



Cabinet Economic Policy 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.

Synthetic Refrigerants: Proposed Product Stewardship Regulations

Portfolio

Environment

On 20 November 2024, the Cabinet Economic Policy Committee:

- 1 **noted** that regulations under the Waste Minimisation Act 2008 (WMA) are proposed to reduce the risk of environmental harm from the release of synthetic refrigerant gases;
- 2 **agreed** to the following actions under sections 22 and 23 of the WMA:
 - 2.1 prohibit under section 22(1)(a) the sale of synthetic refrigerants as defined under the priority product declaration, except in accordance with an accredited product stewardship scheme;
 - 2.2 restrict under section 23(1)(a) the disposal of synthetic refrigerant under the scope of the priority product declaration to incineration in a plant that meets the criteria approved by the Parties to the Montreal Protocol;
 - 2.3 require under section 23(1)(c) the accredited product stewardship scheme to provide a take-back and destruction service for synthetic refrigerants under the priority product scope;
 - 2.4 require under section 23(1)(i) that retailers and wholesalers of synthetic refrigerants under the priority product scope to keep records on the people who purchased synthetic refrigerants, and their status of either accredited scheme participation or qualification under recognised industry standards and provide this information to the Secretary for the Environment on request;
 - 2.5 require under section 23(1)(i) that all persons disposing of synthetic refrigerants under the priority product scope keep records on the disposal method to demonstrate compliance with regulations made on refrigerant disposal and provide this information to the Secretary for the Environment on request;
- 3 **agreed** to the following actions under section 23 of the WMA to commence three years after the other agreed regulations:
 - 3.1 restrict under section 23(1)(b) the sale of bulk synthetic refrigerant under the priority product declaration scope to technicians qualified under recognised industry standards;

- 3.2 restrict under section 23(1)(g) and (h) the recovery of synthetic refrigerants and decommissioning of equipment containing these gases to technicians qualified under recognised industry standards;
- 4 **invited** the Minister for the Environment to issue drafting instructions to the Parliamentary Counsel Office to draft product stewardship regulations for synthetic refrigerants under Sections 22 and 23 of the WMA;
- 5 **authorised** the Minister for the Environment to approve minor policy changes during drafting of the regulations, in line with the policy decisions agreed by Cabinet;
- 6 **agreed** to circulate an exposure draft of the synthetic refrigerant regulations for targeted consultation with the accredited synthetic refrigerant scheme and the heating, ventilation, air-conditioning and refrigeration sector;
- 7 **invited** the Minister for the Environment to report back to the Cabinet Legislation Committee by May 2025 with the proposed synthetic refrigerant regulations for approval;

Other matters

- 8 **approved** the release of *Proposed measures to reduce the environmental impact of fluorinated gases*, attached as Appendix 2 to the paper under ECO-24-SUB-0259, subject to minor editorial corrections as required.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Winston Peters
Hon David Seymour
Hon Brooke van Velden
Hon Chris Bishop (Chair)
Hon Louise Upston
Hon Mark Mitchell
Hon Matt Doocey
Hon Melissa Lee
Hon Penny Simmonds
Hon Chris Penk
Hon Nicola Grigg
Hon Mark Patterson

Officials present from:

Office of the Prime Minister
Officials Committee for ECO