

In Confidence

Office of the Minister of Health
Chair, Cabinet Legislation Committee

Health (Immunisation) Regulations Revocation Order 2025

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the Health (Immunisation) Regulations Revocation Order 2025 (the Order in Council).

Policy

- 2 On 25 March 2025, the Cabinet Expenditure and Regulatory Review Committee considered the recommendations arising from the Ministry for Regulation’s Early Childhood Education Regulatory Review. It agreed to revoke the Health (Immunisation) Regulations 1995 (the Regulations) in full (EXP-25-MIN-0015 refers).
- 3 While this decision was made in the context of Early Childhood Education review, revoking the Regulations will also remove their application to primary schools.
- 4 The Order removes the requirement for ECE providers and primary schools to maintain their own registers of enrolled children’s immunisation status. More accurate information is readily available through the Aotearoa Immunisation Register. Health New Zealand and the Ministry of Education have a data sharing agreement for immunisation information during an outbreak response, and are continuing to streamline processes with the aim of reducing timeframes.
- 5 The attached Order in Council gives effect to this decision.

Timing and 28-day rule

- 6 Broadly consistent with the implementation timeline noted by Cabinet when policy approval was sought (which proposed 1 January 2026), the attached revocation order should be submitted to the Executive Council on 8 December 2025 so that it may take effect on 8 January 2026.
- 7 No waiver of the 28-day rule is sought.

Compliance

- 8 The revocation order complies with:
 - 8.1 the principles of the Treaty of Waitangi;
 - 8.2 advice from the Treaty Provisions Officials Group on any Treaty of Waitangi provisions;

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- 2 **note** that the revocation of the Health (Immunisation) Regulations applies to both primary schools and early childhood education;
- 3 **note** that Health New Zealand and the Ministry of Education have a data sharing agreement for immunisation information during an outbreak response, and are continuing to streamline processes with the aim of reducing timeframes.
- 4 **note** that the Health (Immunisation) Regulations Revocation Order will give effect to the decision referred to in recommendation 1 above;
- 5 **authorise** the submission to the Executive Council of the Health (Immunisation) Regulations Revocation Order 2025;
- 6 **note** that the Health (Immunisation) Regulations Revocation Order will come into force on 8 January 2026.

Authorised for lodgement

Hon Simeon Brown

Minister for Health

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

Regulations Review Committee

- 9 There are no grounds for the Regulations Review Committee to draw the Order in Council to the attention of the House of Representatives.

Certification by Parliamentary Counsel

- 10 The attached Order in Council has been certified by the Parliamentary Counsel Office as being in order for submission to Cabinet.

Impact Analysis

- 11 A Regulatory Impact Assessment was prepared and submitted at the time Cabinet approval was sought to revoke the Regulations (EXP-25-MIN-0015 refers).

Publicity

- 12 The Minister for Regulation announced Cabinet's agreement to the recommendations of the Early Childhood Education Regulatory Review on 23 April 2025.
- 13 Health New Zealand and the Ministry of Education will continue to inform public health officers, early childhood education providers and primary schools of the changes to their obligations and updated processes for managing disease outbreaks.

Proactive release

- 14 I intend to proactively release this Cabinet paper subject to any appropriate redactions in line with the Official Information Act 1982 once the Regulations are revoked.

Consultation

- 15 The following departments and agencies were consulted on this paper: Health New Zealand, the Ministry of Education, the Ministry for Regulation and the Department of the Prime Minister and Cabinet.

Recommendations

I recommend that the Cabinet Legislation Committee:

- 1 **note** that on 25 March 2025 the Cabinet Expenditure and Regulatory Review Committee agreed to revoke the Health (Immunisation) Regulations 1995 (EXP-25-MIN-0015);

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