

Electricity Industry Participation Code Amendment (Updating and Clarifying Part 6A Obligations) 2024

1. Under section 38 of the Electricity Industry Act 2010 (“Act”), and having complied with section 39 of that Act, the Electricity Authority (“Authority”) gives notice of making the Electricity Industry Participation Code Amendment (Updating and Clarifying Part 6A Obligations) 2024 (“amendment”).
 2. The amendment comes into force on **1 June 2024**.
 3. The amendment updates and clarifies the scope and effect of obligations in Part 6A of the Electricity Industry Participation Code 2010 (“Code”), which relates to the separation of distribution from certain generation and retailing. Part 6A was inserted into the Code by the Electricity Industry Amendment Act 2022, and this amendment makes consequential changes to:
 - a. update and clarify who has obligations under Part 6A in a way that is appropriate in the context of the Code and consistent with the Act;
 - b. remove the requirement for a mental element to establish a breach of some of the Part 6A rules, which is no longer necessary now that breaches are dealt with under the Code’s enforcement regime; and
 - c. align the information disclosure obligations in Part 6A with the Authority’s normal Code drafting approach.
 4. The amendment is secondary legislation for the purpose of the Legislation Act 2019 and is administered by the Authority.
 5. A copy of the amendment and Code is available on the Authority’s website at: <http://www.ea.govt.nz/code-and-compliance/the-code/>.
 6. A copy of the amendment and the Code may also be inspected free of charge or purchased from the Authority, Level 7, Aon Centre, 1 Willis Street, Wellington.
- Dated at Wellington this 16th day of April 2024.
ANNA KOMINIK, Chair, Electricity Authority.