



Cabinet Legislation Committee

Minute of Decision

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Privacy (Information Sharing Agreement between Inland Revenue and Ministry of Social Development) Amendment Order 2026

Portfolios **Social Development and Employment / Revenue**

On 3 September 2026, the Cabinet Legislation Committee:

1 **noted that:**

- 1.1 in Budget 2025, Cabinet agreed to change how the Ministry of Social Development (MSD) charges income in two phases, to more accurately charge salary and wages income against benefit payments, with Phase 1 commencing in July 2025 and Phase 2 commencing in July 2028;

[CAB-25-MIN-0126.61]

- 1.2 in April 2026, the Cabinet Social Outcomes Committee agreed in-principle to amend the Approved Information Sharing Agreement (AISA) between MSD and Inland Revenue to waive the 10 working-day notice period prior to taking an adverse action when MSD uses:

1.2.1 PAYE income information from Inland Revenue to charge income for benefits from October 2026, and subsidies from July 2028;

1.2.2 child support income from Inland Revenue to adjust the rate of Income-Related Rent and assess eligibility for Public Housing and priority on the Public Housing Register from October 2026;

[SOU-26-MIN-0023]

2 **noted that:**

- 2.1 the Privacy (Information Sharing Agreement between Inland Revenue and Ministry of Social Development) Amendment Order 2026 now specifies that changes in relation to subsidies only apply to Income-Related Rent, eligibility to Public Housing, and priority on the Public Housing Register; and

- 2.2 this is a minor and technical change in keeping with the Minister for Social Development and Employment and the Minister of Revenue's (the responsible Ministers') delegated authority to make changes to the proposed AISA amendment [SOU-26-MIN-0023], and reflects consultation feedback;

- 3 **noted** that the responsible Ministers are satisfied that requirements set out in the Privacy Act 2020 have been met, and that:
- 3.1 the responsible Ministers have had regard to section 149;
- 3.2 the Privacy Commissioner and people or organisations that represent the interests of people whose personal information will be shared have been consulted, and that responsible Ministers have regard to submission received, as required under section 150;
- 4 **authorised** the submission of the Privacy (Information Sharing Agreement between Inland Revenue and Ministry of Social Development) Amendment Order 2026 [PCO 29159/3.0] to the Executive Council;
- 5 **noted** that the Privacy (Information Sharing Agreement between Inland Revenue and Ministry of Social Development) Amendment Order 2026 comes into force on 8 October 2026, with the exception of using PAYE income information in relation to Income-Related Rent, eligibility to Public Housing, and priority on the Public Housing Register, which will come into effect from July 2028.

Sam Moffett
Committee Secretary

Present:

Hon David Seymour
Hon Louise Upston (Chair)
Hon Simon Watts
Hon Brooke van Velden
Hon Nicole McKee
Hon Scott Simpson
Hon James Meager
Hon Cameron Brewer
Hon Mike Butterick
Stuart Smith MP

Officials present from:

Officials Committee for LEG