



Fuel Industry (Fuel Resilience) Amendment Regulations 2025

Cindy Kiro, Governor-General

Order in Council

At Wellington this 12th day of May 2025

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 69 of the Fuel Industry Act 2020—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Energy made in accordance with sections 58(3), 63(3), and 69(2) of that Act.

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Regulations

- 1

Title

These regulations are the Fuel Industry (Fuel Resilience) Amendment Regulations 2025.
- 2

Commencement

These regulations come into force on 1 November 2026.
- 3

Principal regulations

These regulations amend the Fuel Industry Regulations 2021.
- 4

Regulation 25 amended (Overview)

After regulation 25(3), insert:

(3A) Subpart 2A of this Part relates to stockholding levels of aviation turbine fuel at or near Auckland Airport.
- 5

Regulation 28 amended (Stockholding obligation after initial period ends)

In regulation 28(2), after “this subpart”, insert “and subpart 2A”.
- 6

Regulation 34 amended (Formula for translating minimum level of cover to required minimum stockholding volume)

In regulation 34, formula, delete “thousands of” in each place.
- 7

New subpart 2A of Part 5 inserted

After regulation 38, insert:

Subpart 2A—Stockholding levels of aviation turbine fuel at or near Auckland Airport

38A Overview

(1) This subpart sets a rule relating to stockholding levels of aviation fuel at or near Auckland Airport.

- (2) The rule applies to certain obliged persons and forms part of the stockholding obligation of those persons.

38B Requirement to hold certain level of stockholding of aviation turbine fuel at or near Auckland Airport

- (1) This regulation applies to an obliged person who has the right to draw aviation turbine fuel at the Joint User Hydrant Installation at Auckland Airport (the **JUHI**).
- (2) The obliged person must hold a specified level of stockholding of aviation turbine fuel at 1 of the following locations or across the following locations:
- (a) the JUHI;
 - (b) Wiri Terminal.
- (3) The **specified level of stockholding** must be calculated in accordance with the following formula:

$$a = 10 \times (0.80 \times b)$$

where—

- a is the net amount of aviation turbine fuel (measured in litres) that must be held, on an average basis, at the JUHI or Wiri Terminal, or across those locations, during the compliance period (that is, the amount of aviation turbine fuel, excluding stock at the bottom of tanks that is not normally disturbed, that must be held, on an average basis, at either of those locations or across those locations), where **average** means an average of daily stock levels (measured or estimated) over the compliance period
- b is the person's average daily demand or consumption of aviation turbine fuel from the JUHI in the relevant month of the previous year (measured in litres per day) (that is, the person's average daily drawings of aviation turbine fuel from the JUHI during the relevant month of the previous year), where **relevant month** means the month of the compliance period.

8 New regulation 40A inserted (Treatment of aviation turbine fuel at JUHI and Wiri Terminal for purposes of this subpart)

After regulation 40, insert:

40A Treatment of aviation turbine fuel at JUHI and Wiri Terminal for purposes of this subpart

- (1) This regulation applies to an obliged person if regulation 38B applies to that person.
- (2) For the purposes of this subpart, the obliged person—
- (a) must record, retain, and disclose information about aviation turbine fuel at Wiri Terminal separately from that of the Auckland to Ruakaka pipeline; and

- (b) must treat a facility or facilities at Wiri Terminal for the storage of aviation turbine fuel as a separate MSO storage facility for that purpose.
- (3) For the purposes of this subpart, the obliged person—
 - (a) must record, retain, and disclose the net stock of aviation turbine fuel at the JUHI or Wiri Terminal (when Wiri Terminal is being treated as a separate MSO storage facility in accordance with subclause (2)(b)); and
 - (b) must, in respect of aviation turbine fuel at the JUHI or Wiri Terminal (when Wiri Terminal is being treated as a separate MSO storage facility in accordance with subclause (2)(b)), treat a reference to daily stock in this subpart as a reference to net stock for that purpose.
- (4) In this regulation, **net stock** of aviation turbine fuel means the volume of the fuel, excluding stock at the bottom of tanks that is not normally disturbed, measured in litres at a temperature of 15°C and calculated in accordance with regulation 41(2).

9 Regulation 42 amended (Monthly disclosure of fuel stocks for purpose of stockholding obligation)

In regulation 42(b), delete “thousands of”.

Nicola Purvis,
Acting Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations but is intended to indicate their general effect.

These regulations, which come into force on 1 November 2026, are made under section 69 of the Fuel Industry Act 2020. They amend the Fuel Industry Regulations 2021 (the **principal regulations**).

These regulations insert *new subpart 2A* into Part 5 of the principal regulations (*see regulation 7*).

New subpart 2A of Part 5 adds a new location-specific requirement to the stockholding obligation. Persons who have a stockholding obligation in respect of aviation turbine fuel and the right to draw aviation turbine fuel from the Joint User Hydrant Installation at Auckland Airport (the **JUHI**) are now required to hold a specified level of their stockholding of aviation turbine fuel—

- at either the JUHI or Wiri Terminal; or
- across both those facilities (*see new regulation 38B*).

Stock at the bottom of tanks that is not normally disturbed does not count towards the specified level of stockholding of aviation turbine fuel that the person is required to hold at or across those facilities.

These regulations insert *new regulation 40A* into the principal regulations (*see regulation 8*).

New regulation 40A(2) requires persons to whom the new location-specific requirement applies, when recording, retaining, and disclosing information under subpart 3 of Part 5 of the principal regulations,—

- to record, retain, and disclose information about aviation turbine fuel at Wiri Terminal separately from that of the Ruakaka to Auckland pipeline; and
- to do that by treating a facility or facilities at Wiri Terminal for the storage of aviation turbine fuel as a separate MSO storage facility.

New regulation 40A(3) requires persons to whom the new location-specific requirement applies, when recording, retaining, and disclosing information under subpart 3 of Part 5 of the principal regulations,—

- to record, retain, and disclose the net stock of aviation turbine fuel (being the amount of fuel in the tank, excluding that which is not normally disturbed) at the JUHI or Wiri Terminal (when Wiri Terminal is being treated as a separate MSO storage facility); and
- to do that by treating a reference to daily stock in subpart 3 of Part 5 of the principal regulations as a reference to net stock.

These regulations amend regulations 34 and 42 of the principal regulations to specify that fuel stocks are to be measured in litres (*see regulations 6 and 9*). Previously, fuel stocks under those regulations were to be measured in thousands of litres.

These regulations also make minor amendments to regulations 25 and 28 of the principal regulations as a result of *new subpart 2A of Part 5* (*see regulations 4 and 5*).

Regulatory impact statement

The Ministry of Business, Innovation, and Employment produced a regulatory impact statement on 13 November 2024 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://www.mbie.govt.nz/dmsdocument/30494-introducing-location-specific-minimum-stockholding-obligation-for-jet-fuel-at-auckland-airport-pdf>
- <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/>

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 15 May 2025.

These regulations are administered by the Ministry of Business, Innovation, and Employment.