

Notice of the Electricity Industry Participation Code Amendment (Retailer Default) 2025

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 (Retailer Default) 2025 (“amendment”).
2. The amendment comes into force on **15 May 2025**.
3. The amendment amends Parts 1, 11, and 14 the Code as part of the Authority’s Code amendment omnibus number five by:
 - a. introducing a “serious financial breach (trader/retailer)” provision, with similar thresholds to that of a distributor serious financial breach which would permit a trader to trigger the trader default process if a retailer defaults on its payments;
 - b. introducing a prohibition on traders from disconnecting the retailer’s customers prior to or during the trader default process;
 - c. making certain consequential amendments, including to permit the Authority to issue appropriate notices to the defaulting retailer and to assign the defaulting retailer’s contracts and any associated ICPs as part of the trader default process.
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 the Electricity Industry Participation Code 2010 (“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 14th day of April 2025.

ANNA KOMINIK, Chair, Electricity Authority.