



## ESSENTIAL INFRASTRUCTURE PROVIDERS

### New provisions for infrastructure entities that provide essential services

Entities that were known as ‘lifeline utilities’ under the Civil Defence Emergency Management Act 2002 (CDEM Act) are now known as “essential infrastructure providers” (EIPs) under the Emergency Management Bill (No 2) 2025 (EM Bill). The EM Bill provides a clearer definition of EIPs and their functions.

EIPs are entities whose infrastructure provides services that support basic human needs and underpin the normal functioning of society.

#### What’s changing?

The EM Bill sets out the roles of EIPs with greater clarity than in the CDEM Act, as set out below.

Schedule 3 of the EM Bill describes the role of EIP entities with greater clarity. The EM Bill introduces a principles-based approach to recognising new EIPs in Schedule 3. Any future changes to Schedule 3 to add or remove EIPs will involve consultation with stakeholders.

The EM Bill enables regulations to be made for more detailed planning requirements to apply to all or specific classes of EIPs. Any new regulations would be drafted in consultation with the affected EIPs.

This information sheet contains information about:

- Changes for Essential Infrastructure Providers (EIPs) formerly known as “lifeline utilities”

#### EM Bill – Duties of Essential Infrastructure Providers

- Ensure that the essential infrastructure is able to function to the fullest possible extent, even though this may be at a reduced level, during and after an emergency.
- ❖ Develop and maintain a plan to carry out its duty to function during and after an emergency.
- Make available to the Director-General of Emergency Management in writing, on request, its plan for functioning during and after an emergency.
- Contribute to developing sector response plans if required by the Director-General.
- ❖ Participate in the development of the National Emergency Management Strategy and Emergency Management Plan.
- Provide, free of charge, any technical advice to the Director-General or any Emergency Management Committee, that may be reasonably required.
- Water Services have been separated out from local government and recognised distinctly in Schedule 3 of the EM Bill.
- **CLARIFICATION:** Technical advice required from an essential infrastructure provider cannot be used for enforcement purposes.

#### KEY

- Unchanged
- ❖ Changed
- New

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# EMERGENCY MANAGEMENT BILL (No 2) 2025

## INFORMATION SHEET 7

### Why the changes?

Technology has changed, so now more types of infrastructure are needed to keep society running normally. This means that the definition of “lifeline utility” in the previous legislation does not include some necessary infrastructure providers.

The more expansive term “essential infrastructure providers” means that the right organisations can be included in Schedule 3, and the emergency management system will be better prepared for future technological change.

### Who is affected?

All EIPs outlined in Schedule 3 of the EM Bill. This includes water services providers.

### When is this happening?

The duties of all the named EIPs in Schedule 3 come into force the day after Royal assent. This means from that date, if requested, EIPs will need to contribute to the development of sector response plans initiated by the Director-General of Emergency Management.

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## Key terms | Ngā kupu hira

<b>Royal assent</b>	The date when a Bill is signed by the Governor-General and becomes law (typically the next working day after it receives Royal Assent).
<b>Emergency Management Committee</b>	A group of local authority elected representatives who lead emergency management in their areas, including making declarations.
<b>Essential Infrastructure Provider (EIP)</b>	Any entity in Schedule 3 of the EM Bill that provides services that support basic human needs and underpin the normal functioning of society.

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