



Draft National Gas Amendment (Enhancing access for registered participant representatives) Rule 2026

The Australian Energy Market Commission makes the following Rule under the National Gas Law to the extent applied by:

- (a) the *National Gas (South Australia) Act 2008* of South Australia;
- (b) the *National Gas (ACT) Act 2008* of the Australian Capital Territory;
- (c) the *National Gas (New South Wales) Act 2008* of New South Wales;
- (d) the *National Gas (Queensland) Act 2008* of Queensland;
- (e) the *National Gas (Tasmania) Act 2008* of Tasmania;
- (f) the *National Gas (Victoria) Act 2008* of Victoria;
- (g) the *National Gas (Northern Territory) Act 2008* of the Northern Territory; and
- (h) the *Australian Energy Market Act 2004* of the Commonwealth.

Anna Collyer
Chairperson
Australian Energy Market Commission

Draft National Gas Amendment (Enhancing access for registered participant representatives) Rule 2026

1 Title of Rule

This Rule is the *Draft National Gas Amendment (Enhancing access for registered participant representatives) Rule 2026*.

2 Commencement

Schedule 1 of this Rule commences operation on 1 March 2027.

Schedule 2 of this Rule commences operation on 7 May 2026.

3 Amendment to the National Gas Rules

The National Gas Rules are amended as set out in Schedule 1.

4 Savings and Transitional Amendments

The National Gas Rules are amended as set out in Schedule 2.

Schedule 1 Amendment to the National Gas Rules

(Clause 3)

[1] Rule 138A General confidentiality obligation of Registered participant

In rule 138A(3), after "must use all reasonable endeavours", omit "to prevent unauthorised access to confidential information in its possession or control" and substitute ":

- (a) to prevent unauthorised access to confidential information in its possession or control; and
- (b) to ensure that any person to whom it discloses confidential information, or any person to whom it authorises AEMO to disclose confidential information, observes the provisions of this rule and rule 138AA in relation to that information".

[2] Rule 138A General confidentiality obligation of Registered participant

Omit rule 138A(6) and substitute:

(6) A Registered participant that proposes to:

- (a) disclose information under subrule (5)(b), (d) or (h); or
- (b) authorise disclosure under rule 138AA,

must, prior to making or authorising that disclosure, inform the proposed recipient of the confidentiality of the information and must take appropriate precautions to ensure that the proposed recipient keeps the information confidential in accordance with this rule and rule 138AA and does not use the information for any purpose other than that permitted under this rule or rule 138AA.

[3] Rule 138A General confidentiality obligation of Registered participant

Omit rule 138A(7) and substitute:

(7) A Registered participant is liable to indemnify the AEMC, the AER and AEMO against loss or damage sustained as a result of:

- (a) a breach of this rule or rule 138AA by the Registered participant or an officer, employee or agent of the Registered participant; or
- (b) any act or omission by a person to whom that Registered participant has made or authorised a disclosure of confidential information where such act or omission would constitute a breach of this rule if it were an act or omission of the Registered participant.

[4] Rule 138A

General confidentiality obligation of Registered participant

In rule 138A(8), after "in breach of this rule", omit "," and substitute "or of rule 138AA, then subject to section 74 of the *NGL*".

[5] Rule 138AA

Registered participant may authorise other persons to receive confidential information from AEMO

After rule 138A, insert:

138AA Registered participant may authorise other persons to receive confidential information from AEMO

- (1) A Registered participant may, in accordance with the Procedures published under subrule (2):
 - (a) authorise a person described in rule 138A(5)(b) to receive or otherwise access confidential information from AEMO on behalf of the Registered participant; and
 - (b) vary or revoke such authorisation from time to time.
- (2) AEMO must establish, publish and maintain Procedures which set out:
 - (a) the process for a Registered participant to make, vary or revoke an authorisation in accordance with subrule (1); and
 - (b) the requirements for, and terms and conditions of, access to the system or databases maintained by AEMO.
- (3) A Registered participant must comply with, and take appropriate precautions to ensure that any person it authorises under subrule (1) complies with, the Procedures published by AEMO under subrule (2).
- (4) To the extent that:
 - (a) in accordance with the *NGL*, the rules or Procedures, AEMO is required or permitted to disclose confidential information to a Registered participant; and
 - (b) that Registered participant has otherwise complied with its obligations under this rule,

AEMO may disclose or otherwise provide access to such confidential information to any persons authorised by that Registered participant in accordance with subrule (1).

Schedule 2 Savings and Transitional Amendments

(Clause 4)

[1] Part 22 2026 transitional provisions

After Division [X] in Part 22 of Schedule 1, insert:

[XX] Definitions

(1) In this Division:

Amending Rule means the *National Gas Amendment (Enhancing access for registered participant representatives) Rule 2026*.

commencement date means 1 March 2027, being the date Schedule 1 of the Amending Rule commences.

[XX] AEMO Procedures

(1) By 1 March 2027, AEMO must develop and publish the procedures in accordance with rule 138AA(2) of the rules as in force on the commencement date.