

**Electricity Industry Participation (Revocation of Part 16)
Code Amendment 2013**

Pursuant to section 38 of the Electricity Industry Act 2010, I make the following amendments to the Electricity Industry Participation Code 2010.

At Wellington on the 29th day of October 2013



Dr Thomas Brent Layton
Chairperson
Electricity Authority

Certified in order for signature:



Andrew Springett
Senior Legal Counsel
Electricity Authority
24 October 2013



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24 October 2013

Contents

	Page
1 Title	2
2 Commencement	2
3 Code amended	2
4 Clause 1.1 amended (Interpretation)	2
5 Clause 12.10 amended (Benchmark agreements to be default transmission agreements)	2
6 Clause 12.47 amended (Determinations by Rulings Panel)	2
7 Clause 12.51 revoked (Application to Rio Tinto agreements)	2
8 Clause 12.95 amended (Charges to comply with approved transmission methodology)	2
9 Schedule 12.1, clause 1 amended	3
10 Part 16 revoked (Special provisions relating to Rio Tinto agreements)	3

11	Cross-heading and clauses 17.292 to 17.295 revoked	3
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Amendment

- 1 Title**
This is the Electricity Industry Participation (Revocation of Part 16) Code Amendment 2013.
- 2 Commencement**
This amendment comes into force on 16 December 2013.
- 3 Code amended**
This amendment amends the Electricity Industry Participation Code 2010.
- 4 Clause 1.1 amended (Interpretation)**
 - (1) In clause 1.1(1), definition of **Code information**, replace "Parts 2 to 6, 9, and 16" with "Parts 2 to 6, and 9".
 - (2) In clause 1.1(1), delete the following definitions:
 - (a) **complete:**
 - (b) **disclosed:**
 - (c) **Rio Tinto agreement:**
 - (d) **Rio Tinto party.**
 - (3) In clause 1.1(1), definition of **document**—
 - (a) delete "the definition of **complete**,"; and
 - (b) replace "Parts 2, 6, and 16" with "Parts 2 and 6".
- 5 Clause 12.10 amended (Benchmark agreements to be default transmission agreements)**
In clause 12.10(1), replace "Subject to clauses 12.49 to 12.51" with "Subject to clauses 12.49 and 12.50".
- 6 Clause 12.47 amended (Determinations by Rulings Panel)**
In clause 12.47(1)(c), replace "in clauses 12.49 to 12.51" with "in clauses 12.49 and 12.50".
- 7 Clause 12.51 revoked (Application to Rio Tinto agreements)**
Revoke clause 12.51.
- 8 Clause 12.95 amended (Charges to comply with approved transmission methodology)**
 - (1) In clause 12.95(1), delete "and subject to subclause (2),".
 - (2) Delete clause 12.95(2).

9 Schedule 12.1, clause 1 amended

- (1) In Schedule 12.1, clause 1(1), replace "Subject to subclause (2), the" with "The".
- (2) In Schedule 12.1, clause 1, delete subclauses (2) to (5).

10 Part 16 revoked (Special provisions relating to Rio Tinto agreements)

Revoke Part 16.

11 Cross-heading and clauses 17.292 to 17.295 revoked

- (1) Delete the cross-heading above clause 17.292.
- (2) Revoke clauses 17.292 to 17.295.

Explanatory Note

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

This amendment to the Electricity Industry Participation Code 2010 ("Code") comes into force on 16 December 2013. The amendment revokes Part 16 of the Code, and other related provisions, that became redundant following the expiry of the agreements for the supply of electricity to the aluminium smelter at Tiwai Point. The agreements that have replaced the expired agreements are not referred to in the Code.

Date of notification in the *Gazette*: 31 October 2013