



Cabinet Legislation Committee

Minute of Decision

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Disability Support Services Bill: Approval for Introduction

Portfolio Disability Issues

On 14 May 2026, the Cabinet Legislation Committee:

- 1 **noted** that the Disability Support Services Bill (the Bill) holds a category 2 priority on the 2026 Legislation Programme (must be passed before the 2026 election to meet a specific deadline);
- 2 **noted** that the Bill will:
 - 2.1 set out the purpose of Disability Support Services (DSS) and provide an authorising framework for DSS system policy settings and funding, which:
 - 2.1.1 aims to strengthen the system by improving the consistency, fairness, and transparency of decision-making;
 - 2.1.2 clarifies that the responsibility for the care of disabled people rests in the first instance with their family and whānau, if that support is available;
 - 2.2 clarify existing employment relationships within the DSS system if a disabled person employs a carer, including a paid family member, and validating existing employment and agent arrangements for three years;
 - 2.3 mitigate the Crown's fiscal and litigation risks arising from, or related to, the Supreme Court case *Fleming v Attorney-General* and *Humphreys v Attorney-General* [2025] NZSC 188;
- 3 **noted** that in April 2026, Cabinet authorised the Minister for Disability Issues to act on any matters requiring further policy decisions in relation to policy detail and technical aspects and to resolve any minor or non-controversial amendments that arose during drafting [CAB-26-MIN-0115], which has informed the drafting of the Bill;
- 4 **agreed** that the Bill include provisions to make explicit that decisions about the provision of DSS-funded disability support should take into account, where appropriate, the resources and support available to an eligible person, including support available:
 - 4.1 within their family, whānau and community;
 - 4.2 from other publicly-funded sources;

- 5 **agreed** that the Bill include provisions that:
- 5.1 specifically empower the establishment of ministerial programmes that provide for payments by or on behalf of the Crown to people who provide care to an eligible person in the context of a familial or social relationship;
 - 5.2 mean that making such payments does not constitute an employment relationship;
- 6 **authorised** the Parliamentary Counsel Office to continue to make minor changes to the Bill to settle technical matters, in line with Cabinet's previous policy decisions, and incorporate feedback from their quality assurance processes up until the Bill is introduced in the House of Representatives;
- 7 **approved** the Disability Support Services Bill [PCO 28854/2.0] for introduction;
- 8 **agreed** to introduce the Bill in the week beginning 18 May 2026;
- 9 **agreed** that the Government propose that the Bill be:
- 9.1 referred to the Social Services and Community Committee for consideration, with a report back to the House by 19 August 2026;
 - 9.2 enacted before the House rises in September 2026.

Sam Moffett
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Erica Stanford
Hon Louise Upston (Chair)
Hon Todd McClay
Hon Tama Potaka
Hon Brooke van Velden
Hon Nicole McKee
Hon James Meager
Hon Scott Simpson
Hon Mike Butterick
Stuart Smith MP
Todd Stephenson MP
Jamie Arbuckle MP

Officials present from:

Officials Committee for LEG