

Electricity Industry Participation Code 2010

Part 7 System operator

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7.1 Contents of this Part

This Part provides for—

- (aa) a reasonable and prudent **system operator** standard; and
- (a) high level, output focussed performance obligations of the **system operator** in relation to the real time co-ordination and delivery of **common quality and dispatch**; and
- (b) the functions of the **system operator** in relation to **demand** and supply forecasting, security of supply, and supply emergencies; and
- (c) review of the **system operator's** performance under the **Act**, this Code, and the relevant **market operation service provider agreement**.

Clause 7.1(aa): inserted, on 19 May 2016, by clause 7(1) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.1(a): amended, on 19 May 2016, by clause 7(2) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.1(b): amended, on 19 May 2016, by clause 7(3) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.1(c): amended, on 19 May 2016, by clause 7(4) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

7.1A Reasonable and prudent system operator standard

- (1) The **system operator** must carry out its obligations under this Code with skill, diligence, prudence, foresight, good economic management, and in accordance with recognised international good practice, taking into account—
 - (a) the circumstances in New Zealand; and
 - (b) the fact that real-time co-ordination of the power system involves complex judgements and inter-related events.
- (2) The **system operator** does not breach a **principal performance obligation** or clause 8.5 of this Code if the **system operator** complies with subclause (1).

Clause 7.1A: inserted, on 19 May 2016, by clause 8 of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

7.2 Principal performance obligations of the system operator in relation to common quality and dispatch

The obligations in clauses 7.2A to 7.2D are **principal performance obligations**.

Clause 7.2: amended, on 19 May 2016, by clause 9 of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

7.2A System operator to maintain frequency

- (1) The **system operator** must **dispatch assets** made available in a manner that avoids cascade failure of **assets** resulting in a loss of **electricity** to **consumers** arising from—
 - (a) a frequency or voltage excursion; or
 - (b) a **supply** and **demand** imbalance.
- (2) Except as provided in this clause and clause 7.2B, the **system operator** must maintain frequency in the **normal band**.
- (3) The **system operator** must ensure that the scheduling, pricing, and dispatch tool has the information necessary to schedule a minimum quantity of **instantaneous reserve**.
- (4) Subject to the availability of **offers** or **reserve offers**, the **system operator** must schedule sufficient **instantaneous reserve** to meet the **system operator's** obligations in subclauses (5) to (7).
- (5) During a contingent event, the **system operator** must ensure that, for the **island** in which the contingent event takes place—
 - (a) frequency remains at or above 48 Hertz; and
 - (b) frequency returns to or above 49.25 Hertz within 60 seconds after the contingent event.
- (6) During an extended contingent event in the North Island, the **system operator** must ensure that, for that **island**—
 - (a) frequency remains at or above 47 Hertz; and
 - (b) frequency does not drop to or below 47.1 Hertz for longer than 5 seconds; and
 - (c) frequency does not drop to or below 47.3 Hertz for longer than 20 seconds; and
 - (d) frequency returns to or above 49.25 Hertz within 60 seconds after the extended contingent event.

- (7) During an extended contingent event in the South Island, the **system operator** must ensure that, for that **island**—
- (a) frequency remains at or above 45 Hertz; and
 - (b) frequency returns to or above 49.25 Hertz within 60 seconds after the extended contingent event.

7.2B System operator to restore frequency if frequency fluctuation occurs

If a **frequency fluctuation** occurs, the **system operator** must ensure that frequency is restored to the **normal band** as soon as reasonably practicable having regard to all circumstances surrounding the **frequency fluctuation**.

7.2C System operator to manage frequency time error

- (1) The **system operator** must ensure that any deviations from **New Zealand standard time** in the power system, caused by variations in system frequency, do not exceed 5 seconds.
- (2) At least once in each day, the **system operator** must eliminate from the power system any deviations from **New Zealand standard time** caused by variations in system frequency.

7.2D System operator to identify and resolve problems

- (1) A **participant** may request that the **system operator** investigate and resolve a security of supply or reliability problem arising from non-compliance with a standard in clause 4.7, 4.8, or 4.9 of the **Connection Code**, at any **point of connection** to the **grid**.
- (2) If the **system operator** receives a reasonable request under subclause (1), the **system operator** must, given the **assets** made available to it at the relevant time—
 - (a) identify whether there is a security of supply or reliability problem arising from non-compliance with a standard in clause 4.7, 4.8, or 4.9 of the **Connection Code**, at any **point of connection** to the **grid**; and
 - (b) if there is such a problem—
 - (i) identify the cause of the problem; and
 - (ii) resolve the problem to the extent reasonable and practical.

7.2E System operator to report on frequency fluctuations

- (1) By the 10th **business day** of each month (except by the 20th **business day** in the month of January), the **system operator** must report to the **Authority** the number of **frequency fluctuations** in each of the following frequency bands, in each **island** in the previous month:

Frequency band (Hertz) (where "x" is the maximum or minimum frequency during a frequency fluctuation)	
52.00 > x ≥ 51.25	
51.25 > x ≥ 50.50	

49.50	> x ≥	48.75
48.75	> x ≥	48.00
48.00	> x ≥	47.00

- (2) By the 10th **business day** of each month (except by the 20th **business day** in the month of January), the **system operator** must report to the **Authority** the number of **frequency fluctuations** in each of the following frequency bands, in the South Island in the previous month:

Frequency band (Hertz) (where "x" is the maximum or minimum frequency during a frequency fluctuation)		
55.00	> x ≥	53.75
53.75	> x ≥	52.00
47.00	> x ≥	45.00

Compare: Electricity Governance Rules 2003 rules 2 and 3 section II part C
 Clauses 7.2A-E: inserted, on 19 May 2016, by clause 10 of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.
 Clause 7.2E: amended, on 5 October 2017, by clause 77 of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

7.3 Functions of system operator in relation to security of supply and emergency management

- (1) The **system operator** must—
- (a) prepare and **publish** a **security of supply forecasting and information policy** that includes a requirement that the **system operator**—
 - (i) prepare and **publish** at least annually a security of supply assessment that contains detailed supply and demand forecasts for at least 5 years, which assists interested parties to assess whether the energy security of supply standard and the capacity security of supply standard set out in subclause (2) are likely to be met; and
 - (ii) consult with persons that the **system operator** thinks are representative of the interests of persons likely to be substantially affected by a security of supply assessment prepared under subparagraph (i) before **publishing** such an assessment; and
 - (iii) prepare and **publish** information that assists interested parties to monitor how hydro and thermal generating capacity, transmission assets, primary fuel, and **ancillary services** are being utilised to manage risks of shortage, including extended dry periods; and
 - (iv) **publish**, in relation to the information **published** under subparagraphs (i) and (iii), sufficient details of the modelling data, assumptions, and

- methodologies that the **system operator** has used to prepare that information as to allow interested parties to recreate that information (but without **publishing** information that is confidential to any **participant**); and
- (b) implement and comply with the **security of supply forecasting and information policy** prepared and **published** in accordance with paragraph (a).
- (2) For the purposes of subclause (1)(a)(i)—
- (a) the energy security of supply standard is a **winter energy margin** of 14-16% for New Zealand and a **winter energy margin** of 25.5-30% for the South Island; and
- (b) the capacity security of supply standard is a **winter capacity margin** of 630-780 **MW** for the North Island.
- (2A) The **Authority** may **publish** a security standards assumptions document.
- (2B) Subject to subclauses (2C) and (2D), if the **Authority** has **published** a security standards assumptions document under subclause (2A), the **system operator** must use the assumptions set out in that document in preparing a security of supply assessment under the **security of supply forecasting and information policy**.
- (2C) The **system operator** may use different assumptions from those in a security standards assumptions document to prepare a security of supply assessment if—
- (a) the **system operator** considers that there are good reasons to use different assumptions; and
- (b) the **system operator** includes in the security of supply assessment—
- (i) a detailed explanation of the assumptions used to prepare the security of supply assessment; and
- (ii) a statement of reasons for using those assumptions instead of the assumptions **published** by the **Authority**; and
- (iii) a description of how the security of supply assessment prepared using those assumptions differs from a security of supply assessment prepared using the assumptions set out in the security standards assumptions document.
- (2D) Despite subclause (2C), the **system operator** is not required to include the information referred to in subclause (2C)(b) in a security of supply assessment if the **system operator** considers that it would have good reason to refuse to supply the information under clause 2.6.
- (3) The **system operator** must —
- (a) prepare and **publish** an **emergency management policy** that sets out the steps that the **system operator** must take, and must encourage **participants** to take, at various stages during an extended emergency such as an extended dry sequence or an extended period of capacity inadequacy; and
- (b) include in the **emergency management policy** the steps that, at various stages in anticipation of and during a gas transmission failure or gas supply failure to **generators**, the **system operator** must—
- (i) take as the **system operator**; and
- (ii) encourage **participants** to take, including, if appropriate, steps for relevant **participants** to take in conjunction with gas industry entities; and
- (iii) encourage relevant gas industry entities to take; and
- (c) implement and comply with the **emergency management policy** .

- (4) The **emergency management policy** is not required to include information that is already set out in—
- (a) the **system operator rolling outage plan** prepared under subpart 1 of Part 9; or
 - (b) the **policy statement**; or
 - (c) **Technical Code B** of Schedule 8.3.
- (5) The **system operator** may depart from the policies set out in an **emergency management policy** if an **EMP departure situation** arises and such departure is required to enable the **system operator** to comply with clause 7.1A(1).
- (6) If the **system operator** makes a departure under subclause (5), the **system operator** must provide a report to the **Authority** setting out the circumstances of the **EMP departure situation** and the actions taken to deal with it. The **Authority** must **publish** the report within a reasonable time of its receipt.

Heading: amended, on 5 October 2017, by clause 78(1) of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

Clause 7.3(1): amended, on 19 May 2016, by clause 11(1) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(1)(a): amended, on 19 May 2016, by clause 11(2) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(1)(a)(iv): amended, on 5 October 2017, by clause 78(2) of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

Clause 7.3(1)(b): amended, on 19 May 2016, by clause 11(3) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(2)(a): amended, on 3 January 2013, by clause 4(1) of the Electricity Industry Participation (Supply Standards) Code Amendment 2012.

Clause 7.3(2)(b): amended, on 3 January 2013, by clause 4(2) of the Electricity Industry Participation (Supply Standards) Code Amendment 2012.

Clause 7.3(2A), (2B), (2C) and (2D): inserted, on 3 January 2013, by clause 4(3) of the Electricity Industry Participation (Supply Standards) Code Amendment 2012.

Clause 7.3(2A): amended, on 5 October 2017, by clause 78(3) of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

Clause 7.3(2B): amended, on 19 May 2016, by clause 11(4) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(2B): amended, on 5 October 2017, by clause 78(4) of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

Clause 7.3(2C)(b)(ii): amended, on 5 October 2017, by clause 78(5) of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

Clause 7.3(3): amended, on 19 May 2016, by clause 11(5) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(3)(a): amended, on 19 May 2016, by clause 11(6)(a) and (b) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(3)(b): amended, on 19 May 2016, by clause 11(7) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(3)(b)(i): amended, on 19 May 2016, by clause 11(8) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(3)(b)(ii): amended, on 19 May 2016, by clause 11(9) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(3)(c): amended, on 19 May 2016, by clause 11(10) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(4)(b): amended, on 10 January 2013, by clause 5 of the Electricity Industry Participation (Policy Statement and Procurement Plan Review Process) Code Amendment 2012.

Clause 7.3(5): amended, on 21 September 2012, by clause 7(1) of the Electricity Industry Participation (Minor Amendments) Code Amendment 2012.

Clause 7.3(5): amended, on 19 May 2016, by clause 11(11) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.3(6): amended, on 21 September 2012, by clause 7(2) of the Electricity Industry Participation (Minor Amendments) Code Amendment 2012.

Clause 7.3(6): amended, on 19 May 2016, by clause 11(12) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

7.4 Incorporation of security of supply forecasting and information policy and emergency management policy by reference

- (1) The **security of supply forecasting and information policy** and the **emergency management policy** are incorporated by reference in this Code in accordance with section 32 of the **Act**.
- (2) Subclause (1) is subject to Schedule 1 of the **Act**, which includes a requirement that the **Authority** must give notice in the *Gazette* before an amended or substituted **security of supply forecasting and information policy** or **emergency management policy** becomes incorporated by reference in this Code.

Clause 7.4(1): amended, on 5 October 2017, by clause 79 of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

7.5 Approval of draft security of supply forecasting and information policy and emergency management policy

- (1) The **system operator** may submit to the **Authority** for approval a draft **security of supply forecasting and information policy** or a draft **emergency management policy** to replace an existing **security of supply forecasting and information policy** or **emergency management policy** as the case may be.
- (2) *[Revoked]*
- (3) In preparing the draft **security of supply forecasting and information policy** or the draft **emergency management policy**, the **system operator** must—
 - (a) consult with persons that the **system operator** thinks are representative of the interests of persons likely to be substantially affected by the policies; and
 - (b) consider submissions made on the policies.
- (4) The **system operator** must provide a copy of each submission received under subclause (3) to the **Authority**.
- (5) The **Authority** must, as soon as practicable after receiving the draft **security of supply forecasting and information policy** or the draft **emergency management policy**, by notice in writing to the **system operator**,—
 - (a) approve the relevant policy; or
 - (b) decline to approve the relevant policy.
- (6) If the **Authority** declines to approve the draft **security of supply forecasting and information policy** or the draft **emergency management policy**, the **Authority** must **publish** the changes that the **Authority** wishes the **system operator** to make to the relevant draft policy.
- (7) When the **Authority publishes** the changes that the **Authority** wishes the **system operator** to make to the relevant draft policy under subclause (6), the **Authority** must advise the **system operator** and interested parties of the date by which submissions on the changes must be received by the **Authority**.
- (8) Each submission on the changes to the draft policy must be made in writing to the **Authority** and be received on or before the date the **Authority** advises under subclause (7). The **Authority** must provide a copy of each submission received to the **system operator** and must **publish** the submissions.
- (9) The **system operator** may make its own submission on the changes to the draft policy and the submissions received in relation to the changes. The **Authority** must **publish**

the **system operator's** submission when it is received.

- (10) The **Authority** must consider the submissions made to it on the changes to the draft policy.
- (11) Following the consultation required by subclauses (7) to (10), the **Authority** may approve the draft policy subject to the changes that the **Authority** considers appropriate being made by the **system operator**.

Clause 7.5(2): revoked, on 19 May 2016, by clause 12 of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.5(7): amended, on 1 November 2018, by clause 10(a) of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

Clause 7.5(8): amended, on 1 November 2018, by clause 10(b) of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

7.6 Variations to security of supply forecasting and information policy and emergency management policy

- (1) A **participant** or the **Authority** may submit a proposal for a variation to the **security of supply forecasting and information policy** or the **emergency management policy** to the **system operator**.
- (2) The **system operator** must consider a proposed variation to the **security of supply forecasting and information policy** or the **emergency management policy** submitted under subclause (1).
- (3) The **system operator** may submit a request for a variation to the **security of supply forecasting and information policy** or the **emergency management policy** to the **Authority**.
- (4) Clause 7.5(3) to (11) apply to a request for a variation submitted under subclause (3) as if references to a draft policy were a reference to the requested variation.
- (5) The **Authority** may approve a variation requested under subclause (3) without complying with subclause (4) if—
 - (a) the **Authority** considers that it is necessary or desirable in the public interest that the requested variation be made urgently; and
 - (b) the **Authority publishes** a notice of the variation and a statement of the reasons why the urgent variation is needed.
- (6) Every variation made under subclause (5) expires on the date that is 9 months after the date on which the variation is made.

7.7 System operator and Authority joint development programme

- (1) At least annually, the **system operator** and the **Authority** must agree a development programme that coordinates and prioritises—
 - (a) those items in the **Authority's** industry development work plan on which the **Authority** intends to liaise with the **system operator**; and
 - (b) the **system operator's** capital expenditure plan provided to the **Authority** under the **system operator market operation service provider agreement**.
- (2) The **Authority** must **publish** the programme agreed under subclause (1).

7.8 Review of system operator

- (1) The **Authority** must review the performance of the **system operator** at least once in

each year ending 30 June, after the **system operator** submits its self-review under clause 7.11.

- (2) The review must concentrate on the **system operator's** compliance with—
 - (a) its obligations under this Code and the **Act**; and
 - (b) the operation of this Code and the **Act**; and
 - (c) any performance standards agreed between the **system operator** and the **Authority**; and
 - (d) the provisions of the **system operator's market operation service provider agreement**.
- (3) The **Authority** must **publish** a report on the performance of the **system operator** no later than 10 **business days** after the **Authority** completes its review.

Compare: SR 2003/374 r 47

Clause 7.8(1): amended, on 19 May 2016, by clause 13(1) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.8(1): amended, on 5 October 2017, by clause 80(1) of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

Clause 7.8(3): inserted, on 19 May 2016, by clause 13(2) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.8(3): amended, on 5 October 2017, by clause 80(2) of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.

7.9 Additional matters to be taken into account in system operator review

The **Authority** must take into account the following matters when conducting a review under clause 7.8:

- (a) the terms of the **system operator's market operation service provider agreement**;
- (b) reports from the **system operator** to the **Authority**, including the **system operator's** self-review under clause 7.11;
- (c) the performance of the **system operator** over time in relation to this Part and Part 8;
- (d) the extent to which the acts or omissions of other persons have impacted on the performance of the **system operator** and the nature of the task being monitored;
- (e) reports or complaints from any person, and any responses by the **system operator** to such reports or complaints;
- (f) the fact that the real time co-ordination of the power system involves a number of complex judgments and inter-related incidents;
- (g) any disparity of information between the **Authority** and the **system operator**;
- (h) any other matter the **Authority** considers relevant to assess the **system operator's** performance.

Compare: SR 2003/374 r 48

Clause 7.9(b): amended, on 19 May 2016, by clause 14(1) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.9(e): amended, on 19 May 2016, by clause 14(2) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

7.10 Separation of Transpower roles

- (1) **Transpower's** role as **system operator** under this Code and the **Act** is distinct and separate from any other role or capacity that **Transpower** may have under this Code

- and the **Act**, including as a **grid owner** or transmission provider.
- (2) For this purpose, when assessing an aspect of the performance, or non-performance, of the **system operator**,—
- (a) the assessment must be made on the basis that the **system operator** had no other role or capacity; and
 - (b) the **system operator** must be treated as if it did not have any knowledge or information that may be received or held by **Transpower** unless **Transpower** receives or holds that information or knowledge in its capacity as **system operator**.
- (3) Subclause (2) applies, with necessary modifications, to an assessment of an aspect of the performance, or non-performance, of **Transpower** in any other role or capacity under this Code or the **Act**.
- (4) **Transpower** must report, in each self-review report provided under this Code, on the extent to which its role as **system operator** under this Code and the **Act** has, despite subclauses (1) to (3), been materially affected by—
- (a) any other role or capacity that **Transpower** has under this Code or the **Act**; or
 - (b) an agreement.

Compare: SR 2003/374 r 50

7.11 Review of performance of the system operator

- (1) No later than 31 August in each year, the **system operator** must submit to the **Authority** a review and assessment of its performance in the previous 12 month period ending 30 June.
- (2) The self-review must contain such information as the **Authority** may reasonably require from time to time to enable the **Authority** to review the **system operator's** performance during the period in relation to the following:
- (a) the **policy statement**;
 - (b) the **security of supply forecasting and information policy**;
 - (c) the **emergency management policy**;
 - (d) the joint development programme prepared under clause 7.7(1);
 - (e) the work programmes agreed with the **Authority** under the **system operator's market operation service provider agreement**;
 - (f) the **system operator's** engagement with **participants**;
 - (g) delivery of the **system operator's** capital and business plans;
 - (h) the financial and operational performance of the **system operator**.
- (3) *[Revoked]*
- (4) *[Revoked]*

Compare: Electricity Governance Rules rule 14 section II part C

Clause 7.11(1): amended, on 19 May 2016, by clause 15(1)(a) and (b) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.11(2): amended, on 19 May 2016, by clause 15(2) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.11(3) and (4): revoked, on 19 May 2016, by clause 15(3) of the Electricity Industry Participation Code Amendment (System Operator and Alignment with Statutory Objective) 2016.

Clause 7.11(4): amended, on 15 May 2014, by clause 6 of the Electricity Industry Participation (Minor Code Amendments) Code Amendment 2014.

7.12 Authority must publish system operator reports

- (1) The **Authority** must **publish** all self-review reports that are received from the **system operator** and that are required to be provided by the **system operator** to the **Authority** under this Code.
- (2) The **Authority** must **publish** each report within 5 **business days** after receiving the report.

Compare: SR 2003/374 r 49

Clause 7.12: amended, on 5 October 2017, by clause 81 of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.