanctions Amendment Regulations (No 3) 2025</i>	LEG-25-MIN-0107
<i>Russia Santions Amendment Regulations (No3) 2025</i>	

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:

- 6(a): to avoid prejudicing the international relations of the New Zealand Government;
- 9(2)(g)(ii): to protect officers and employees from improper pressure or harassment;

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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.

Report of the Cabinet Legislation Committee: Period Ended 6 June 2025

On 9 June 2025, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 6 June 2025:

LEG-25-MIN-0107 **Russia Sanctions Amendment Regulations (No 3) 2025** CONFIRMED
Portfolio: Foreign Affairs

Proactively released by the Minister of Foreign Affairs

s9(2)(g)(ii)

Secretary of the Cabinet



Cabinet Legislation Committee

Minute of Decision

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Russia Sanctions Amendment Regulations (No 3) 2025

Portfolio Foreign Affairs

On 5 June 2025, the Cabinet Legislation Committee:

- 1 **noted** that in February 2024, the Cabinet Foreign Policy and National Security Committee (FPS) agreed to ^{s6(a)}
- 2 ^{s6(a)}
- 3 **noted** that, before recommending that regulations be made under the Act, the responsible Minister must be satisfied that:
 - 3.1 the regulations are appropriate to respond to threats to the sovereignty or territorial integrity of Ukraine or another country; and
 - 3.2 the United Nations Security Council is unlikely to act or has acted insufficiently;
- 4 **noted** the advice of the Minister of Foreign Affairs that this requirement has been met;
- 5 **noted** that in February 2024, ^{s6(a)}
- 6 **authorised** the submission to the Executive Council of the Russia Sanctions Amendment Regulations (No 3) 2025 [PCO 27267/10.0].

s9(2)(g)(ii)

Committee Secretary

Attendance: (See over)

Present:

Rt Hon Winston Peters
Hon Chris Bishop (Chair)
Hon Louise Upston
Hon Judith Collins KC
Hon Brooke van Velden
Hon Nicole McKee
Hon Scott Simpson
Stuart Smith, MP
Jamie Arbuckle, MP
Todd Stephenson, MP

Officials present from:

Officials Committee for LEG
Office of the Minister for Workplace Relations and Safety

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Office of the Minister of Foreign Affairs
Chair, Cabinet Legislation Committee

Russia Sanctions Amendment Regulations (No 3) 2025

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the Russia Sanctions Amendment Regulations (No 3) 2025 (the Regulations).

Policy

- 2 The Minister of Foreign Affairs is the responsible Minister under the Russia Sanctions Act 2022 (the Act), and therefore has discretion to decide whether to recommend that sanctions regulations be made under the Act.
- 3 s6(a)
- 4 The regulations will:
 - 4.1 implement sanctions measures under the Act, designating individuals, entities and ships that have supported Russia's invasion of Ukraine;
 - 4.2 apply the full suite of prohibitions available in the Act to the designated individuals and entities;
 - 4.3 apply two prohibitions to the the designated ships which will:
 - 4.3.1 prohibit the ship from entering a New Zealand port;
 - 4.3.2 prohibit the provision of specified maritime services¹ in relation to the designated ships, irrespective of the price of the oil they are carrying;
 - 4.4 expand the scope of an existing exception to the sanctions to allow New Zealand lawyers, to provide certain legal services despite the sanctions imposed in the principal regulations. This exception is expanded to enable:
 - 4.4.1 representation in, and legal advice related to, real or anticipated proceedings in a court or tribunal in New Zealand or overseas; and
 - 4.4.2 representation in, or acting as a third party to, mediation, conciliation, or arbitration services in New Zealand or overseas.

¹ Brokering, financing, financial assistance, or insurance services.

Timing and 28-day rule

5 s6(a)

6 For the expansion of the legal services exception,^{s6(a)}
the amendment will enter into force
after 28 days.

Compliance

7 The regulations are in line with the intent and purpose of the Act, and comply with each of the following:

- 7.1 the principles of the Treaty of Waitangi;
- 7.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
- 7.3 the principles and guidelines set out in the Privacy Act 2020;
- 7.4 relevant international standards and obligations;
- 7.5 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.

8 Section 8 of the Act sets out a threshold which the responsible Minister must be satisfied has been met before recommending that an Order in Council be made with regard to sanctions under section 9 of the Act. The Section 8 threshold is that: (i) the regulations are appropriate to respond to threats to the sovereignty or territorial integrity of Ukraine or another country; and (ii) the United Nations Security Council is unlikely to act or has acted insufficiently.

9 The Minister is satisfied that the threshold for recommending sanctions in section 8 has been met for the Regulations, as identified in Annex 1 of the submission to the Minister of 14 May 2025, entitled *Russia Sanctions: Tranche 31*.

Regulations Review Committee

10 There are no grounds for the Regulations Review Committee to draw the regulations to the attention of the House of Representatives 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.

Impact Analysis

12 s6(a)

Publicity

13 The Regulations will be publicised through a press release by the Minister of Foreign Affairs and an update to the New Zealand Sanctions Register (as required by section 14 of the Act). The Ministry will also email information to those who subscribe to its Russia Sanctions Updates service.

Proactive release

14 This paper will be released proactively with appropriate redactions within 30 business days of the decisions being confirmed by Cabinet. It is expected that the announcement will have been made within this period.

Consultation

15 The Ministry of Foreign Affairs and Trade has consulted the following agencies in developing the draft regulations: Parliamentary Counsel Office, New Zealand Police, Ministry of Transport, Maritime New Zealand, New Zealand Customs Service, Ministry of Business, Innovation and Employment, the Reserve Bank, the Financial Markets Authority, Ministry of Justice, The Treasury, Ministry of Defence, and Land Information New Zealand.

Recommendations

The Minister of Foreign Affairs recommends that the Cabinet Legislation Committee:

1 s6(a)

2 note that the Russia Sanctions Amendment Regulations (No 3) 2025 will give effect to the decisions referred to in paragraphs 1 above;

3 note that, before recommending that regulations be made under the Act, the responsible Minister must be satisfied that: (i) the regulations are appropriate to respond to threats to the sovereignty or territorial integrity of Ukraine or another country; and (ii) the United Nations Security Council is unlikely to act or has acted insufficiently;

4 note the advice of the Minister of Foreign Affairs that this requirement has been met;

5 s6(a)

s6(a)

- 6 authorise the submission to the Executive Council of the Russia Sanctions Amendment Regulations (No 3) 2025.

Authorised for lodgement

Rt Hon Winston Peters

Minister for Foreign Affairs

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