

DRAFT FOR CONSULTATION

Foreign Influence Transparency Bill

Member's Bill

Explanatory note

General policy statement

The Foreign Influence Transparency Bill establishes a public register in order to increase the transparency of activity taking place in New Zealand at the instruction of a foreign principal, thereby protecting the security and national interests of New Zealand. This Bill will align New Zealand with like-minded liberal democracies that have adopted foreign influence transparency regimes, including Australia under the Foreign Influence Transparency Scheme Act 2018, and the United Kingdom, which commenced the Foreign Influence Registration Scheme in July 2025 in response to heightened foreign interference threats.

This Bill complements the Crimes (Countering Foreign Interference) Amendment Act 2025 by focusing on disclosure, designation, and registration. This Bill establishes a two-tier Foreign Influence Transparency Register to improve transparency around activities occurring in New Zealand that are carried out at the direction of a foreign principal. This Bill will strengthen New Zealand's criminal law to better prevent and respond to foreign interference targeting New Zealand.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides that the Bill comes into force on the day after Royal assent.

Part 1

Preliminary Provisions

Clause 3 states the purpose of the Bill.

Clause 4 defines the terms used in the Bill.

Clause 5 and the *Schedule* provide for transitional arrangements.

Clause 6 provides that the Bill, when enacted, will bind the Crown.

Part 2

Political Influence Tier

Subpart 1—Registration Duties

Clause 7 provides for the duty to register political influence arrangements.

Clause 8 outlines requirements for registration.

Clause 9 outlines the information required by the Registrar for registration.

Clause 10 establishes the basic requirements of the register.

Clause 11 outlines exemptions to the requirement to register.

Subpart 2—Registrar and administration

Clause 12 establishes a Registrar of Foreign Influence, responsible for maintaining the register of Foreign Influence.

Clause 13 establishes the Registrar's functions, powers, and protection from liability.

Part 3

Specified Foreign Powers (Enhanced Tier)

Subpart 1—Core registration and risk indicator

Clause 14 outlines the purpose of the Part.

Clause 15 establishes the powers to designate specified foreign powers.

Clause 16 outlines the effect of specified designation.

Subpart 2—Candidates for public office

Clause 17 outlines registration requirements for general and local election candidates.

Clause 18 provides for the requirement to identify election candidates with specified foreign power connections.

Clause 19 requires the making of *Gazette* notices regarding registered candidates.

Part 4

Offences

Clause 20 provides that it is an offence to undertake registrable activity while unregistered.

Clause 21 provides that it is an offence for knowingly or recklessly providing false or misleading information.

Clause 22 provides that it is an offence to fail to comply with information requests.

Part 5

Information-gathering and Enforcement

Clause 23 allows the Registrar to request information to determine whether a person must register.

Clause 24 allows the Registrar to share information with the New Zealand Police, the New Zealand Security Intelligence Service, and other agencies.

Part 6

Review and Appeal

Clause 25 provides for internal review of decisions of the registrar.

Clause 26 provides for appeals to the High Court on questions of law.

Clause 27 requires the Registrar to publish an annual report.

Clause 28 requires the Bill, once enacted, to be reviewed as soon as practicable after the third anniversary of its commencement.

Tim van de Molen

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Foreign Influence Transparency Act **2026**.

2 Commencement

This Act comes into force on the day after Royal assent.

Part 1
Preliminary provisions

3 Purpose

- (1) The purpose of this Act is to establish a register of persons involved in activities at the direction of, and on behalf of, a foreign principal. This is to improve the transparency of their activities for the protection of New Zealand's democracy and national security.

- (2) To achieve this aim, this Act:
- (a) promotes transparency around political influence activities directed by foreign principals;
 - (b) deters covert or deceptive foreign influence, also known as foreign interference;
 - (c) supports the detection and disruption of foreign interference in New Zealand.

4 Interpretation

In this Act, unless the context otherwise requires,—

candidate,—

- (a) in relation to local elections, has the same meaning as in section 5(1) of the Local Electoral Act 2001; and
- (b) in relation to national elections, has the same meaning as in section 3(1) of the Electoral Act 1992

direction or **direct** means instructions, inducements, or requests by a foreign principal that cause activity either for one specific instance or indefinitely into the future as a matter of ongoing commitment

foreign government means—

- (a) the government or territory of a foreign country outside New Zealand; or
- (b) any department, agency, or authority of such a government; or
- (c) all levels and subdivisions of government, such as local, regional, and national government; or
- (d) any authority exercising executive, legislative, administrative, or judicial functions on behalf of such a government

foreign political organisation means a political party, political movement, or other organisation operating in a country or territory outside New Zealand that has as one of its primary purposes the participation in, or influence of, political processes or public office in that country or territory

foreign public enterprise means an entity—

- (a) that is incorporated or formed outside New Zealand; and
- (b) in which a foreign government holds, directly or indirectly, more than 50% of the ownership interests, or is otherwise in a position to exercise substantial control and direction

foreign principal means—

- (a) a foreign government; or
- (b) a foreign political organisation; or
- (c) a foreign public enterprise; or

- (d) an entity or individual acting on behalf of, or under the direction or control of, a person or entity described in **paragraphs (a) to (c)**

political influence activity means at the direction of a foreign principal—

- (a) lobbying or directing institutions and persons within New Zealand including—
 - (i) Government lobbying; or
 - (ii) parliamentary lobbying; or
 - (iii) political lobbying of local government; or
- (b) communicating to the New Zealand public, whether within or outside of New Zealand, information or material for the primary purpose of influencing—
 - (i) the outcome of a parliamentary or local authority election or referendum; or
 - (ii) the introduction, amendment, repeal, or defeat of any Bill, or
 - (iii) the development, adoption, or implementation of Government policy; or
 - (iv) the exercise of an official power or function by a Minister, member of Parliament, local authority member, local government member, State-owned entity office holder, or other public office holders, including a candidate for any such office; or
- (c) organising, coordinating, or funding any campaign, network, or activity for the purpose of influencing an outcome described in **subsection (b)**, including by—
 - (i) mobilising individuals to contact, lobby, or otherwise apply pressure to Ministers, members of Parliament, local authority members, local government members, State-owned entity office holders, or other public office holders, including a candidate for any such office; or
 - (ii) coordinating the attendance of individuals at meetings, protests, or public events intended to influence Government decision-making; or
 - (iii) collecting, analysing, purchasing, or deploying personal data for the purpose of targeting or tailoring political communications to individuals or groups

relevant activity means activity registrable under **Part 2** or **Part 3**

Registrar means the chief executive of the Ministry of Justice

specified foreign power means a foreign power designated under **section 15**.

5 Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in **Schedule 1** have effect according to their terms.

6 Act binds the Crown

This Act binds the Crown.

Part 2

Political Influence Tier

Subpart 1—Registration Duties

7 Duty to register political influence arrangements

- (1) A person must notify the Registrar, in a form approved by the Registrar, any political influence activity that they are directed to undertake by a foreign principal within 10 working days of being directed.
- (2) A person must notify the Registrar, in a form approved by the Registrar, within 10 working days after the person—
 - (a) ceases to undertake any registrable activity; and
 - (b) is no longer a party to any registrable arrangement.
- (3) A notice under **subsection (2)** must include details of the basis on which the person considers that registration is no longer required.

8 Registration, cancellation, and updated of information

- (1) The Registrar must update the register within 10 working days of being notified of any change to a person's registrable activity.
- (2) A person must notify the Registrar, in a form approved by the Registrar, within 10 working days after any material change occurs in relation to—
 - (a) information required under **section 9**; or
 - (b) any registrable activity undertaken by the person; or
 - (c) any further registrable arrangement to which the person is a party.
- (3) The Registrar must cancel a person's registration if satisfied, based on information provided, that the person is no longer required to be registered under this Act.
- (4) Cancellation of a registration does not affect—
 - (a) any obligation that arose before the date of cancellation; or
 - (b) any investigation, compliance action, or enforcement proceeding in relation to conduct occurring before cancellation.
- (5) Where a registration is cancelled, the Registrar must continue to record, and make publicly available—

- (a) that the registration has ceased; and
 - (b) the person's basic details previously made publicly available under **section 9**; and
 - (c) the date of cancellation; and
 - (d) the period during which the registration was in force; and
 - (e) details of the registrable activities previously disclosed under **section 9**.
- (6) In this section, a **material change** includes a change to—
- (a) the foreign principal; or
 - (b) the nature, purpose, or scope of the registrable activity; or
 - (c) the existence, terms, or duration of a registrable arrangement; or
 - (d) any intermediary involved; or
 - (e) any consideration provided, promised, or expected.

9 Information required

A person must disclose to the Registrar the following information:

- (a) a person's details including—
 - (i) full legal name and any trading names; and
 - (ii) if the person is an organisation—
 - (A) its legal form; and
 - (B) registration number (if any); and
 - (C) details of the ownership and control of the organisation; and
- (b) in relation to each foreign principal on whose behalf the registrable activity is undertaken by the person—
 - (i) the name of the foreign principal; and
 - (ii) any department, agency, authority, or other body through which the foreign principal acts; and
 - (iii) the category of foreign principal, being—
 - (A) a foreign government; or
 - (B) a foreign political organisation; or
 - (C) a foreign public enterprise; or
 - (D) any other entity or individual acting on behalf of, or under the direction or control of, a person or entity described in **subsubparagraphs (A) to (C)**; and
- (c) Description of activity as directed by foreign entity, including—
 - (i) the nature of the activity; and
 - (ii) the purpose of the activity; and

- (iii) the intended audience or target of the activity; and
 - (iv) the period during which the activity is, or is proposed to be, undertaken; and
 - (v) the nature of the arrangement or understanding between parties under which the activity is, or is proposed to be, undertaken; and
 - (vi) the means by which the activity is, or is proposed to be, undertaken; and
- (d) any other information or documents the Registrar considers necessary for the purposes of this Act.

10 Register of Foreign Influence established

- (1) The Ministry of Justice must keep a register of foreign influence.
- (2) The register must contain the information provided under **section 9**.
- (3) The Registrar may withhold information on the register from the public if satisfied that making the information publicly available would be likely to—
 - (a) prejudice New Zealand's national security;
 - (b) endanger the safety of any person;
 - (c) prejudice the commercial position of any person;
 - (d) result in the disclosure of information subject to legal professional privilege.
- (4) Information may be withheld under **subsection (3)** only to the extent necessary to prevent the identified prejudice.

11 Exemptions

A person is exempt from the requirements of this Act if the person is engaging in—

- (a) diplomatic activity for a foreign principal, where the activity is undertaken in the person's official capacity and the person is entitled to privileges under the Diplomatic Privileges Immunities Act 1968 and the Consular Privileges and Immunities Act 1971;
- (b) the provision of humanitarian assistance and aid;
- (c) legal services, including advice or representation for judicial, criminal, or civil cases as well as legal representation relating to a government administrative process involving the foreign power;
- (d) reporting, commentary, journalism, or editorial content produced in the ordinary course of media activity and is not undertaken on behalf of, or under the direction or control of, a foreign principal;
- (e) religious worship, observance, teaching, pastoral care, or internal administration of a religious body that does not include political influence activity;

- (f) activities undertaken by a foreign principal, or a person acting on behalf of a foreign principal, pursuant to an agreement or arrangement with, or at the invitation of the Crown for the purposes of official cooperation.

Subpart 2—Registrar and administration

12 Registrar of Foreign Influence

- (1) The Registrar is responsible for the maintenance of the register.
- (2) The Registrar may authorise any employee of the Ministry to perform or exercise any of the Registrar's functions or powers under this Act.
- (3) An authorisation under **subsection (2)**—
 - (a) must be in writing and may be subject to any conditions specified by the Registrar; and
 - (b) does not prevent the Registrar from performing the function or exercising the power.

13 Functions of the Registrar

- (1) The functions of the Registrar are to—
 - (a) maintain the register; and
 - (b) provide guidance relating to compliance with this Act; and
 - (c) monitor compliance with this Act; and
 - (d) perform any other function conferred by this Act.
- (2) For the purpose of performing the functions in **subsection (1)**, the Registrar may—
 - (a) request further information from a person for the purpose of clarifying or completing information provided under the Act; and
 - (b) make inquiries that are reasonably necessary to determine whether a person appears to be complying with the requirements of the Act; and
 - (c) make information requests under **section 23**; and
 - (d) disclose information obtained under this Act to the New Zealand Police, the New Zealand Security Intelligence Service, or another public sector agency if satisfied that the disclosure is necessary; and
 - (e) do anything reasonably necessary to carry out the Registrar's functions under this Act
- (3) Information obtained under this section may not be used for any purpose other than administering this Act, except as provided in **subsection (2)(d)**.
- (4) No civil or criminal proceedings may be brought against the Registrar, the Crown, or any employee of the Ministry of Justice for any act or omission done in good faith in the performance or exercise, or intended performance or exercise, of any function, duty, or power under this Act.

Part 3

Specified Foreign Powers (Enhanced Tier)

Subpart 1—Core Registration and Risk Indicator

14 Purpose

- (1) The purpose of this Part is to provide a mechanism for the designation of foreign principals as specified foreign powers for the purposes of this Act.
- (2) A designation under this Part is for the purpose of ensuring that the public register includes contextual information indicating heightened foreign interference risk in relation to registrable activity undertaken at the direction of those specified foreign principals.
- (3) Nothing in this Part limits the operation of **Part 2** nor does it create any additional duties to register beyond the duties imposed under **Part 2**.

15 Designation of specified foreign powers

- (1) The Governor-General may, by Order in Council on the recommendation of the Minister, designate a foreign principal as a specified foreign power.
- (2) The Minister may recommend a designation only if satisfied that there are reasonable grounds to believe that the foreign principal—
 - (a) has engaged in, or is likely to engage in, conduct that constitutes foreign interference in New Zealand; or
 - (b) poses a material risk to the integrity of New Zealand's democratic or governmental institutions.
- (3) In considering whether to make a recommendation, the Minister may have regard to—
 - (a) any information the Minister considers relevant; and
 - (b) whether the foreign principal has, or is likely to, engage in covert, deceptive, or coercive interference activity; and
 - (c) whether features of the governance structure of the foreign principal, including material restrictions on political competition, civil liberties, democratic norms, or media independence, are of a kind that increase the risk of foreign interference activity.
- (4) The Minister must review each designation every 3 years.
- (5) Regulations made under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

16 Effect of designation on public register

- (1) If a person is registered under **Part 2** in relation to a foreign principal that is a specified foreign power, the register must indicate, in relation to that registration, that the foreign principal is a specified foreign power.

- (2) The register must include, as a separate and publicly accessible part of the register, a list of all foreign principals that are currently designated as specified foreign powers whether or not any person is registered under **Part 2** in relation to those foreign principals.
- (3) Nothing in this section affects the Registrar's powers to withhold information under **section 10(3)**.

Subpart 2—Candidates for Public Office

17 Notification of candidates

- (1) As soon as practicable after the close of nominations for a general election or a local election, the Electoral Commission and each local authority must provide to the Registrar a list of all candidates nominated for that election.
- (2) The list must include the full name of each candidate and any other identifying information reasonably necessary for the purposes of this subpart.
- (3) **Subsection (2)** applies whether the candidate is registered in the candidate's personal capacity or as an officer of a registered organisation.

18 Identification of candidates with enhanced tier declarations

- (1) The Registrar must determine whether any candidate named in a list provided under **section 16(2)** is registered under **Part 2**.
- (2) If a candidate is registered under **Part 2**, the Registrar must indicate that fact on the register.

19 Public notice

- (1) If a candidate is registered under **Part 2** at the close of nominations, the Registrar must publish a notice in the *Gazette* identifying—
 - (a) the name of the candidate; and
 - (b) the foreign principal in relation to which the candidate is registered; and
 - (c) whether the foreign principal is a specified foreign principal; and
 - (d) a general description of the registrable activity.
- (2) The Registrar may withhold information under **subsection (1)** only to the extent necessary to avoid prejudice to national security or endangerment of the safety of any person.
- (3) This subpart does not affect any obligation of a person to register under **Part 2**.

Part 4

Offences

20 Requirement to be registered

- (1) A person must not undertake a registrable political influence activity unless the person is registered under this Act.
- (2) A person who contravenes this section commits an offence and is liable on conviction,—
 - (a) in the case of an individual,—
 - (i) to imprisonment for a term not exceeding 2 years; or
 - (ii) a fine not exceeding \$200,000; or
 - (iii) both; or
 - (b) in the case of a body corporate, to a fine not exceeding \$600,000.

21 Providing false or misleading information

- (1) A person must not knowingly or recklessly provides information to the Registrar that is false or misleading.
- (2) A person who contravenes this section commits an offence and is liable on conviction,—
 - (a) in the case of an individual,—
 - (i) to imprisonment for a term not exceeding 2 years; or
 - (ii) a fine not exceeding \$200,000; or
 - (iii) both; or
 - (b) in the case of a body corporate, to a fine not exceeding \$600,000.

22 Failure to comply with information notice

- (1) A person must supply information requested in an information notice under **section 23**.
- (2) A person who contravenes this section commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$50,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$150,000.

Part 5

Information-gathering and enforcement

23 Information notices

- (1) If the Registrar has reasonable grounds to believe that a person is undertaking, or has undertaken, a registrable activity on behalf of a foreign principal, the

Registrar may, by written notice, require the person to provide information that is reasonably necessary to determine whether the person is required to register under this Act.

- (2) A notice under **subsection (1)** must—
 - (a) state the reasons for the Registrar’s belief; and
 - (b) specify the information required; and
 - (c) specify a reasonable period for compliance.
- (3) A person is not required to provide information that is subject to legal professional privilege.
- (4) The Registrar must not require information under **subsection (1)** unless satisfied that the information cannot reasonably be obtained by other means.
- (5) A person commits an offence if, without reasonable excuse, the person fails to comply with a notice under **subsection (1)**.

24 Disclosure of information to public sector agencies

- (1) The Registrar may disclose information obtained in the performance or exercise of the Registrar’s functions, duties, or powers under this Act to—
 - (a) the New Zealand Security Intelligence Service; or
 - (b) the New Zealand Police; or
 - (c) any other public sector agency.
- (2) The Registrar may disclose information only if satisfied that the disclosure is necessary for the performance of the lawful functions of the recipient agency.
- (3) The Registrar may disclose information whether or not the information is included on the register.
- (4) The Registrar must keep a record of any disclosure made under this section, including—
 - (a) the date of the disclosure; and
 - (b) the recipient agency; and
 - (c) a general description of the information disclosed; and
 - (d) the purpose for which the disclosure was made.
- (5) Nothing in this section authorises the disclosure of information in a manner inconsistent with the Privacy Act 2020, the Official Information Act 1982, or any other enactment.

Part 6

Reviews and appeals

25 Internal review

- (1) A person who is directly affected by a reviewable decision of the Registrar under this Act may apply to the Registrar for an internal review of the decision.
- (2) An application must—
 - (a) be made in writing; and
 - (b) be made within 20 working days after the person is notified of the decision; and
 - (c) set out the grounds on which the review is sought.
- (3) The Registrar must, as soon as practicable after receiving an application, review the decision and—
 - (a) confirm the decision; or
 - (b) vary the decision; or
 - (c) revoke the decision and substitute a new decision.
- (4) The Registrar must give written notice of the outcome of the review to the applicant, including reasons for the decision.
- (5) An application for internal review does not suspend the operation of the decision unless the Registrar otherwise directs.
- (6) In this section, **reviewable decision** means a decision made by the Registrar to—
 - (a) register, or refuse to register, a person; or
 - (b) cancel, or refuse to cancel, a registration; or
 - (c) withhold, or refuse to withhold, information from public availability on the register; or
 - (d) require a person to provide information under **section 23**.

26 Appeal of internal review decision

- (1) A person who is dissatisfied with the outcome of an internal review may appeal to the High Court on a question of law.
- (2) An appeal under must be filed within 20 working days after the person is notified of the outcome of the internal review.
- (3) The High Court may confirm, vary, or set aside the decision, and may refer the matter back to the Registrar with directions.

27 Annual Report

- (1) The Registrar must, as soon as practicable after the end of each financial year, prepare and publish an annual report on the administration of this Act.

- (2) The annual report must include the following information:
- (a) the number of registrations made during the year; and
 - (b) the number of registrations cancelled during the year; and
 - (c) the number of decisions to withhold information under **section 10(3)**; and
 - (d) the number of information notices issued under **section 23**; and
 - (e) the number of internal reviews conducted under **section 25**; and
 - (f) the number of appeals brought under **section 26**; and
 - (g) any significant trends in registrations and registrable activity observed during the year; and
 - (h) any significant compliance issues or systemic issues identified in the administration of this Act; and
 - (i) any recommendations for legislative or operational improvements to achieve the purposes of this Act.
- (3) The annual report must not include information that would be likely to—
- (a) prejudice national security; or
 - (b) endanger the safety of any person.

28 Review of operation of Act

- (1) As soon as practicable after the third anniversary of the commencement of this Act, the Registrar must—
- (a) review the operation of this Act; and
 - (b) consider whether any amendments to this Act are required; and
 - (c) report the findings of the review to the Minister.
- (2) As soon as practicable after receiving the report, the Minister must present a copy of the report to the House of Representatives.

Schedule 1
Transitional, savings, and related provisions

s 5

Part 1
Provisions relating to this Act as enacted

1 Interpretation

In this Part, unless the context otherwise requires—

Act means the Foreign Influence Transparency Act **2026**

commencement date means the commencement date of the Act.

2 Persons have 3 months to register

- (1) A person who is undertaking a registrable activity must apply for registration within 3 months of the commencement date (**transitional period**).
- (2) A person does not commit an offence against the Act for failing to register during the transitional period.