

Tiaki Wai Economic Regulation Determination 2026 [2026] NZCC 28

The Commission

Dr John Small
Loretta Lovell
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Date of decision:

12 August 2026



Robert Cahn
Dated at Wellington this 12th day of August 2026
COMMERCE COMMISSION
Wellington, New Zealand

Determination history		
Determination date	Decision number	Determination name
12 August 2026	[2026] NZCC 28	Tiaki Wai Economic Regulation Determination 2026

Under s 52P of the Commerce Act 1986, the Commerce Commission makes the following determination:

TIAKI WAI ECONOMIC REGULATION DETERMINATION 2026 [2026] NZCC 28

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PART 1 GENERAL PROVISIONS

1.1 Title

- 1.1.1 This determination is the Tiaki Wai Economic Regulation Determination 2026 [2026] NZCC 28.

1.2 Commencement

- 1.2.1 This determination comes into force on 12 August 2026.

1.3 Application

- 1.3.1 This determination applies to Tiaki Wai and requires it to disclose information relating to its supply of water supply services and wastewater services.
- 1.3.2 This determination applies in addition to Tiaki Wai's disclosure obligations under the enduring ID determination.

1.4 Interpretation

- 1.4.1 Unless the context otherwise requires,—
- (1) terms in this determination that are defined in the Act, but not in this determination, have the meaning given in the Act; and
 - (2) terms in this determination that are defined in the enduring ID determination, but not in this determination, have the meaning given in the enduring ID determination; and
 - (3) non-financial items must be measured and disclosed in accordance with standard industry practice unless otherwise required in this determination.

1.5 Definitions

- 1.5.1 In this determination, unless the context otherwise requires,—

Act	means the Commerce Act;
Commission	has the same meaning as defined in s 2 of the Act;
data confidence grading	means a grade from A to E of the reliability of data, where: (a) 'A' means the data is highly reliable. Less than 2% of the data is uncertain. The data is based on sound records, procedure, investigations and analysis that is properly documented and

recognised as the best method of assessment; and

- (b) 'B' means the data is reliable. Between 2% and 10% of the data is uncertain. The data is based on sound records, procedure, investigations and analysis that is properly documented but has minor shortcomings – for example, the data is old, some documentation is missing, or reliance is placed on unconfirmed reports or some extrapolation; and
- (c) 'C' means the data is reasonably reliable. Between 10% and 25% of the data is uncertain. The data is based on records, procedures, investigations and analysis that is incomplete or unsupported, or extrapolated from a limited sample for which grade A or B data is available; and
- (d) 'D' means the data is unreliable. Between 25% and 50% of the data is uncertain. The data is based on uncertain records, procedures, investigations and analysis that is incomplete or unsupported, or extrapolated from a limited sample where higher-grade data is available; and
- (e) 'E' means the data is very unreliable. More than 50% of the data is uncertain. The data is based on unconfirmed verbal reports, and/or cursory inspection and analysis;

enduring ID determination

means the Water Services Information Disclosure Determination 2026 [2026] NZCC 3;

fault

means a defect, imperfection, flaw, weakness or unplanned service interruption in the wastewater network or water supply network, but does not include a defect, imperfection, flaw, weakness or unplanned service interruption relating to:

- (a) pipes carrying treated effluent; or
- (b) pipes carrying raw water; or

	(c) a wastewater treatment plant; or (d) a water treatment plant;
fault received	means the notification of a fault received by Tiaki Wai, excluding any duplicate notifications;
fault resolved	means the permanent resolution of a fault received, confirmed by Tiaki Wai's service personnel;
Network Performance Dashboard	means a dashboard produced by Tiaki Wai that tracks the performance of Tiaki Wai's water supply network and wastewater network against measures such as the number of customer service requests received;
non-urgent fault	means a fault that is not an urgent fault;
quarter	means a three-month period beginning on the first day of each of the first, fourth, seventh and tenth months from the start of the financial year; <i>for example, as the financial year begins on 1 July, the first quarter would run from 1 July to 30 September, the second quarter would run from 1 October to 31 December, and so on</i>
Service Delivery Performance Dashboard	means a dashboard produced by Tiaki Wai that tracks Tiaki Wai's performance against measures of customer experience and delivery performance, such as: (a) the number of customer complaints about Tiaki Wai's response to issues raised about a wastewater network or water supply network; and (b) attendance times to urgent and non-urgent faults; and (c) customer satisfaction;
Tiaki Wai	means Tiaki Wai Limited; and
urgent fault	means a fault that directly results in a complete loss of wastewater service or water supply service for one or more connections; <i>for example, a complete interruption of supply, or provision of water that is not safe or likely to be unsafe to drink.</i>

PART 2 INFORMATION DISCLOSURE REQUIREMENTS

2.1 APPLICATION OF THE ENDURING ID DETERMINATION

1.5.2 The following provisions from the enduring ID determination apply to this determination with any necessary modifications:

- (1) clause 2.1 (Information disclosure); and
- (2) clause 2.5 (How information must be disclosed); and
- (3) clause 2.6 (Information may be combined); and
- (4) clause 2.7 (Retention of information); and
- (5) clause 2.8 (Exemptions); and
- (6) clause 2.9 (Disclosing errors in previously disclosed information).

2.2 DISCLOSURE OF FAULT INFORMATION

1.5.3 No later than 60 working days after 30 September 2026, and then no later than 60 working days after each subsequent quarter, Tiaki Wai must disclose, in respect of its water supply network and wastewater network, the number in that quarter of each of the following, broken down for each of Tiaki Wai's shareholding councils and each network:

- (1) faults received that are urgent faults; and
- (2) faults resolved that are urgent faults; and
- (3) faults received that are non-urgent faults; and
- (4) faults resolved that are non-urgent faults.

1.5.4 No later than 60 working days after 30 September 2026, and then no later than 60 working days after each subsequent quarter, Tiaki Wai must disclose, in respect of its water supply network, the number in that quarter of each of the following, broken down for each of Tiaki Wai's shareholding councils:

- (1) urgent faults for which the time to permanently resolve a fault exceeded 5 hours after the fault received; and
- (2) non-urgent faults for which the time to permanently resolve a fault exceeded 11 days after the fault received.

1.5.5 No later than 60 working days after 30 September 2026, and then no later than 60 working days after each subsequent quarter, Tiaki Wai must disclose, in respect of its wastewater network, the number of faults in the quarter for which the time to permanently resolve a fault exceeded 8 hours after the fault received, broken down for each of Tiaki Wai's shareholding councils.

1.5.6 Tiaki Wai must provide a data confidence grading for each data point disclosed under clause 2.2.

2.3 OTHER DISCLOSURE REQUIREMENTS

- 1.5.7 No later than 60 working days after 30 September 2026, and then no later than 60 working days after each subsequent quarter, Tiaki Wai must disclose a Network Performance Dashboard.
- 1.5.8 Tiaki Wai must make reasonable efforts to ensure that each Network Performance Dashboard that is disclosed under clause 1.5.7 is, to the best of its ability, presented in a manner that supports public understanding and interpretation of the information provided.
- 1.5.9 Tiaki Wai must disclose a Service Delivery Performance Dashboard no later than one month after the Tiaki Wai Board meeting at which the Dashboard is tabled.

2.4 CERTIFICATION

- 1.5.10 When Tiaki Wai discloses information under clause 2.2 of this determination, Tiaki Wai must disclose a signed director's certificate in the form set out in Schedule D (with any necessary modifications) of the enduring ID determination in respect of that information.

Explanatory note

This note is not part of the determination but is intended to indicate its general effect.

This determination applies in addition to Tiaki Wai's disclosure obligations under the enduring ID determination and requires Tiaki Wai to disclose information relating to its supply of water supply services and wastewater services.

The amendment is secondary legislation made under s 52P of the Commerce Act 1986.

This is secondary legislation issued under the authority of the Legislation Act 2019 .	
Title	Tiaki Wai Economic Regulation Determination 2026
Principal or amendment	Principal
Consolidated version	No
Empowering Act and provisions	Commerce Act 1986, section 52P
Replacement empowering Act and provisions	Not applicable
Maker name	Commerce Commission
Administering agency	Commerce Commission
Date made	12 August 2026
Publication date	12 August 2026
Notification date	12 August 2026
Commencement date	12 August 2026
End date (when applicable)	Not applicable
Consolidation as at date	Not applicable
Related instruments	Water Services Information Disclosure Determination 2026 [2026] NZCC 3

Consistency Accountability Statement: Tiaki Wai Economic Regulation Determination 2026

Agency Responsible	Commerce Commission
Portfolio	Commerce and Consumer Affairs
Date finalised	6 July 2026
Identification number	N/A

Statement of Review

I confirm that the Commerce Commission has assessed the above legislation, and the process for developing it, for consistency with the principles of responsible regulation as set out in section 9 of the Regulatory Standards Act 2025. This assessment identified no inconsistencies with the principles of responsible regulation.



Suzanne Stewart
Chief Executive Officer
Commerce Commission