

19 June 2025

s9(2)(a)

Tēnā koe

## Your request

Thank you for your request, received on 30 May 2025, under the Official Information Act 1982 (the Act) for the following information:

*"I'd like to request a copy of any decisions or recent discussions or advice (within the last two years) around whether the Authority is going to publish secondary legislation it is responsible for (such as the Electricity Industry Participation Code 2010) on the PCO's legislation.govt.nz website."*

## Our response

While the Electricity Authority Te Mana Hiko (the Authority) makes and administers the Electricity Industry Participation Code 2010 (Code), the Parliamentary Counsel Office (PCO) is responsible for deciding the applicable publication requirements for the Code and other secondary legislation not published by the PCO (under [section 74 of the Legislation Act 2019](#)).

These publication requirements are recorded under [section 33 of the Electricity Industry Act 2010](#) and include publishing the Code on the Authority's website. There is no requirement to publish the Code on PCO's legislation website, [legislation.govt.nz](#).

The Authority is not responsible for deciding the publication requirements for the Code. As such, we have not made any decisions on whether to publish the Code on the legislation.govt.nz website, nor have we had discussions or provided advice on whether to publish the Code on the legislation.govt.nz website. Therefore, your request is refused under section 18(e) of the Act, as the documents alleged to contain the information requested do not exist or cannot be found.

We note that the [Legislation Amendment Bill](#) was introduced into Parliament in May 2025. Under this Bill, agencies like the Authority will be required to electronically publish secondary legislation on their own websites. That would then enable PCO to identify, index, and make the text of that secondary legislation available on the legislation.govt.nz website. The Authority is working on improvements to the way it publishes the Code on its website to ensure it meets these requirements, should the Bill pass. You can follow the Bill's progress on the New Zealand Parliament website here: [Legislation Amendment Bill](#)

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](#) or freephone 0800 802 602.

As this information may be of interest to other members of the public, the Authority will proactively release a copy of this response on our website. All personal data, including your name and contact details, will be removed before publication.

If you'd like to discuss this response with us, please contact us by emailing [oia@ea.govt.nz](mailto:oia@ea.govt.nz).

Nāku noa, nā,

A handwritten signature in black ink, appearing to read 'Airihi Mahuika', with a long horizontal flourish extending to the right.

Airihi Mahuika  
**GM Legal, Monitoring and Compliance**

Released under the Official Information Act 1982