



PROACTIVE RELEASE COVERSHEET

Minister	Hon Penny Simmonds	Portfolio	Environment
Name of package	Cabinet papers: Amendments to waste minimisation regulations for tyres and plastic products	Date to be published	December 2025

List of documents that have been proactively released

Date	Title	Author
Cabinet paper 1: Policy decisions - Proposed amendments to waste minimisation regulations for tyres and plastic products		
29/05/2025	Cabinet paper: Policy decisions – Proposed amendments to waste minimisation regulations for tyres and plastic products (CAB-555)	Minister for the Environment
29/05/2025	Appendix 1 of CAB-555: Overview of how the Tyrewise scheme works	Ministry for the Environment
04/06/2025	Cabinet Economic Policy Committee (ECO) Minute of Decision (ECO-25-MIN-0089)	Cabinet Office
09/06/2025	Cabinet Minute of Decision (CAB-25-MIN-0187)	Cabinet Office
Cabinet paper 2: Legislation approval - Amendments to waste minimisation regulations for tyres and plastic products		
30/10/2025	Cabinet paper: Amendments to Waste Minimisation Regulations for Tyres and Plastic Products (CAB-576)	Minister for the Environment
06/11/2025	Cabinet Legislation Committee (LEG) Minute of Decision (LEG-25-MIN-0219)	Cabinet Office
10/11/2025	Cabinet Minute of Decision (CAB-25-MIN-0402)	Cabinet Office

Information redacted **YES**

Any information redacted in this document is redacted in accordance with the Ministry for the Environment'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.

Summary of reasons for redaction

Some information has been withheld from following documents under Section 9(2)(b)(ii) of the Official Information Act to avoid prejudice of the commercial position of the person who supplied or who is the subject of the information:

- *Cabinet paper: Proposed amendments to waste minimisation regulations for tyres and plastic products (CAB-555)*
- *Cabinet paper: Amendments to Waste Minimisation Regulations for Tyres and Plastic Products (CAB-576)*

Appendices 1 and 2 of Cabinet paper 2 – ‘*Waste Minimisation (Tyres) Amendment Regulations 2025*’ and ‘*Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025*’ – are not included in this package, under Section 18(d) of the Official Information Act, as both amendment regulations are already publicly available on the New Zealand Legislation website.

The Cabinet Minutes of Decision (*CAB-25-MIN-0187* and *CAB-25-MIN-0402*) were redacted to withhold references to papers that are out of scope for this release.

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Policy and Privacy

In-Confidence

Office of the Minister for the Environment

ECO - Cabinet Economic Policy Committee

Proposed amendments to waste minimisation regulations for tyres and plastic products

Proposal

- 1 This paper seeks policy decisions to amend the Waste Minimisation (Tyres) Regulations 2023 (the Tyre Regulations) and the Waste Minimisation (Plastic and Related Products) Regulations 2022 (the Plastic Regulations) to address minor issues, and agreement to instruct the Parliamentary Counsel Office to draft regulations based on policy decisions.

Relation to government priorities

- 2 This proposal supports the Coalition Government priorities to improve and protect the environment from harm and ensure that regulatory decisions are based on principles of good law-making and economic efficiency.

Executive Summary

- 3 **Tyres:** In 2024, the Tyre Regulations were implemented to support the Minister-accredited product stewardship scheme for tyres, Tyrewise, to manage the estimated 6.5 million tyres that reach end of life in New Zealand each year. Product stewardship schemes are designed to ensure everyone in a product's life cycle shares responsibility to reduce its environmental impact at the end of its life.
- 4 The Tyre Regulations placed a product stewardship fee (the fee) on tyres newly entering the New Zealand market. This supports Tyrewise to track tyres, operate a national tyre take-back service, incentivise onshore tyre processing and onshore manufacturing of tyre-derived products and fuel. The fee replaced an ad-hoc tyre disposal fee previously charged by some retailers.
- 5 Overall feedback from industry is supportive. The scheme is proving to be highly effective, with over 2.6 million end of life tyres collected and repurposed for fuel and other products since September 2024. It is also reducing illegal dumping of tyres, contributing to a cleaner environment.
- 6 Scheme implementation has identified some unintended impacts for a small group of traders and Tyrewise. Tyre exporters have also written to Ministers expressing the need for amendments. The Ministry for the Environment (the Ministry) has been working with agencies and stakeholders to find practical solutions to address these unintended costs and improve administration efficiency.
- 7 I propose making minor amendments to the Tyre Regulations using the provisions in the Waste Minimisation Act 2008 (WMA) to:

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- 7.1 introduce an exemption of the fee, for regulated tyres exported from New Zealand for use on a vehicle or an aircraft, to enable exporters to claim a refund as these tyres are not managed by the Tyrewise take-back service.
- 7.2 make a set of technical amendments to improve clarity, support compliance and streamline fee capture.
- 8 Additionally, industry raised concerns about the fairness of certain outlier fee categories that impacts a small portion of importers. The Ministry and New Zealand Customs Service (Customs) are undertaking further work with stakeholders to progress investigating options to address these concerns. I propose aligning this work within the wider fee review taking place in 2026.
- 9 **Integrated plastic straws:** In June 2021, Cabinet agreed to phase out certain single-use and hard-to-recycle plastic packaging and products, including plastic straws [CBC-21-MIN-0057]. Cabinet subsequently agreed to phase out the sale of integrated plastic straws (e.g. straws attached to drink cartons¹) from 1 January 2026 [LEG-22-MIN-0208].
- 10 Following engagement with stakeholders it has become clear that the Plastic Regulations will inadvertently also ban the sale of integrated plastic straws that are exported. I propose to amend the Plastic Regulations to allow integrated plastic straws to be exported, before the ban comes into effect.
- 11 **Next steps:** I seek Cabinet approval to issue drafting instructions to the Parliamentary Counsel Office (PCO) based on the policy decisions presented in this paper.
- 12 I propose to bring back draft regulations to Cabinet Legislation Committee for decision in the second half of 2025, subject to PCO availability.

Background

Tyre product stewardship prevents new tyres becoming harmful waste

- 13 Poor management of end-of-life tyres poses risks to the environment. To address this, tyres were declared a priority product under the WMA in 2020 and regulations mandating participation in a product stewardship scheme were enacted in 2023.
- 14 The Tyre Regulations were designed to support Tyrewise² to manage the estimated 6.5 million tyres that reach end of life in New Zealand annually by diverting tyres away from landfill, stockpiling and illegal dumping, towards use as a fuel source or a recycled product.
- 15 To comply with Tyre Regulations, tyre importers must register with Tyrewise and pay the fee when the tyre enters the market. This fee funds Tyrewise to track tyres, operate a national end-of-life tyre take-back service, incentivise onshore tyre processing and support the onshore manufacturing of tyre-derived products and fuel. It replaces the ad-hoc tyre disposal fee previously charged by some retailers. Appendix 1 provides an overview of the scheme.

¹ In New Zealand this is mostly on-the-go dairy drinks

² Tyrewise is the Minister-accredited tyre stewardship scheme managed by the not-for-profit organisation Auto Stewardship New Zealand.

16 Overall industry feedback is supportive. The scheme is proving to be highly effective, with over 2.6 million end-of-life tyres collected and repurposed for fuel and other products since the scheme became fully operational in September 2024. Additionally, the scheme is significantly reducing illegal dumping of tyres, contributing to a cleaner environment. End-of-life tyres are also an important fuel source for Golden Bay's cement plant in Northland.

MfE has recently discovered that the Plastics Regulations will inadvertently ban integrated straws intended for export

17 The single use and hard-to-recycle plastic work programme was intended to reduce litter by phasing out single-use items that are commonly littered or challenging to recycle.³ Single-use plastic straws were restricted from sale in July 2023, with an extension provided for integrated plastic straws, ending 1 January 2026.

18 Following engagement with stakeholders it has become clear that the Plastic Regulations will, from 1 January 2026, inadvertently also ban the sale of integrated plastic straws that are exported. New Zealand businesses are on track to transition to paper straws domestically but are not ready to transition their export products. A ban on straws for export would have negative consequences for New Zealand businesses as the alternative paper straw product is unfavourable in export markets, and competitor products from Australia do not have the same requirement.

19 Officials have advised me that there is no evidence of the intention to apply the ban to exported straws, and I consider that it is not appropriate that plastic straws intended for export are banned.

Analysis

Tyres: Minor policy issues emerged post-implementation

20 **No fee refund for exported new tyres:** Tyre traders who have paid the fee are not eligible for a fee refund or waiver when the regulated tyre is exported offshore for further use on a vehicle or an aircraft.⁴ This problem affects a small group of traders who must either absorb the fee⁵ or pass it on to their international customers, affecting costs and competitiveness. It is estimated that less than 2 per cent⁶ of tyres placed on the market are exported annually, generating approximately 1 per cent (\$682,000) of this scheme's revenue. Nevertheless, this is a cost that these exporters need not carry and should be addressed to ensure the scheme is operating as efficiently as possible.

21 There is limited rationale for imposing a fee on tyres exported for use on a vehicle or an aircraft, as they do not contribute to the challenge of managing end-of-life tyres in New Zealand.

³ The scope was limited to the food and beverage sector seeing as items from that sector are those which are most common in kerbside recycling bins.

⁴ Many of the exported new and used loose tyres enter the Pacific Island market for use on vehicles. Some are returned to manufacturers due to shipment error, and a few are temporarily imported for product development testing.

⁵ Noting that the fee is small in proportion to the total cost of the whole tyre or vehicle.

⁶ On average approximately 75,000 loose tyres and tyres attached to 1,800 de-registered vehicles are exported annually.

- 22 **Technical amendments:** The Ministry has been working with agencies, stakeholders, Tyrewise and a Tyrewise-led technical advisory group to find practical solutions to these issues. During this work, other technical policy gaps were identified:
- 22.1 A broad exemption in Regulation (reg) 11(6)⁷ allows some importers to avoid paying the fee on imported tyres that do not meet New Zealand road safety standards, increasing the risk of unfunded tyres entering the take-back service.
 - 22.2 The Tyre Regulations do not easily identify the fee charged on tyres imported attached to aircraft, causing importer uncertainty.
 - 22.3 In a small number of instances, the scheme manager of Tyrewise is unable to fully comply with the information provision requirements of reg 17(2)⁸ as some vehicles, such as ride-on lawnmowers, are not required to be issued with a vehicle identification or chassis number).
- 23 **Fee imbalance for some importers:** Most of the fee categories are working as intended, with the fee aligning to each party's actual use of the service provided. However, the broadness of some fee categories:
- 23.1 means that varying tyre sizes are being charged the same fee. This creates a financial imbalance where a small portion of importers pay more than their fair share, while others pay less. This affects a small portion of tyre consumers, as the increased fee burden is passed down the supply chain.
 - 23.2 makes it difficult to distinguish non-motorised vehicle tyres from motorised vehicle tyres which are subject to the fee, resulting in mistaken charges. Importers of tyres for use on non-motorised vehicles are facing unintended costs due to the administrative burden of preparing monthly fee refund claims, despite their tyres being exempt.

Proposal to reverse the inadvertent ban on integrated straws intended for export

- 24 I propose to amend the Plastic Regulations to allow integrated plastic straws to be exported. I also propose to allow sales of plastic straws that are intended to be attached to cartons as integrated plastic straws on export products. This will enable businesses to obtain plastic straws to integrate into their exported products. I will progress this amendment so it can be in place before the ban comes into effect.
- 25 Officials have identified two businesses that are exporting products with integrated plastic straws: Fonterra and Goodman Fielder.⁹ Although both are preparing to transition their domestic integrated straw to a compliant paper product, neither has prepared to transition their export product (which makes up the majority of their impacted product lines) as they had interpreted the ban as only applying to integrated straws sold domestically. **Section 9(2)(b)(ii)**
[REDACTED]
[REDACTED]
- 26 Asia is a key export market for Fonterra and Goodman Fielder's impacted dairy drinks. Goodman Fielder reports that the market in China is "all plastic straws" and that

⁷ Reg 11(6) details the exceptions to payment of the fee for tyres attached to motor vehicles.

⁸ Reg 17(2) lists the information to be collected by the scheme manager, to support the Ministry invoicing tyres imported attached to non-road registered vehicles and aircraft.

⁹ A third business, Tetra Pak, will be impacted as they do a lot of Goodman Fielder's packaging.

competitor Australian products are not required to have paper straws¹⁰. Goodman Fielder report that it will be challenging to pass the increased cost of the paper straw product onto consumers due to the competitive market and that New Zealand products will be disadvantaged if required to have a paper straw.

- 27 I am comfortable that the ban should not apply to integrated straws intended for export. Fonterra and Goodman Fielder are concerned that their products will be disadvantaged in international markets, should the sale ban include export products, and I consider those concerns are valid.

The proposal – a package of minor regulatory amendments

- 28 To address the tyre export issue, tyre technical amendments and the integrated plastic straw issue, I propose using the WMA to introduce a package of minor regulatory amendments to the respective Waste Minimisation Regulations, as listed in Table 1. Subject to Cabinet approval, these amendments could be in place 28-days after gazettal.

Table 1: Proposed amendments to the respective Waste Minimisation Regulations under the Waste Minimisation Act 2008

WMA section	Description
23(1)(d)(i)	Set a fee exemption for regulated tyres that have paid the fee and are later exported from New Zealand for use on a vehicle or an aircraft.
23(1)(d)	Apply the tyre stewardship fee to tyres that fail their first road registration inspection.
	Clarify the fee for tyres imported attached to aircraft.
23(1)(i)	Require the scheme manager to collect alternative vehicle identification numbers of off-road motor vehicles where a VIN or chassis number is not issued.
23(1)(b)	Exclude integrated plastic straws on products intended for export from the general ban on selling single-use plastic straws

- 29 **Exemption for exported tyres:** I propose to establish an exemption of the fee for regulated tyres which have paid the fee and are later exported from New Zealand for use on a vehicle or an aircraft. This means exporters would pay for their tyre at point of import and be eligible to claim a refund on proof of export. However, traders who exported prior to enactment of this regulation would not be eligible for a refund, as the WMA does not include retrospectivity powers.
- 30 The amendment is unlikely to adversely impact Tyrewise finances or operations, as while the fee revenue may slightly reduce (1 per cent or \$682,000 per annum) the scheme does not provide a service to manage these tyres.
- 31 The proposal would only apply to regulated tyres that are later exported for further use on a vehicle or an aircraft. The exemption would not apply to end-of-life tyres exported for disposal as their management is already provided for by the Tyre Regulations (and Tyrewise).

¹⁰ Australia does not have a ban on exported integrated plastic straws.

- 32 If Cabinet agrees to this proposed amendment, tyre traders would need to provide evidence of exportation, including proof of fee payment and verification of the intended use of the tyre, to claim a refund. This evidence is necessary to minimise fraud risk and verify end markets.
- 33 **Allow alternative identification numbers:** I propose to require the scheme manager (of Tyrewise) to collect alternative vehicle identification numbers, such as serial numbers, when standard identification numbers are unavailable. This ensures the scheme manager can be compliant with information provisions in reg 17(2).
- 34 **Apply the fee to tyres that fail inspection:** I propose to apply the fee to tyres that fail inspection during their first road registration. This would close the loophole in reg 11(6) that allows importers to avoid paying the fee on imported tyres that do not meet New Zealand road safety standards. The outcome being that no rejected tyres enter the take-back service unfunded.
- 35 **Clarify fee for tyres on aircraft:** I propose to confirm that the fee of \$12.64 per tyre applies to tyres imported attached to aircraft, consistent with the fee for imported loose aircraft tyres. This will simplify compliance for importers.
- 36 **Single-use integrated plastic straws:** I propose to exclude integrated plastic straws intended for export, and plastic straws intended for use as integrated straws in exported products, from the general ban on selling single-use plastic straws.

Tyres: address importer fee imbalance issue within the wider fee review process

- 37 Officials from the Ministry and Customs are working with key stakeholders to investigate changes to the fee categories and the associated tyre tariffs codes.¹¹ The objective is to enable a more equitable distribution of the fee while simplifying the tyre tariff codes to make compliance easier. This work would also address the issue where importers of exempt tyres¹² are mistakenly charged the fee.
- 38 Due to the complexities associated with applying a fee regime to the existing tariff structures, further policy work is needed before I can bring policy decisions regarding tariffs to Cabinet. Therefore, to ensure a timely resolution for tyre exporters, I propose aligning the tariff work with the scheduled fee review taking place in 2026.
- 39 Noting that regular reviews of the fee are needed to ensure it is fit-for-purpose, accommodating inflation and evolving scheme costs as markets develops (CAB-22-MIN-0564 refers). This approach aligns with Treasury guidance for setting charges in the public sector.¹³

Cost-of-living Implications

- 40 The tyre proposals are minor, technical and consequently have no or only minor impacts on industry. They are primarily intended to reduce unintended costs faced by a small group of tyre exporters. The avoided costs for tyre exporters are estimated as \$682,000 per year.

¹¹ Tariff codes are used to classify imported and exported goods. New Zealand's Working Tariff Document aligns with international obligations under the International Convention on the Harmonized Commodity Description and Coding System Nomenclature. Tyre tariff codes are used to identify and apply the fee to loose tyres that enter New Zealand.

¹² Such as tyres for use on non-motorised vehicles and equipment.

¹³ <https://www.treasury.govt.nz/publications/guide/guidelines-setting-charges-public-sector>

41 The integrated plastic straw proposal has no cost-of-living implications.

Financial Implications

42 There are no fiscal implications due to the proposals in this paper.

Legislative Implications

43 Although a review of the WMA is underway, which proposes improved product stewardship tools, the current provisions of the WMA are sufficient to address these issues.

44 Regulations made under section 23 of the WMA are required to implement these proposed changes. Before recommending the making of these proposed regulations, I must consider the requirements of section 23(3).

45 In relation to both the Tyre Regulations and Plastic Regulations, I confirm that:

45.1 I have obtained and considered the advice of the Waste Advisory Board on the consulted proposals, as per section 23(3)(a) and did not seek further advice as there are no substantive policy changes.

45.2 I am satisfied that there has been adequate consultation with parties who may be significantly affected, as per section 23(3)(b)(i);

45.3 I am satisfied that benefits from implementing these regulations are likely to outweigh their costs, as per section 23(3)(b)(ii);

45.4 I am satisfied that the regulations are consistent with New Zealand's international obligations, as per section 23(3)(b)(iii).

Impact Analysis

Regulatory Impact Statement

46 A Regulatory Impact Statement (RIS) was completed in 2021 for the Tyre Regulations¹⁴ and the Plastic Regulations.¹⁵ The Ministry for Regulation has determined that both the proposals are exempt from the requirement to provide a RIS on the grounds they have no or only minor economic, social or environmental impacts.

Climate Implications of Policy Assessment

47 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to either policy proposals, as the threshold for significance is not met.

Population Implications

48 The proposals in this paper have no population implications.

¹⁴ <https://environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/proposals-to-regulate-product-stewardship-for-tyres-and-update-on-large-batteries-stewardship-scheme/>

¹⁵ [Regulatory Impact Assessment - Full Impact Statement Template](#)

Human Rights

49 There are no implications for human rights due to proposals in this paper.

Use of external Resources

50 No external resources have been used in developing the policy advice in this paper.

Consultation

51 **Tyres:** Officials worked with agencies and stakeholders, including a Tyrewise-led technical advisory group representing 70 per cent of NZ's regulated tyre imports to find practical solutions.

52 The agencies consulted on this proposal were: Ministry for Regulation; Department of Conservation; Department of Internal Affairs; Department of the Prime Minister and Cabinet; Environmental Protection Authority; Inland Revenue Department; Ministry for Primary Industries; Ministry of Business, Innovation and Employment (MBIE); Ministry of Foreign Affairs and Trade (MFAT); New Zealand Customs Service; Ministry of Transport; NZ Transport Agency Waka Kotahi; NZ Trade and Enterprise; Te Arawhiti; Te Puni Kōkiri; Treasury; WorkSafe.

53 The following four agencies provided feedback improving the narrative, but it did not impact the proposed policy intent: New Zealand Customs Service, NZ Transport Agency, Ministry for Primary Industries, Ministry of Foreign Affairs and Trade.

54 **Integrated plastic straws:** Officials engaged with industry organisations The Packaging Forum and the New Zealand Beverage Council to determine that the only two exporters of integrated plastic straws are Fonterra and Goodman Fielder. Both businesses support reversing the inadvertent ban on integrated straws for export.

55 Officials have previously engaged with MFAT and MBIE on related aspects of the plastic phase outs work programme to ensure that international obligations are met and I am confident that there are no additional considerations for the proposed amendment.

Communications

56 Subject to Cabinet approval, I propose to announce policy decisions prior to the regulations being in force. The Ministry will ensure clear messaging is provided to affected parties.

Proactive Release

57 I propose to proactively release this paper following the policy announcements. The paper will be redacted as appropriate under the Official Information Act 1982.

Recommendations

The Minister for the Environment recommends that the Committee:

1 **note** that minor policy issues emerged post-implementation of the Waste Minimisation (Tyres) Regulations 2023, which came into force in 2024 to support the Minister-accredited product stewardship scheme for tyres, Tyrewise, to manage tyres when they reach end of life in New Zealand.

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- 2 **agree** to amend the Waste Minimisation (Tyres) Regulations 2023 under section 23 of the Waste Minimisation Act 2008:
 - 2.1 to exempt the tyre stewardship fee on regulated tyres that are later exported from New Zealand for use on or intended use on a motor vehicle or an aircraft (whether exported loose or attached to a motor vehicle or an aircraft or have a temporary import entry). This includes but is not limited to the following situations:
 - 2.1.1 re-export or export of new or used loose tyres
 - 2.1.2 re-export or export of tyres attached to new or used motor vehicles or aircraft
 - 2.1.3 temporary import of prototype tyres for product development testing
 - 2.1.4 re-export of tyres due to manufacturer, shipment or order error
 - 2.1.5 export of tyres temporarily for motor racing events.
 - 2.2 to apply the tyre stewardship fee to tyres that fail their first road registration inspection.
 - 2.3 to clarify the fee (\$12.64 per tyre) for tyres imported attached to aircraft.
 - 2.4 to require the scheme manager to collect alternative vehicle identification numbers of off-road motor vehicles when standard identification numbers are not available.
- 3 **agree** to amend the Waste Minimisation (Plastic and Related Product) Regulations 2022 under section 23 of the Waste Minimisation Act 2008 to enable:
 - 3.1 integrated plastic straws to be exported
 - 3.2 businesses to obtain plastic straws that they intend to integrate into their exported products.
- 4 **agree** to the regulations commencing as soon as practicable.

Drafting instructions

- 5 **note** the Minister for the Environment is satisfied that there has been adequate consultation with parties who may be significantly affected by both proposed regulations.
- 6 **invite** the Minister for the Environment to issue drafting instructions to the Parliamentary Counsel Office to draft amendments to
 - 6.1 the Waste Minimisation (Tyres) Regulations 2023 and
 - 6.2 the Waste Minimisation (Plastic and Related Products) Regulations 2022.
- 7 **authorise** the Minister for the Environment to approve minor policy changes during the drafting of both proposed regulations, in line with policy decisions agreed by Cabinet.

Next steps

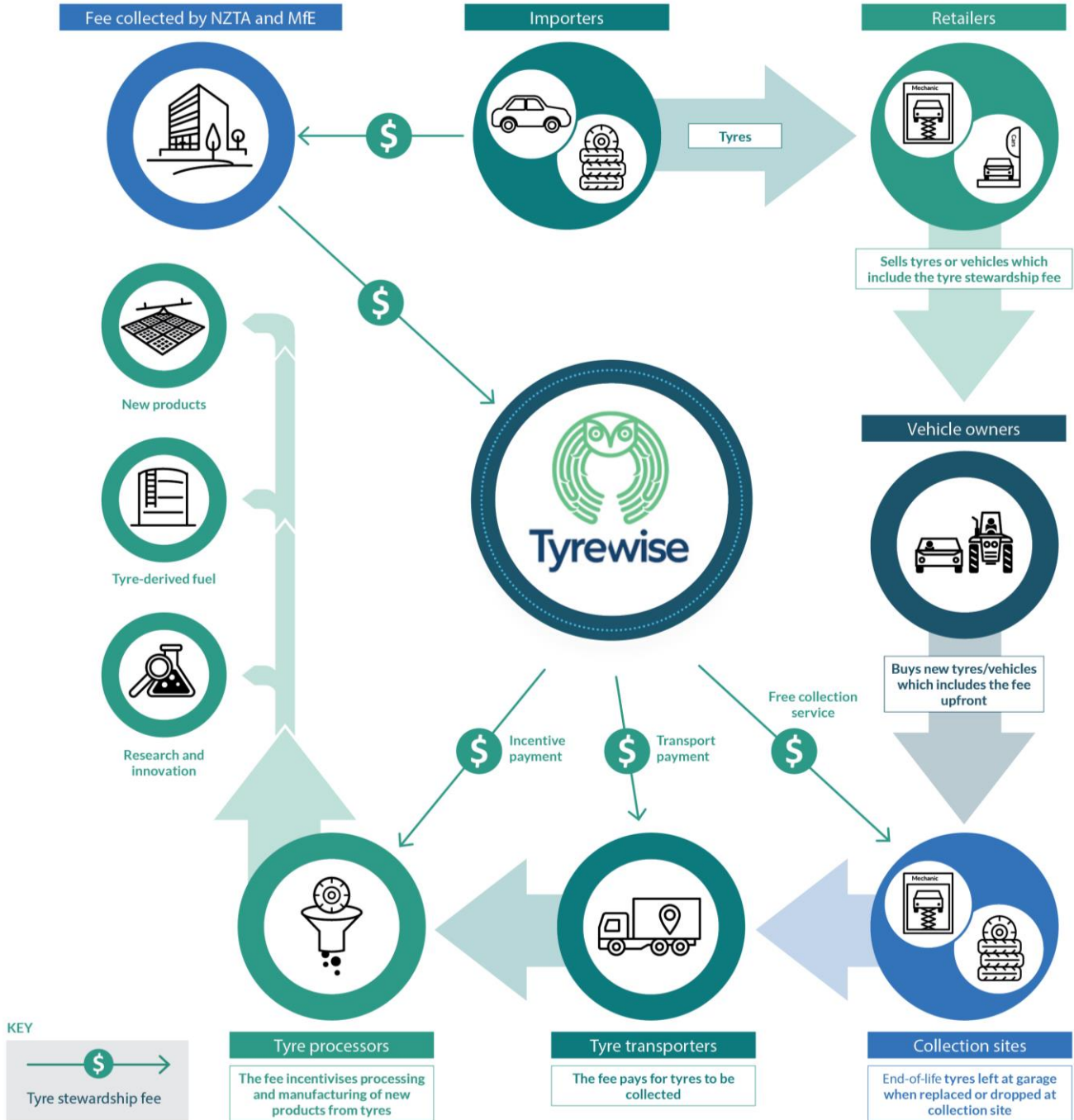
- 8 **invite** the Minister for the Environment to report back to Cabinet Legislation Committee in the second half of 2025 with the regulatory amendments to
 - 8.1 the Waste Minimisation (Tyres) Regulations 2023 and
 - 8.2 the Waste Minimisation (Plastic and Related Products) Regulations 2022.
- 9 **note** the Minister for the Environment is undertaking a review of the tyre stewardship fee and will report back to Cabinet in 2026.

Authorised for lodgement

Hon Penny Simmonds
Minister for the Environment

Appendix 1

Figure 1. Overview of how the Tyrewise scheme works





Cabinet Economic Policy Committee

Minute of Decision

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Proposed Amendments to Waste Minimisation Regulations for Tyres and Plastic Products

Portfolio **Environment**

On 4 June 2025, the Cabinet Economic Policy Committee:

- 1 **noted** that minor policy issues emerged post-implementation of the Waste Minimisation (Tyres) Regulations 2023, which came into force in 2024 to support the Minister-accredited product stewardship scheme for tyres, Tyrewise, to manage tyres when they reach end of life in New Zealand;

- 2 **agreed** to amend the Waste Minimisation (Tyres) Regulations 2023 under section 23 of the Waste Minimisation Act 2008:
 - 2.1 to exempt the tyre stewardship fee on regulated tyres that are later exported from New Zealand for use or intended use on a motor vehicle or an aircraft (whether exported loose, attached to a motor vehicle or an aircraft, or have a temporary import entry), including but not limited to the following situations:
 - 2.1.1 re-export or export of new or used loose tyres;
 - 2.1.2 re-export or export of tyres attached to new or used motor vehicles or aircraft;
 - 2.1.3 temporary import of prototype tyres for product development testing;
 - 2.1.4 re-export of tyres due to manufacturer, shipment or order error;
 - 2.1.5 export of tyres temporarily for motor racing events;
 - 2.2 to apply the tyre stewardship fee to tyres that fail their first road registration inspection;
 - 2.3 to clarify the fee (\$12.64 per tyre) for tyres imported attached to aircraft;
 - 2.4 to require the scheme manager to collect alternative vehicle identification numbers of off-road motor vehicles when standard identification numbers are not available;

- 3 **agreed** to amend the Waste Minimisation (Plastic and Related Product) Regulations 2022 under section 23 of the Waste Minimisation Act 2008 to enable:
 - 3.1 integrated plastic straws to be exported;

3.2 businesses to obtain plastic straws that they intend to integrate into their exported products;

4 **agreed** to the regulations commencing as soon as practicable;

Drafting instructions

5 **noted** that the Minister for the Environment is satisfied that there has been adequate consultation with parties who may be significantly affected by both proposed regulations;

6 **invited** the Minister for the Environment to issue drafting instructions to the Parliamentary Counsel Office to draft amendments to the Waste Minimisation (Tyres) Regulations 2023 and the Waste Minimisation (Plastic and Related Products) Regulations 2022;

7 **authorised** the Minister for the Environment to approve minor policy changes during the drafting of both proposed regulations, in line with the decisions above.

Tom Kelly
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Nicola Willis (Chair)
Hon Chris Bishop
Hon Brooke van Velden
Hon Shane Jones
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston
Hon Dr Shane Reti
Hon Tama Potaka
Hon Simon Watts
Hon Chris Penk
Hon Penny Simmonds
Hon Andrew Hoggard
Hon Nicola Grigg
Hon James Meager
Hon Scott Simpson
Hon Mark Patterson
Simon Court, MP

Officials present from:

Officials Committee for ECO
Prime Minister's Office
Office of the Leader of the House
Office of the Minister for Workplace Relations and Safety
Office of the Minister of Science, Innovation and Technology



Cabinet

Minute of Decision

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Report of the Cabinet Economic Policy Committee: Period Ended 6 June 2025

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

Out of scope		
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ECO-25-MIN-0089	Proposed Amendments to Waste Minimisation Regulations for Tyres and Plastic Products Portfolio: Environment	CONFIRMED
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Out of scope		
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Out of scope

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Rachel Hayward
Secretary of the Cabinet

Policy and Privacy

In-Confidence

Office of the Minister for the Environment

LEG - Cabinet Legislation Committee

Amendments to Waste Minimisation Regulations for Tyres and Plastic Products

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council:
 - 1.1 the Waste Minimisation (Tyres) Amendment Regulations 2025 (Appendix 1),
 - 1.2 the Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 (Appendix 2).

Executive Summary

- 2 New Zealand introduced regulations to better manage end-of-life tyres and ban certain plastic products. Following implementation, some minor policy issues were identified with the tyre regulations. Additionally, integrated plastic straws, being those attached to drink cartons, for export were unintentionally included in the ban on single-use plastic straws.
- 3 On 9 June 2025, Cabinet agreed to proposals to resolve these issues through amendments to the relevant regulations (CAB-25-MIN-0187 refers). The intended regulatory amendments are as follows:
 - 3.1 introduce an exemption of the tyre stewardship fee (the fee), for regulated tyres exported from New Zealand for use on a vehicle or an aircraft, to enable exporters to claim a refund as exported tyres are not managed by the Tyrewise take-back service;
 - 3.2 make a set of technical amendments to improve clarity, support compliance and streamline tyre stewardship fee capture;
 - 3.3 allow the sale of plastic straws that are intended to be attached to cartons for export;
 - 3.4 allow integrated plastic straws (attached to drink cartons) to be exported.
- 4 Both amendment regulations have been drafted by the Parliamentary Counsel Office (PCO). I am satisfied that the relevant statutory requirements under the Waste Minimisation Act 2008 (WMA) have been met, and I seek authorisation for submission to the Executive Council.

Policy

Background

- 5 Existing waste minimisation regulations manage end-of-life tyres and ban certain plastic products to prevent environmental harm and address recycling challenges.
- 6 **Tyres:** The Waste Minimisation (Tyres) Regulations 2023 support Tyrewise, the country's first regulated product stewardship scheme, to manage the estimated 6.5 million tyres that reach end-of-life in New Zealand, annually. They place a product stewardship fee (the fee) on tyres entering the New Zealand market. This funds Tyrewise to track tyres, operate a national take-back service, incentivise onshore tyre processing and onshore manufacturing of tyre-derived products and fuel.
- 7 Overall, the scheme is supported by industry and stakeholders, with over four million tyres collected and repurposed for fuel and other products since September 2024.
- 8 Following scheme implementation, some unintended impacts for a small group of traders and Tyrewise were identified.
- 9 **No fee refund for exported new tyres:** Tyre traders are not eligible for a fee refund or waiver when a tyre is exported for further use on a vehicle or an aircraft. These traders should not be subject to the fee, as tyres that reach end-of-life offshore will not be managed by Tyrewise.¹
- 10 **Other technical tyre policy matters:**
- 10.1 A broad exemption allows some importers to avoid paying the fee on imported tyres that do not meet our vehicle standards, increasing the risk of unfunded tyres entering the scheme.
- 10.2 The regulations do not easily identify the fee charged on tyres that are imported attached to aircraft, causing importer uncertainty.
- 10.3 The Tyrewise scheme manager is unable to fully comply with the information provision requirements as some vehicle types, such as ride-on lawn mowers, are not issued with standard vehicle identification or chassis numbers, which are used to identify vehicles captured by the regulations.
- 11 **Integrated plastic straws:** The Waste Minimisation (Plastic and Related Products) Regulations 2022 ban the manufacture and/or sale of specific single-use and hard-to-recycle plastic products, with the intention of phasing out products that are commonly littered or challenging to recycle.
- 12 A general ban on plastic straws has been in place since July 2023. Integrated plastic straws were given an extension and must transition to an alternative by 1 January 2026. Current regulations will inadvertently prevent businesses from exporting their products where a plastic straw is part of the beverage packaging. This will result in negative consequences for businesses as the alternative paper straw product is unfavourable in key export markets. Competitor products from Australia do not have the same requirement.

¹ Tyrewise only manages domestic end-of-life tyres.

- 13 Officials identified two businesses exporting products with integrated plastic straws (to Asia and the Pacific), where export sales account for **Section 9(2)(b)(ii)** of sales within the affected product categories. Alternative paper straws cost two to three times more than plastic straws. Both businesses have prepared for the ban domestically but advise that it would cost **Section 9(2)(b)(i)** million per annum to transition their export stock to a paper straw.
- 14 To enable integrated plastic straw products to be legally exported, an amendment is needed to permit the sale of plastic straws that are intended to be attached to cartons for export.

Cabinet Decision

- 15 On 9 June 2025, Cabinet agreed to amend the respective regulations under section 23 of the WMA, as outlined in table 1 (CAB-25-MIN-0187 refers). I, as Minister for the Environment was granted authorisation to issue drafting instructions to the Parliamentary Counsel Office (PCO) and approve minor policy changes during the drafting to give effect to the policy intent agreed by Cabinet.

Table 1: Amendments to the respective waste minimisation regulations under the Waste Minimisation Act 2008

WMA Section	Description
The Waste Minimisation (Tyres) Regulations 2023	
23(1)(d)(i)	Exempt the fee on regulated tyres that are later exported from New Zealand for use, or intended use, on a motor vehicle or an aircraft (whether a temporary import, exported loose or attached to a motor vehicle or an aircraft).
23(1)(d)	Apply the fee to tyres that fail their first road registration inspection.
	Clarify the fee for tyres imported attached to aircraft.
23(1)(i)	Require the scheme manager to collect alternative vehicle identification numbers of off-road motor vehicles when standard identification numbers are not available.
The Waste Minimisation (Plastics and Regulated Products) 2022	
23(1)(b)	Enable businesses to obtain plastic straws that they intend to integrate into their exported products and allow integrated plastic straws to be exported.

- 16 No minor or new policy decisions were made during drafting.

Timing and 28-day rule

- 17 Subject to Cabinet's approval, I propose that the regulations be submitted to the Executive Council on 10 November 2025 and notified in the *New Zealand Gazette* on 13 November 2025, with the amendment regulations in-force 28-days later, on 11 December 2025. Applying the 28-day rule will allow both amendments to take effect before 2026, minimising ongoing impacts for tyre traders and enabling the legal export of integrated plastic straws ahead of the 1 January 2026 ban.

Compliance

- 18 The regulations comply with:
- 18.1 the principles of the Treaty of Waitangi;
 - 18.2 advice from the Treaty Provisions Group on any Treaty of Waitangi provisions (including a summary of any concerns raised);
 - 18.3 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
 - 18.4 the principles and guidelines set out in the Privacy Act 2020;
 - 18.5 relevant international standards and obligations;
 - 18.6 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 19 The WMA requires that before recommending the making of regulations under section 23, I must obtain and consider the advice of the Waste Advisory Board (section 23(3)(a)), and must be satisfied of the following:
- 19.1 there has been adequate consultation with persons or organisations who may be significantly affected by the regulations (section 23(3)(b)(i));
 - 19.2 the benefits expected from implementing the regulations exceed the costs expected from implementing them (section 23(3)(b)(ii));
 - 19.3 the regulations are consistent with New Zealand's international obligations (section 23(3)(b)(iii)).
- 20 In addition, the WMA requires that for regulations made under Section 23(1)(b), that a reasonably practicable alternative to the specified materials is available (section 23(2)(b)).
- 21 Paragraphs 22-25 briefly outline how compliance with the WMA has been met regarding these statutory preconditions.

Advice of the Waste Advisory Board

- 22 In May 2025, I received advice from the Waste Advisory Board in support of both proposals. Their advice was considered, and no substantive policy changes were made.

Adequate consultation

- 23 I am satisfied that there has been adequate consultation with persons and organisations who may be significantly affected by proposed amendments.
- 23.1 **Tyres:** Officials worked with agencies and stakeholders, including a Tyrewise-led technical advisory group representing 70 per cent of NZ's regulated tyre importers, to find practical solutions.

- 23.2 **Integrated plastic straws:** Officials worked with the two impacted beverage exporters, identified by The Packaging Forum and the New Zealand Beverage Council, to find a solution.

International obligations

- 24 Officials confirmed that neither proposal affects New Zealand's international obligations, and I am satisfied that the regulations are consistent with New Zealand's international obligations.

Reasonable alternatives to specified materials

- 25 Officials have advised that for integrated plastic straws, an alternative to the specified materials is not necessary because the amendment regulation only relaxes the existing controlling/prohibiting measures in the Waste Minimisation (Plastic and Related Products) Regulations 2022. The alternatives to the specified material outlined in the paper seeking initial policy decisions still apply (CAB-22-MIN-0536 refers).

Regulations Review Committee

- 26 I do not consider there are 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

- 27 The draft amendment regulations have been certified by the Parliamentary Counsel Office as being in order for submission to Cabinet.

Impact Analysis

- 28 The Ministry for Regulation has determined that both the proposals are exempt from the requirement to provide a Regulatory Impact Statement on the grounds they have no or only minor economic, social or environmental impacts.²
- 29 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to either policy proposals, as the threshold for significance is not met.

Publicity

- 30 Officials will ensure the new regulations are communicated to regulated parties through a range of communications, including guidance materials and any press releases, as appropriate.
- 31 Given the proposed Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 impacts a small group of stakeholders, the Cabinet decision on 9 June 2025 was shared with this group shortly afterward to provide reassurance that no sudden manufacturing changes would be required.

² Regulatory Impact Statements were completed in 2021 for both respective principle waste minimisation regulations.

Proactive release

- 32 I intend to proactively release this paper and associated Cabinet committee papers and minutes within 30 business days of final decisions being confirmed by Cabinet, subject to redactions as appropriate under the Official Information Act 1982.

Consultation

- 33 As outlined in paragraph 23, the proposed regulations have been informed by engagement with affected parties.
- 34 The following government departments and agencies were consulted: Ministry for Regulation; Department of Conservation; Department of Internal Affairs; Department of the Prime Minister and Cabinet; Environmental Protection Authority; Inland Revenue Department; Ministry for Primary Industries; Ministry of Business, Innovation and Employment; Ministry of Foreign Affairs and Trade; New Zealand Customs Service; Ministry of Transport; NZ Transport Agency Waka Kotahi; NZ Trade and Enterprise; Te Arawhiti; Te Puni Kōkiri; Treasury; WorkSafe.
- 35 Their input has been incorporated, strengthening both the narrative and the practical considerations for implementation, while not altering the overall policy intent.

Recommendations

I recommend that the Cabinet Legislation Committee:

- 1 **note** that on 9 June 2025, Cabinet (CAB-25-MIN-0187) agreed to the following policy decisions:
- 1.1 to amend the Waste Minimisation (Tyres) Regulations under section 23 of the Waste Minimisation Act 2023 to:
 - 1.1.1 exempt the tyre stewardship fee, on regulated tyres that are later exported from New Zealand for use on a motor vehicle or an aircraft;
 - 1.1.2 apply the tyre stewardship fee to tyres that fail their first road registration inspection;
 - 1.1.3 clarify the tyre stewardship fee (\$12.64 per tyre) for tyres imported attached to aircraft;
 - 1.1.4 require the scheme manager to collect an alternative vehicle identification number for off-road motor vehicles when standard identification numbers are not available;
 - 1.2 to amend the Waste Minimisation (Plastic and Related Product) Regulations 2022 under section 23 of the Waste Minimisation Act 2008 to enable:
 - 1.2.1 businesses to obtain plastic straws that they intend to integrate into their exported products;
 - 1.2.2 integrated plastic straws to be exported;

IN CONFIDENCE

- 2 **note** that the Waste Minimisation (Tyres) Amendment Regulations 2025 and Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 will give effect to the decision referred to in paragraph 1 above;
- 3 **note** that the Minister for the Environment is required to comply with section 23(3) of the Waste Minimisation Act 2008 before recommending that the Waste Minimisation (Tyres) Amendment Regulations 2025 be made;
- 4 **note** that the Minister for the Environment is required to comply with section 23(2)(b) and 23(3) of the Waste Minimisation Act 2008 before recommending that the Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 be made;
- 5 **note** that the Minister for the Environment advises that the requirements in recommendations 3 and 4 have been met;
- 6 **authorise** the submission to the Executive Council of the:
 - 6.1 Waste Minimisation (Tyres) Amendment Regulations 2025 (Appendix 1);
 - 6.2 Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 (Appendix 2);
- 7 **note** that the:
 - 7.1 Waste Minimisation (Tyres) Amendment Regulations 2025 come into force on 11 December 2025;
 - 7.2 Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 come into force on 11 December 2025.

Authorised for lodgement

Hon Penny Simmonds

Minister for the Environment

Appendix 1

Waste Minimisation (Tyres) Amendment Regulations 2025

Appendix 1 not released as because it is publicly available at
https://www.legislation.govt.nz/regulation/public/2025/0252/latest/whole.html?search=ts_act%40bill%40regulation%40deemedreg_tyres_resele_25_a&p=1#LMS1538486
(section 18(d))

Appendix 2

Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025

Appendix 2 not released as it is publicly available at
<https://www.legislation.govt.nz/regulation/public/2025/0253/latest/whole.html#LMS1538550>
section 18(d))



Cabinet Legislation Committee

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.

Amendments to Waste Minimisation Regulations for Tyres and Plastic Products

Portfolio **Environment**

On 6 November 2025, the Cabinet Legislation Committee:

- 1 **noted** that in June 2025, the Cabinet Economic Policy Committee agreed to:
 - 1.1 amend the Waste Minimisation (Tyres) Regulations under section 23 of the Waste Minimisation Act 2023 to:
 - 1.1.1 exempt the tyre stewardship fee, on regulated tyres that are later exported from New Zealand for use on a motor vehicle or an aircraft;
 - 1.1.2 apply the tyre stewardship fee to tyres that fail their first road registration inspection;
 - 1.1.3 clarify the tyre stewardship fee (\$12.64 per tyre) for tyres imported attached to aircraft;
 - 1.1.4 require the scheme manager to collect an alternative vehicle identification number for off-road motor vehicles when standard identification numbers are not available;
 - 1.2 amend the Waste Minimisation (Plastic and Related Products) Regulations 2022 under section 23 of the Waste Minimisation Act 2008 to enable:
 - 1.2.1 businesses to obtain plastic straws that they intend to integrate into their exported products;
 - 1.2.2 integrated plastic straws to be exported;
- [ECO-25-MIN-0089]
- 2 **noted** that the Waste Minimisation (Tyres) Amendment Regulations 2025 and Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 will give effect to the decisions above;
 - 3 **noted** that the Minister for the Environment (the Minister) is required to comply with section 23(3) of the Waste Minimisation Act 2008 before recommending that the Waste Minimisation (Tyres) Amendment Regulations 2025 be made;

- 4 **noted** that the Minister is required to comply with section 23(2)(b) and 23(3) of the Waste Minimisation Act 2008 before recommending that the Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 be made;
- 5 **noted** that the Minister advises that the requirements in paragraphs 3 and 4 above have been met;
- 6 **authorised** the submission to the Executive Council of the:
- 6.1 Waste Minimisation (Tyres) Amendment Regulations 2025 [PCO 28197/8.0];
- 6.2 Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 [PCO 28198/5.0];
- 7 **noted** that the Waste Minimisation (Tyres) Amendment Regulations 2025 and Waste Minimisation (Plastic and Related Products) Amendment Regulations (No 2) 2025 come into force on 11 December 2025.

Tom Kelly
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Chris Bishop (Chair)
Hon Paul Goldsmith
Hon Judith Collins KC
Hon Tama Potaka
Hon Nicole McKee
Hon Casey Costello
Hon Penny Simmonds
Hon James Meager
Stuart Smith, MP
Jamie Arbuckle, MP

Officials present from:

Officials Committee for LEG
Office of the Attorney-General
Office of the Minister for the Environment
Ministry for the Environment



Cabinet

Minute of Decision

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Report of the Cabinet Legislation Committee: Period Ended 7 November 2025

On 10 November 2025, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 7 November 2025:

Out of scope	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
LEG-25-MIN-0219	Amendments to Waste Minimisation Regulations for Tyres and Plastic Products Portfolio: Environment	CONFIRMED
Out of scope	[Redacted]	[Redacted]

Rachel Hayward
Secretary of the Cabinet