

# House of Representatives

# Supplementary Order Paper

**Tuesday, 29 June 2021**

## **Gas (Information Disclosure and Penalties) Amendment Bill**

### *Proposed amendment*

Simon Court, in Committee, to move the following amendment:

*New clause 11AAB*

After *clause 11* (page 5, after line 3), insert:

#### **11AAB Section 43N amended (Assessment of proposed gas governance regulations)**

After section 43N(1)(d), insert:

- (e) if the recommendation is being made under section 43F(2)(f), ensure that the regulation protects commercially sensitive information from any disclosure other than to the industry body or a Government department.

### **Explanatory note**

This Supplementary Order Paper amends the Gas (Information Disclosure and Penalties) Amendment Bill. The New Zealand gas industry is governed under a co-regulatory model, which is founded on a relationship of co-operation between the Government and the industry via an industry body (the Gas Industry Company).

The industry body may recommend regulations to the Minister following a consultation process with the industry. This process involves identifying and assessing any other practicable alternatives for meeting the regulatory objective at issue, with regulation being the option of last resort (*see* section 43N).

The Gas (Information Disclosure and Penalties) Amendment Bill introduces to the Gas Act 1992 the power for the industry body to recommend, and the Minister to make, regulations concerning gas information disclosure. The amendment is in response to concerns about availability of certain information following recent gas

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production outages, and the impact of that lack of information on the electricity market and other gas consumers.

Some of the information that may be required to be disclosed under recommendations made by the Gas Industry Company (GIC) may be commercially sensitive to the party disclosing it. Such information should be protected from public disclosure and from any further dissemination other than what is necessary for the GIC and the Government to be informed as to security of supply. This Supplementary Order Paper proposes an amendment to ensure that protections for commercially sensitive information are included in any recommendation made to the Minister by the GIC.

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Wellington, New Zealand:

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