

13 February 2024

## Legislative Statement | Water Services Acts Repeal Bill

This legislative statement is presented to the House in accordance with Standing Order 272. The bill is an omnibus bill introduced in accordance with Standing Order 267(1)(a) as the amendments deal with an interrelated topic that can be regarded as implementing a single broad policy.

The Water Services Acts Repeal Bill (the Bill) will deliver on this Government's commitment (under the 100-Day Plan and in the National-ACT coalition agreement) to repeal the previous government's water services entities legislation.

For the avoidance of doubt, the Bill will repeal the Water Services Entities Act 2022, the Water Services Legislation Act 2023, and the Water Services Economic Efficiency and Consumer Protection Act 2023.

The Bill:

- repeals the Water Services Entities Act 2022, which set up 10 water services entities, their governance arrangements and powers to carry out water services provision in place of local authorities from 1 July 2024 and restores the ownership and control of water services to local authorities;
- repeals the Water Services Legislation Act 2023 that provided the necessary legislative functions, responsibilities and powers for water services entities to fully operate;
- repeals the Water Services Economic Efficiency and Consumer Protection Act 2023, which provided for a new economic regulation and consumer protection regime for water services entities. It also empowered the Commerce Commission to oversee the regime with the position of Water Services Commissioner established on the Commission's board;
- disestablishes the Northland and Auckland Water Services Entity, including its establishment board and the position of the chief executive;
- transfers any residual assets, liabilities and information generated by the establishment activities of the Northland and Auckland Water Services Entity to the Department of Internal Affairs;
- includes transitional provisions in the Local Government Act 2002 to provide options for local authorities to include water services provision in their 2024-34 long-term plans;
- defers statutory reviews of bylaws for a transitional period as local authorities reintegrate water services into their planning and operations, with all reviews being completed by 1 July 2026;
- repeals consequential amendments to other legislation, including 3 Treaty Settlement Acts impacting Waikato Tainui, Ngati Tuwharetoa, Raukawa, Te Arawa River and Whanganui iwi, proposed under the water services legislation; and
- retains technical amendments that improve the regulation of water services by amending the Taumata Arowai- the Water Services Regulator Act 2020, the Water Services Act 2021 and related Acts.