



## COVERSHEET

<b>Minister</b>	Hon Dr Megan Woods	<b>Portfolio</b>	Energy and Resources
<b>Title of Cabinet paper</b>	Electricity Industry Amendment Bill: Approval for Introduction	<b>Date to be published</b>	20 September 2021

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
August 2021	Electricity Industry Amendment Bill: Approval for Introduction	Office of the Minister of Energy and Resources
5 August 2021	Electricity Industry Amendment Bill: Approval for Introduction LEG-21-MIN-0110	Cabinet Office

### Information redacted

### YES / NO

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# Cabinet Legislation Committee

## Minute of Decision

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### Electricity Industry Amendment Bill: Approval for Introduction

**Portfolio**                      **Energy and Resources**

On 5 August 2021, the Cabinet Legislation Committee:

- 1        **noted** that the Electricity Industry Amendment Bill holds a category 4 priority (to be referred to a select committee in the year) on the 2021 Legislation Programme;
- 2        **noted** that the Bill will:
  - 2.1      provide for the responsible Minister to appoint a suitably constituted and qualified body, a Small Electricity Consumers Agency, to represent and advocate for the interests of household and small business electricity consumers;
  - 2.2      enable the recovery of all costs of Small Electricity Consumers Agency incurred from 1 July 2021 from electricity industry participants, subject to consulting levy payers on any cost recovery via levy regulations;
  - 2.3      remove ambiguity in the Electricity Authority's ability to regulate for the protection of household and small business consumers, including vulnerable and medically dependent consumers;
  - 2.4      provide more regulatory agility to promote competition in evolving contestable markets by shifting provisions relating to a distributor's involvement in contestable activities from primary legislation into secondary legislation, which the Electricity Authority can then develop and amend;
  - 2.5      clarify that the Electricity Authority should be able to regulate all parts of distribution agreements, as it already does for transmission agreements;
  - 2.6      clarify the Electricity Authority's powers to gather information from industry participants for the purpose of carrying out reviews or investigations requested by the Minister in accordance with the Electricity Industry Act 2010;
  - 2.7      enable the Minister of Energy and Resources to amend the Electricity Industry Participation Code if the Minister is not satisfied with progress on specified matters;
- 3        **noted** that Cabinet approval has not been obtained for a provision in the Bill that will enable the Electricity Authority to share information with other government agencies or regulators, subject to safeguards relating to the use and storage of that information;

- 4 **noted** that the information-sharing provision in the Bill is consistent with similar provisions in comparable regulatory regimes;
- 5 **agreed** to:
- 5.1 the information-sharing provisions being included in the Bill;
- 5.2 approve the Electricity Industry Amendment Bill [PCO 22622/5.0] for introduction, subject to the final approval of the government caucus and sufficient support in the House of Representatives;
- 6 **agreed** that the Bill be introduced on 12 August 2021;
- 7 **agreed** that the Government propose that the Bill be:
- 7.1 referred to the Economic Development, Science and Innovation Committee for consideration;
- 7.2 enacted by July 2022.

Rebecca Davies  
Committee Secretary

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**Present:**

Hon Chris Hipkins (Chair)  
Hon Andrew Little  
Hon David Parker  
Hon Poto Williams  
Hon Kris Faafoi  
Hon Jan Tinetti  
Hon Michael Wood  
Hon Dr Ayesha Verrall

**Officials present from:**

Office of the Prime Minister  
Officials Committee for LEG