

3 November 2023

Governance and Administration Committee  
Parliament Buildings  
Wellington

Via email: [ga@parliament.govt.nz](mailto:ga@parliament.govt.nz)

## **SUBMISSION ON THE EMERGENCY MANAGEMENT BILL**

The Electricity Retailers' Association of New Zealand ('ERANZ') welcomes the opportunity to submit on the Emergency Management Bill.

ERANZ is the industry association representing companies that sell electricity to Kiwi households and businesses. Our members supply almost 90 per cent of New Zealand's electricity. We work for a competitive, fair, and sustainable electricity market that benefits consumers.

Electricity is defined as a "lifeline utility" under the Civil Defence Emergency Management Act 2002. This submission takes a narrow focus on medically dependent electricity consumers and the lack of government oversight of their welfare during declared civil defence emergencies when no other help is available. The submission recommends including medically dependent electricity consumers in the official civil defence response.

### **Executive summary**

ERANZ would like the select committee and government officials to address a critical gap in aiding medically dependent electricity consumers ('MDCs') during civil defence emergencies. ERANZ seeks to augment electricity's role as a lifeline utility by ensuring the needs of those who rely on electricity receive the urgent response they need during extended electricity outages.

Traditional methods for assisting MDCs during outages rely on a normally functioning community around them. However, during a large-scale emergency event, there is currently no method for assessing and sending first responders to MDCs.

ERANZ submits that the select committee should amend the Emergency Management Bill to include powers for the Director of Emergency Management to ensure a list of MDCs living within a declared state of emergency is made available for assessment and, if required, task first responders with reaching MDCs to provide a life-preserving source of electricity or assist in evacuation.

## **Assisting medically dependent electricity consumers in a state of emergency**

Electricity is a critical service for the public and enables other critical services that people rely on, including healthcare, water supply and communications. Electricity is one of the “lifeline utilities” defined in the 2002 Act.

This submission will not focus on the Bill’s requirement for critical infrastructure entities to publish their planned emergency levels of service (‘PELOS’); individual electricity generators and distributors will address that in their own submissions.

This submission will focus on medically dependent consumers (‘MDCs’) who require electricity for health and life preservation.

The Electricity Authority defines a medically dependent consumer as: “a domestic consumer who is dependent on mains electricity for critical medical support, such that loss of electricity may result in loss of life or serious harm.” Medical dependence on electricity could be for medical or other electrical equipment needed to support a treatment regime – ventilators, oxygen concentrators and ventricular assistance devices are examples of critical medical equipment.

To qualify for MDC status, a health practitioner will assess a patient and then fill out a notice for the patient’s electricity retailer. Once submitted to the retailer, this notice requires the retailer to take extra precautions when dealing with the consumer.

Of course, electricity supply is never guaranteed, and power cuts can occur for many reasons. In these situations, the health practitioner and the consumer will have prepared an ‘Emergency response plan’ that provides backup options during outages. Options include using batteries, going to a nearby friend or family member’s house, or even the local hospital if required. This ensures the consumer always has access to the functioning equipment they need.

In these scenarios, the electricity retailer is always available to help and, in many instances, will proactively undertake welfare checks on the consumer via phone.

However, these backup options are predicated on a normally functioning community around the consumer, who they can call on for help. However, in an emergency scenario, such as Cyclone Gabrielle, such community support is unavailable; and communications and transport options are out of service. Devastation of the electricity lines infrastructure means restoration periods are understandably much more lengthy than normal. Workers fixing the electricity lines infrastructure are often hampered by the weather as well as the same communications and transport outages as the public.

In this scenario, an MDC is sheltering in place with no ability to seek assistance. Retailers can also not contact their customers if communications are down and cannot provide remote assistance. Therefore, MDCs are ‘on their own’ in these extreme scenarios.

The previous Civil Defence Act and the new Emergency Management Bill do not cater for this situation. However, ERANZ remains concerned these people require assistance only expert first responders and the emergency services can provide. Therefore, ERANZ and its members recommend the select committee consider how to provide for centralised emergency managers to evaluate and prioritise assistance in disaster zones to those whose lives depend on the supply of

electricity.

ERANZ recommends the new Emergency Management Bill should require the following:

- The Director of Emergency Management to ensure a list of MDCs living within a declared state of emergency is made available for assessment.
- Those relevant MDCs are assessed in the context of the emergency and what is happening on the ground.
- If required, the Director of Emergency Management tasks specific first responders with reaching MDCs and either ensuring they have a life-preserving source of electricity or are prioritised for evacuation.

## **Conclusion**

ERANZ is happy to provide any further information on this submission as needed by the select committee, either in writing or in an oral hearing before the committee.

ERANZ looks forward to engaging with officials further as the Bill progresses through Parliament.

Yours sincerely

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

Kenny Clark  
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