



10 December 2025

s 9(2)(a)

Official information request

Our ref: R001337

Tēnā koe ^{s 9(2)}_(a)

Thank you for your Official Information Act 1982 (OIA) request which was partially transferred to the Ministry for Regulation (Ministry) from the Ministry for Primary Industries on 11 November 2025. You requested:

In the notification this was being considered, it mentioned there was correspondence from home decorators who didn't think they should have to play by the rules- can you supply me with this correspondence & any return correspondence please.

Context

Please note the following key clarifications in our approach to your request:

- We have interpreted the reference to 'home decorators' to mean home-based cake makers and cake decorators.
- We have understood your request as seeking information on correspondence we have received through our Red Tape Tipline (Tipline), which is how the matter first came to our attention. We received submissions from home-based cake makers through the Tipline indicating their concerns with the disproportionate nature of the existing regulatory requirements. In response to these concerns, we undertook a review of the regulations, and, in collaboration with the Ministry for Primary Industries, implemented appropriate amendments.
- Importantly, we are not aware of any correspondence from home-based cake businesses that suggests, implies or asserts that they believe themselves exempt from regulations or that they 'do not have to play by the rules', or that they are unwilling to comply with regulations. The submissions we have received focus on the perceived disproportionality of the regulations, rather than an intent to avoid compliance.

Correspondence from small cake businesses

Since the launch of the Tipline¹ on 19 November 2024, we have received submissions regarding regulatory challenges faced by small food businesses. The correspondence we have received from

¹ <https://www.regulation.govt.nz/our-work/report-a-red-tape-issue/>

home-based cake makers and cake decorators have primarily come to us as submissions through this channel.

As the OIA permits agencies to provide requested information in various forms, including summarised excerpts under section 16(1)(e), we are providing the below summary of the submissions relevant to your request. This approach ensures the privacy of submitters and reflects that many of the submissions from small cake makers were duplicate or near-duplicate in content.

Summary of submissions

The overarching theme of submissions received from small cake businesses is frustration at what submitters describe as the disproportionate impact of the new Ministry for Primary Industries (MPI) levy on small food businesses. They note that these costs come on top of existing financial pressures, such as rising ingredient prices, and are seen as an additional burden on an already struggling sector.

Submitters expressed concerns about:

- Running, in their view, a low-risk business with low-risk ingredients, and being charged similarly to much larger, more sophisticated food businesses with much more staff and higher risk ingredients (e.g. supermarkets, restaurants and bakeries).
- The assertion that many of these small food businesses are sole traders and have no staff.
- The new levy applying per premise (e.g. kitchen and caravan). Together these are submitted to affect the viability of the small food maker's business.
- The combination of the MPI levy, the council registration cost and audit costs.
- One submitter commented about the lack of enforcement from councils against unregistered food businesses which makes the registration process ineffective.
- Submitters proposed either completely removing the requirement for small food makers to be registered or reducing the fee to one that is proportionate to the small food maker's income.

Ministry's response to submissions via the Tipline

The Ministry responds to submissions received through the Tipline with an acknowledgement email of the issues raised (see below). A triage and review process takes place where submissions are assessed to determine common themes and areas that may warrant further consideration. Where appropriate, issues are incorporated into broader sector reviews undertaken annually. Matters requiring detailed examination are subject to ongoing analysis, and the Ministry provides updates to submitters as progress is made.

The Ministry's email acknowledgement to a Tipline submission would be as follows:

"Thank you for your submission to the Ministry for Regulation's Red Tape Portal.

We appreciate the time and effort you have taken to tell us about your issue.

We use this information to improve regulation – this looks like:

- *removing, reducing, or streamlining requirements*
- *working with regulators to improve how they enforce regulations, or help them issue clearer guidance, and*

- *telling other government agencies about the issues we hear about to feed into ongoing or upcoming reforms.*

We will be in touch with you if we are progressing work on the regulatory issue you have raised with us.

You can keep up to date with the changes we make on our website or via our newsletter.

*Ngā mihi,
Ministry for Regulation”*

For an overview of submissions received via the Tipline -- including those from small cake businesses -- please see our website for detailed quarterly reports². These reports provide a breakdown of submissions by quarter, theme, region, source, and other pertinent data. This resource is designed to help users easily review and understand the scope and focus of the Ministry’s investigative activities.

Right of review

If you wish to discuss this decision with us, please contact hello@regulation.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we may publish this response (with your details removed) on the Ministry for Regulation website.

Ngā mihi

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Aisling Risdon
Head of Ministerial and Strategic Services
Ministry for Regulation

² <https://www.regulation.govt.nz/submission-reports>