

Corrigendum—Notice of the Electricity Industry Participation Code Amendment (Definition of Disclosure Information (No. 2)) 2021

1. Under section 38 of the Electricity Industry Act 2010 (“EI Act”) and the Legislation Act 2019, and having complied with section 39 of the EI Act, the Electricity Authority gives notice of making the Electricity Industry Participation Code Amendment (Definition of Disclosure Information (No. 2)) 2021 (“amendment”).
2. The amendment was made on **1 November 2021**.
3. The amendment comes into force on **15 December 2021**.
4. The amendment makes a change to Part 1 of the Code, amending paragraph (c) of the definition of “disclosure information” by replacing the words “is likely to” with the words “will, or is likely to,”. The amendment follows the urgent amendment made by the Electricity Industry Participation Code Amendment (Definition of Disclosure Information) 2021, which replaced the word “will” with “is likely to” and was due to expire on 6 January 2022. The amendment will apply permanently.
5. The effect of this amendment is to lower the threshold for determining whether information is disclosure information for the purposes of the wholesale electricity market disclosure provisions in clause 13.2A of the Code from the threshold applied by the Electricity Rulings Panel in its decision *Haast Energy Trading Limited v Genesis Energy Limited* under the definition of “disclosure information” that applied prior to the urgent amendment.
6. The amendment is secondary legislation for the purposes of the Legislation Act 2019 and is administered by the Electricity Authority.
7. A copy of the amendment and the Electricity Industry Participation Code 2010 (“Code”) is available on the Electricity Authority’s website
<http://www.ea.govt.nz/code-and-compliance/the-code/>.
8. A copy of the amendment and the Code may also be inspected free of charge or purchased from the Electricity Authority, Level 7, ASB Bank Tower, 2 Hunter Street, Wellington.

Dated at Wellington this 16th day of November 2021.

DR NICOLA CRAUFORD, Chairperson, Electricity Authority.

Note: This notice replaces the notice published in the [New Zealand Gazette, 3 November 2021, Notice No. 2021-au4767](#), which incorrectly referenced repealed legislation.