

Electricity Industry (Exemption No. 348 (Manawa Energy Limited)) Exemption Notice 2024

The Electricity Authority gives this notice in accordance with section 11 of the Electricity Industry Act 2010 (“Act”) to exempt Manawa Energy Limited (Manawa) from compliance with certain obligations in Part 6A of the Act.

Notice

1. Title and commencement

(1) This notice is the Electricity Industry (Exemption No. 348 (Manawa Energy Limited)) Exemption Notice 2024.

(2) This notice comes into force on the day after the date it is notified in the *New Zealand Gazette*.

2. Exemption

(1) Manawa is exempted from complying with the obligations in clauses 6A.3(2), 6A.5(1), 6A.8 and Schedule 6A.1 of the Code, in relation to Anne June Urlwin’s (“Ms Urlwin”) appointment as a director of Vector Limited (“Vector”) while she is also a director of Infratil Limited (“Infratil”), in respect of retailing activities only.

3. Term

(1) This exemption will expire on the date that Ms Urlwin ceases to be a director of either Infratil or Vector

4. Conditions

This exemption is subject to the following conditions:

- a. [Dispensation 002](#) for Ms Urlwin from certain clauses in Part 6A of the Code relating to the cross-involvements created through Ms Urlwin’s directorships in both Infratil and Vector (dispensation notice) remaining in force without being revoked for any reason.
- b. this exemption is specific to the cross-involvements created through Ms Urlwin’s directorships in both Infratil and Vector.
- c. this exemption is specific to Manawa’s retailing to customers connected to Vector’s network and does not apply in respect of any generation owned by Manawa which is or may be connected to Vector’s network.

5. Reasons for this exemption

(1) The reasons for this exemption are:

- a. Manawa is a “connected retailer” for the purposes of Part 6A only as a result of Ms Urlwin’s involvement in Vector and Manawa (Ms Urlwin is a director of Vector and Infratil and Infratil holds a majority shareholding in Manawa).
- b. Ms Urlwin holds a dispensation from the relevant obligations in Part 6A and her dispensation is subject to a number of conditions which include Ms Urlwin not being present for or participating in any discussions or decision making by Infratil and/or Vector that relate to the supply or intended supply of electricity by Manawa on Vector’s electricity distribution network or which could disadvantage any other business selling or generating electricity on Vector’s electricity distribution network.
- c. The Electricity Authority is satisfied that it is not necessary for the purpose of achieving the Authority’s objectives under section 15 of the Act, for Manawa to comply with the requirements of the clauses set out in paragraph 2(1) of this notice because:
 - i. Competition in the national generation and wholesale market will not be impacted by Ms Urlwin’s cross-directorship and the exemptions would not create incentives or opportunities to inhibit competition in that market as this exemption relates only to retailing Manawa carries out on Vector’s network
 - ii. Any potential incentives or opportunities to inhibit competition in the electricity retailing markets is addressed by the conditions on Ms Urlwin’s dispensation notice, and this exemption is conditional on Ms Urlwin’s dispensation continuing in force
 - iii. An exemption would have no effect on the Authority’s ability to promote reliable supply for the long-term benefit of consumers
 - iv. Efficiency in the electricity industry may be improved by reducing both the regulatory burden on Manawa and the cost of the Authority monitoring compliance.

NEW ZEALAND GAZETTE

Dated at Wellington this 27th day of June 2024.

For and on behalf of the Electricity Authority:
ALLAN DAWSON, Member, Electricity Authority.

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04-07-2024 12:27
