

Electricity Industry Participation Code Amendment (Spot Price Risk Disclosure) 2017

Under sections 38 and 39(3) of the Electricity Industry Act 2010, and having complied with section 39 of that Act, I make the following amendment to the Electricity Industry Participation Code 2010.

At Wellington on the 2nd day of October 2017



Dr Thomas Brent Layton
Chairperson
Electricity Authority

Certified in order for signature:



Andrew Springett
Senior Legal Counsel
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Tony Dellow
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29 September 2017

29 September 2017

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Amendment

- 1 Title**
This is the Electricity Industry Participation Code Amendment (Spot Price Risk Disclosure) 2017.
- 2 Commencement**
This amendment comes into force on 6 November 2017.
- 3 Code amended**
This amendment amends the Electricity Industry Participation Code 2010.

4 Clause 13.236E amended (Content of spot price risk disclosure statements)

After clause 13.236E(1), insert:

"(1A) Despite subclause (1), a **disclosing participant** is not required to include the information in subclause (1) in its **spot price risk disclosure statement** for a quarter if—

"(a) the **disclosing participant** expects that a change in spot prices would not affect the **disclosing participant's** cash flow from operating activities in the quarter; and

"(b) the **disclosing participant's spot price risk disclosure statement** for the quarter includes a statement that the **disclosing participant** expects that a change in spot prices would not affect the **disclosing participant's** cash flow from operating activities in the quarter."

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 6 November 2017.

The amendment amends clause 13.236E of the Code to provide that, if a disclosing participant is not exposed to spot price risk in a particular quarter, the spot price risk disclosure statement it submits for that quarter need not contain all the information ordinarily required in a spot price risk disclosure statement.

In accordance with section 39(3)(c) of the Electricity Industry Act 2010, the Electricity Authority has not prepared and publicised a regulatory statement or consulted on the amendment and regulatory statement, because it is satisfied that there has been adequate prior consultation so that all relevant views have been considered.

Date of notification in the *Gazette*: 5 October 2017