

**Reprint  
as at 21 April 2005**



**Energy Efficiency and  
Conservation Act 2000**

Public Act    2000 No 14  
Date of assent    15 May 2000  
Commencement    see section 2

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**This Act is administered by the Ministry for the Environment.**

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## **1 Title**

This Act is the Energy Efficiency and Conservation Act 2000.

## **2 Commencement**

This Act comes into force on 1 July 2000.

## **3 Interpretation**

In this Act, unless the context otherwise requires,—

**Authority** means the Energy Efficiency and Conservation Authority established by section 20

**energy conservation** means a reduction in energy use

**energy efficiency** means a change to energy use that results in an increase in net benefits per unit of energy

**environment** has the meaning given to it by the Resource Management Act 1991

**Minister** means the Minister who, under the authority of a warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

**publicly notify** means publishing a notice—

(a) in 1 or more daily newspapers circulating in the cities of Auckland, Hamilton, Wellington, Christchurch, and Dunedin; and

(b) in the *Gazette*; and

(c) on the Internet in an electronic form that is publicly accessible;—

and **public notification** has a corresponding meaning

**strategy** means a national energy efficiency and conservation strategy

**transferred employee** means a person employed in the Ministry of Economic Development immediately before 1 July 2000 who is transferred to the Authority under section 32.

**4 Act binds the Crown**

This Act binds the Crown.

**5 Purpose**

The purpose of this Act is to promote, in New Zealand, energy efficiency, energy conservation, and the use of renewable sources of energy.

**6 Sustainability principles**

In achieving the purpose of this Act, all persons exercising responsibilities, powers, or functions under it must take into account—

- (a) the health and safety of people and communities, and their social, economic, and cultural well-being; and
- (b) the need to maintain and enhance the quality of the environment; and
- (c) the reasonably foreseeable needs of future generations; and
- (d) the principles of the Treaty of Waitangi.

*Ministerial responsibilities***7 Responsibilities of Minister**

The Minister is responsible for—

- (a) developing the Government's policy on the promotion in New Zealand of energy efficiency, energy conservation, and the use of renewable sources of energy;
- (b) developing a national energy efficiency and conservation strategy;
- (c) promoting public awareness in New Zealand of the importance of energy efficiency and conservation, and the use of renewable sources of energy, by—
  - (i) providing information and advice; and
  - (ii) fostering education programmes;
- (d) promoting practices and technologies that further energy efficiency, energy conservation, and the use of renewable sources of energy;
- (e) arranging for the conduct of such research, assessments, demonstrations, and studies as the Minister thinks fit:

- (f) monitoring and reviewing the state of energy efficiency, energy conservation, and the use of renewable sources of energy in New Zealand;
- (g) publishing such relevant information, research, and other material as the Minister thinks fit.

*National energy efficiency and conservation  
strategy*

**8 Preparation and issue of initial strategy**

The Minister must ensure that,—

- (a) on or before 1 April 2001, a draft strategy is prepared and publicly notified in accordance with section 15; and
- (b) on or before 1 October 2001, the strategy is issued under section 17.

**9 Ongoing obligation to ensure strategy in place**

The Minister must ensure that, at all times after the initial strategy referred to in section 8 comes into force under section 12(1), there is a strategy in force.

*Contents and term of strategy*

**10 Purpose and contents of strategy**

- (1) The purpose of a strategy is to give effect to the Government's policy on the promotion in New Zealand of energy efficiency, energy conservation, and the use of renewable sources of energy.
- (2) The strategy must state—
  - (a) the Government's policies in relation to the promotion in New Zealand of energy efficiency, energy conservation, and the use of renewable sources of energy; and
  - (b) the objectives to be pursued to achieve the Government's policies in relation to the promotion in New Zealand of energy efficiency, energy conservation, and the use of renewable sources of energy; and
  - (c) targets to achieve those policies and objectives, being targets that are measurable, reasonable, practicable, and considered appropriate by the Minister; and

- (d) means by which those policies and objectives, and any such targets, are to be achieved; and
- (e) such other matters as may be necessary to achieve the purpose of this Act.

### **11 Consistency with national policy statements**

A strategy must be consistent with any national policy statement for the time being in force under the Resource Management Act 1991.

### **12 Term of strategy**

- (1) Subject to subsection (4), a strategy comes into force on the day after the date on which it is first published under section 17 and continues in force for a term of 5 years from that date.
- (2) The Minister must, at least 6 months before the end of the term of a strategy, determine whether or not the strategy needs to be replaced by a new strategy.
- (3) If the Minister determines that the strategy should be replaced, the Minister must, as soon as practicable,—
  - (a) give public notification that the determination has been made; and
  - (b) ensure that a replacement strategy is prepared and issued in accordance with the procedure specified in sections 13 to 17.
- (4) If the Minister determines that the strategy does not need to be replaced, the strategy continues in force for a term of 5 years beginning with the expiry of the immediately preceding term of the strategy.

#### *Procedure for implementing strategy*

### **13 Preparation of draft strategy**

- (1) The Minister may direct the Authority—
  - (a) to prepare a draft strategy for approval by the Minister; and
  - (b) in preparing the draft strategy, to seek, from the persons listed in subsection (2), comments on the matters to be provided for in the strategy.

- (2) In preparing a draft strategy, the Minister or, if a direction is given to the Authority under subsection (1), the Authority must seek comments from—
  - (a) such representatives, as the Minister or the Authority, as the case may require, considers appropriate, of—
    - (i) industry and commerce;
    - (ii) environmental and community organisations;
    - (iii) Maori organisations;
    - (iv) local authorities; and
  - (b) the Parliamentary Commissioner for the Environment.
- (3) The Minister or the Authority, as the case may require, may seek comments from any other person.

#### **14 Approval of draft strategy by Minister if draft prepared by Authority**

- (1) If a direction is given to the Authority under section 13(1), the Authority must, after considering any comments received under section 13 and preparing a draft strategy, submit the draft strategy to the Minister for approval.
- (2) The Minister may, before approving the draft strategy, require the Authority to make such changes to the draft strategy as the Minister considers appropriate.

#### **15 Public notice of draft strategy**

- (1) After considering any comments received under section 13 and preparing a draft strategy or after approving a draft strategy under section 14, as the case may require, the Minister must ensure that the draft strategy—
  - (a) is publicly notified; and
  - (b) is available for inspection by any person at such places as the Minister considers appropriate.
- (2) A notice published under subsection (1)(a) must—
  - (a) give reasonable notice of the contents of the draft strategy; and
  - (b) specify the places at which, and the times at which, the draft strategy may be inspected; and
  - (c) state that submissions on the draft strategy may be made to the Authority; and
  - (d) state how submissions may be made; and

- (e) specify the date by which submissions must be received.

**16 Submissions on draft strategy**

- (1) Any person may make a submission on a draft strategy.
- (2) Every such submission must be in writing.
- (3) A submission on the draft strategy must be received by the Authority no later than the date specified in the public notice given under section 15.
- (4) The Authority must, following the expiry of the time for making submissions, arrange for a report and recommendations to be made to the Minister in respect of all submissions received in accordance with subsections (2) and (3).

**17 Publication of strategy**

- (1) The Minister must consider the report and recommendations made under section 16, and may make such changes to the draft strategy as the Minister thinks fit.
- (2) After considering the report and recommendations, the Minister must—
  - (a) provide every person who made a submission with a summary of the recommendations and of the Minister's decision on the recommendations; and
  - (b) make the strategy available for public inspection at such places as the Minister considers appropriate; and
  - (c) give public notification of the issue of the strategy (which notification must give reasonable notice of the contents of the strategy, incorporating any changes made under this section), and of the places at which it is available for inspection.

*Replacing or amending strategy*

**18 Replacement strategy**

- (1) Despite section 12, the Minister may at any time prepare and publish a draft replacement strategy.
- (2) In preparing a draft replacement strategy, the Minister must follow the procedure specified in sections 13 to 17.
- (3) Despite section 12(1), the current strategy remains in force while a draft replacement strategy is being prepared.



**19 Amendments to strategy**

- (1) The Minister may from time to time make amendments of a minor nature to a current strategy.
- (2) Before the Minister makes amendments to a current strategy under subsection (1), the Authority must consult with such persons as the Minister considers appropriate, including (without limitation) the persons specified in section 13(2).
- (3) The Minister must, in accordance with section 15 (which applies with any necessary modifications), publicly notify any amendments to a current strategy.
- (4) Nothing in this section or section 15 requires the Authority or the Minister to receive submissions in relation to amendments that the Minister proposes to make under this section to a strategy.

*Energy Efficiency and Conservation Authority*

**20 Energy Efficiency and Conservation Authority**

- (1) This section establishes the Energy Efficiency and Conservation Authority.
- (2) The Authority is a Crown entity for the purposes of section 7 of the Crown Entities Act 2004.
- (3) The Crown Entities Act 2004 applies to the Authority except to the extent that this Act expressly provides otherwise.

Section 20(2): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 20(3): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**21 Functions**

- (1) The function of the Authority is to encourage, promote, and support energy efficiency, energy conservation, and the use of renewable sources of energy by—
  - (a) advising the Minister on any matter relating to or affecting—
    - (i) energy efficiency and conservation, and the use of renewable sources of energy in New Zealand;  
or
    - (ii) the functions of the Authority:

- (b) assisting the Minister to prepare and administer a strategy:
  - (c) promoting public awareness in New Zealand of the importance of energy efficiency and conservation, and the use of renewable sources of energy:
  - (d) promoting practices and technologies to further energy efficiency, energy conservation, and the use of renewable sources of energy:
  - (e) arranging for the conduct of research, assessments, demonstrations, and studies:
  - (f) monitoring and reviewing the state of energy efficiency, energy conservation, and the use of renewable sources of energy in New Zealand:
  - (g) publishing relevant information, research, and other material:
  - (h) carrying out such other functions and duties as are conferred or imposed on it by any enactment.
- (2) The Authority must perform its functions to achieve the purpose of this Act, and in accordance with the strategy for the time being in force.
- (3) Subsection (2) does not limit section 14(2) of the Crown Entities Act 2004.

Section 21(3): added, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## 22 Powers

- (1) *[Repealed]*
- (2) The Authority may—
- (a) *[Repealed]*
  - (b) make grants, awards, or loans of money; and
  - (c) enter into agreements for the administration of grants; and
  - (d) *[Repealed]*
- (3) This section does not limit sections 16 and 17 of the Crown Entities Act 2004.

Section 22(1): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 22(2): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 22(2)(a): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 22(2)(b): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 22(2)(c): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 22(2)(d): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 22(3): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

### **23 Authority to comply with Government policy and Minister's directions**

*[Repealed]*

Section 23: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

### **24 Membership of Authority**

- (1) The board of the Authority consists of no fewer than 6, and no more than 8, members.
- (2) Before appointing a member of the Authority, the Minister must publicly invite nominations of persons who wish to be appointed as members of the Authority.
- (3) *[Repealed]*
- (4) *[Repealed]*

Section 24(1): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 24(3): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 24(4): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

### **25 Eligibility for appointment as member of Authority**

- (1) The Minister must, in appointing a member of the Authority, have regard to the need for members to have between them a balanced mix of knowledge and experience in matters relevant to the functions of the Authority.
- (2) Knowledge and experience that is relevant includes knowledge of and experience in—
  - (a) the energy sector:

- (b) the environment:
  - (c) community organisations:
  - (d) commerce, marketing, and communications:
  - (e) governance and public sector management:
  - (f) science and technology.
- (3) This section does not limit section 29 of the Crown Entities Act 2004.

Section 25(3): added, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **26 Resignation from office**

*[Repealed]*

Section 26: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **27 Appointment of chairperson and deputy chairperson**

*[Repealed]*

Section 27: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **28 Exercise of chairperson's functions, powers, and duties by deputy chairperson**

*[Repealed]*

Section 28: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **29 Authority deemed to be public authority**

*[Repealed]*

Section 29: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **30 Annual report on performance**

*[Repealed]*

Section 30: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **31 Further provisions applying to Authority**

The provisions in the Schedule apply in relation to the Authority.

### **32 Transfer of employees**

- (1) Where the chief executive of the Ministry of Economic Development finds, in respect of any duties being carried out by the ministry, that those duties are no longer to be carried out by the ministry and are to be carried out (in whole or in part) by the Authority, the chief executive of the ministry and the Authority may agree to the transfer, from that ministry to the Authority, of all or any of the employees of the ministry who are carrying out those duties.
- (2) Before transferring an employee under subsection (1), the Authority and the chief executive of the ministry must consult with the employee about the proposed transfer.
- (3) Subsection (1) is subject to subsection (2).
- (4) The power conferred by this section to transfer an employee is subject to the employment contract applying to that employee.

### **33 Protection of terms and conditions of employment**

- (1) The employment of a transferred employee must be on terms and conditions no less favourable to the transferred employee than those applying to the employee immediately before his or her transfer.
- (2) Subsection (1) continues to apply to the terms and conditions of employment of a transferred employee until those terms and conditions are varied by agreement between the transferred employee and the Authority.

### **34 Continuity of employment**

Every transferred employee becomes, on his or her transfer, an employee of the Authority, but, for the purposes of every enactment, law, determination, contract, and agreement relating to the employment of each such employee,—

- (a) the contract of employment of that employee is deemed to have been unbroken; and
- (b) the employee's period of service with the ministry, and every other period of service of the employee that is recognised by the ministry as continuous service, is deemed to have been a period of service with the Authority.

**35 No compensation for technical redundancy**

- (1) No transferred employee is entitled to any compensation for redundancy or any severance payment solely on the ground that—
- (a) the position held by the person in the Ministry of Economic Development has ceased to exist; or
  - (b) the person has ceased to be an employee of the Ministry of Economic Development.
- (2) This section applies despite section 32(4).

*Regulations***36 Regulations**

- (1) The Governor-General may from time to time, by Order in Council made on the recommendation of the Minister, make regulations for all or any of the following purposes:
- (a) prescribing minimum energy performance standards for energy-using products and services, including all vehicles:
  - (b) prescribing requirements in relation to the labelling of products, including all vehicles, in terms of their energy efficiency or proficiency in conserving energy:
  - (c) requiring specified classes of persons to provide, on the request of the Authority, evidence in the specified form that a minimum energy performance standard prescribed under paragraph (a) has been complied with:
  - (d) prescribing, for the purposes of paragraphs (a) to (c), the form and manner of testing or verifying the energy performance of energy-using products and services, including vehicles:
  - (e) requiring, for the purposes of paragraphs (a) to (c), specified classes of persons to certify, in the prescribed form and manner, as to the energy performance of energy-using products and services, including vehicles:
  - (f) requiring specified classes of persons to supply prescribed information to the Authority for the purpose of compiling statistics on energy efficiency, energy conservation, and the use of renewable sources of energy:

- (g) prescribing offences in respect of the contravention of, or non-compliance with, any provision of any regulations made under this section:
  - (h) prescribing the amount of the fines that may be imposed in respect of any offences against any regulation made under this section, which fines must be an amount not exceeding \$10,000.
- (2) Before making regulations under this section, the Minister must—
- (a) publicly notify the proposal to make the regulations; and
  - (b) give interested persons a reasonable time, which must be specified in the notice published under paragraph (a), to make submissions on the proposed regulations; and
  - (c) consult with such persons as the Minister in each case considers appropriate.

### **37 Incorporation of material by reference**

- (1) Regulations made under section 36 may incorporate the following information by reference:
- (a) standards, requirements, or recommended practices of international organisations;
  - (b) any other written material or document that, in the opinion of the Minister, is too large or impractical to be printed as part of the regulations.
- (2) Material incorporated into regulations by reference under subsection (1) forms part of the regulations for all purposes.
- (3) Unless otherwise provided in the regulations, every amendment to material incorporated by reference that is made by the person or organisation originating the material is, subject to subsection (4), part of the regulations.
- (4) The Minister must, by notice in the *Gazette*, specify the date on which an amendment to material incorporated by reference takes effect.

### **38 Confidentiality of information**

- (1) This section applies to information supplied to the Authority in accordance with regulations made under section 36(1)(f).

- (2) The information may be used only for statistical purposes.
- (3) Subject to subsection (5), no person, other than an employee of the Authority, may be permitted to see information that relates to a particular person, except for the purposes of a prosecution or proposed prosecution against regulations made under section 36.
- (4) Except for the purposes of a prosecution or proposed prosecution against regulations made under section 36, information that is not particular to any one person—
  - (a) may be disclosed only to—
    - (i) an employee of the Authority; or
    - (ii) a person to whom the information relates; and
  - (b) may be published only in accordance with subsection (5).
- (5) The Authority may publish statistical information only if it is arranged in such a manner as to prevent any information published from being identifiable by any person (other than the person who supplied the information) as information relating to a particular person, unless—
  - (a) that person has consented to the publication of the information in that manner, or has already permitted its publication in that manner; or
  - (b) the publication of the information in that manner could not reasonably have been foreseen by the Authority or any employee of the Authority.
- (6) Nothing in the Official Information Act 1982 or the Privacy Act 1993 requires the Authority to disclose information to which this section applies.

### **39 Offence**

Every person commits an offence and is liable on summary conviction to a fine not exceeding \$10,000 who, without lawful excuse, publishes or discloses, otherwise than in accordance with section 38, any information to which that section applies.



*Related amendments to other Acts*

*[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**40 Amendment to Ombudsmen Act 1975**

*[Repealed]*

Section 40: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**41 Amendment to Official Information Act 1982**

*[Repealed]*

Section 41: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**42 Amendment to Public Finance Act 1989**

*[Repealed]*

Section 42: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

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**Schedule**  
**Provisions relating to Authority**

s 31

Remuneration and expenses

*[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**1 Remuneration and expenses of members**

*[Repealed]*

Schedule clause 1: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Meetings

*[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**2 Time and place of meetings**

*[Repealed]*

Schedule clause 2: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**3 Special meetings**

*[Repealed]*

Schedule clause 3: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**4 Quorum**

*[Repealed]*

Schedule clause 4: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**5 Consensus**

*[Repealed]*

Schedule clause 5: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**6 Resolutions**

*[Repealed]*

Schedule clause 6: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**7 Teleconference meeting**

*[Repealed]*

Schedule clause 7: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**8 Procedure**

*[Repealed]*

Schedule clause 8: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**Disclosure of interest**

*[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**9 Obligation to disclose pecuniary interest**

*[Repealed]*

Schedule clause 9: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**10 Pecuniary interest**

*[Repealed]*

Schedule clause 10: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**11 Disclosure to Minister or chairperson**

*[Repealed]*

Schedule clause 11: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**12 Disclosure to meeting**

*[Repealed]*

Schedule clause 12: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**13 Quorum**

*[Repealed]*

Schedule clause 13: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**14 Power of Minister to waive or modify**

*[Repealed]*

Schedule clause 14: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**15 Obligation to notify House of Representatives if power to waive or modify is exercised**

*[Repealed]*

Schedule clause 15: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**Provision of services by the Crown**

*[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**16 Crown may provide services for Authority**

*[Repealed]*

Schedule clause 16: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**Committees and delegation**

*[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**17 Committees**

*[Repealed]*

Schedule clause 17: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**18 Delegation of functions and powers**

*[Repealed]*

Schedule clause 18: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**19 Exercise of functions and powers under delegation**

*[Repealed]*

Schedule clause 19: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**Documents**

*[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**20 Execution of documents**

*[Repealed]*

Schedule clause 20: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**Employment**

**21 Chief executive**

- (1) The Authority must appoint a chief executive to be responsible for the efficient and effective administration of the affairs of the Authority.
- (2) The chief executive must not be a member of the Authority.
- (3) Section 117 of the Crown Entities Act 2004 applies to the appointment of a chief executive under this clause.
- (4) *[Repealed]*

Schedule clause 21(3): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Schedule clause 21(4): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**22 Appointment of employees**

*[Repealed]*

Schedule clause 22: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**23 Liability of members and employees**

*[Repealed]*

Schedule clause 23: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**24 Personnel policy**

*[Repealed]*

Schedule clause 24: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**25 Equal employment opportunities programme**

*[Repealed]*

Schedule clause 25: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**26 Superannuation or retiring allowances**

(1) *[Repealed]*

(2) Despite anything in this Act, a person who, immediately before becoming an employee of the Authority, was a contributor to the Government Superannuation Fund under Part 2 or Part 2A of the Government Superannuation Fund Act 1956 is, for the purposes of that Act, deemed to be employed in the Government service so long as that person continues to be an employee of the Authority; and that Act applies to that person in all respects as if that person's service as an employee of the Authority were Government service.

(3) Nothing in subclause (2) entitles a person to become a contributor to the Government Superannuation Fund after that person has once ceased to be a contributor.

(4) For the purposes of applying the Government Superannuation Fund Act 1956 in accordance with subclause (2), the term **controlling authority**, in relation to that employee, means the Authority.

Schedule clause 26(1): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**27 Employees not in service of the Crown**

*[Repealed]*

Schedule clause 27: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**28 Consultants, agents, etc**

*[Repealed]*

Schedule clause 28: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**Financial provisions**

*[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**29 Funds of Authority**

*[Repealed]*

Schedule clause 29: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**30 Bank accounts**

*[Repealed]*

Schedule clause 30: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**31 Power to borrow**

*[Repealed]*

Schedule clause 31: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**32 Investment of money**

*[Repealed]*

Schedule clause 32: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**33 Expenditure not otherwise authorised**

*[Repealed]*

Schedule clause 33: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**34 Auditor-General to be auditor of Authority**

*[Repealed]*

Schedule clause 34: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**Application of Public Records Act 2005**

*[Repealed]*

Heading: amended, on 21 April 2005, by section 67(1) of the Public Records Act 2005 (2005 No 40).

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**35 Public Records Act 2005 to apply**

*[Repealed]*

Schedule clause 35: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Schedule clause 35 heading: amended, on 21 April 2005, by section 67(1) of the Public Records Act 2005 (2005 No 40).

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## **Contents**

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## **Notes**

### **1 *General***

This is a reprint of the Energy Efficiency and Conservation Act 2000. The reprint incorporates all the amendments to the Act as at 21 April 2005, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

### **2 *Status of reprints***

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### **3 *How reprints are prepared***

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted.

For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

#### **4 Changes made under section 17C of the Acts and Regulations Publication Act 1989**

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint  
(most recent first)***

Public Records Act 2005 (2005 No 40): section 67(1)  
Crown Entities Act 2004 (2004 No 115): section 200

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