

**Electricity Industry Participation (Transitional Provisions
for New Metering Arrangements) 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 Invercargill on the 23rd day of April 2013



Dr Thomas Brent Layton
Chairperson
Electricity Authority

Certified in order for signature:



Barbara Sole
Senior Legal Counsel
Electricity Authority



Tony Dellow
Partner
Buddle Findlay

22 April 2013

22 April 2013

Contents

		Page
1	Title	2
2	Commencement	2
3	Code amended	2
4	New clauses 11.33, 11.34, 11.35 and 11.36 inserted	2
	11.33 Authority may direct registry to be suspended	2
	11.34 Registry manager, distributors, and traders not required to comply with obligations when registry suspended	2

	11.35	Registry manager and traders not required to comply with specified provisions after registry resumes operation	3
	11.36	Clauses to expire	4
5	New clause 8A	8A of Schedule 15.1 inserted Timeframe for auditing a change extended	4 4

Amendment

- 1 **Title**
This is the Electricity Industry Participation (Transitional Provisions for New Metering Arrangements) Code Amendment 2013.
- 2 **Commencement**
This amendment comes into force on 24 May 2013.
- 3 **Code amended**
This amendment amends the Electricity Industry Participation Code 2010.
- 4 **New clauses 11.33, 11.34, 11.35 and 11.36 inserted**
After clause 11.32, insert:
 - "11.33 **Authority may direct registry to be suspended**
 "(1) The **Authority** may direct the **registry manager** to suspend the operation of the **registry** so as to implement the Electricity Industry Participation (Metering Arrangements) Code Amendment 2011.
 "(2) The **Authority** must—
 "(a) give the direction in writing; and
 "(b) specify in the direction the period of time during which the operation of the **registry** must be suspended; and
 "(c) **publicise** the direction.
 "(3) Despite anything else in this Part, the **registry manager** must comply with a direction given by the **Authority** under subclause (1).
 "11.34 **Registry manager, distributors, and traders not required to comply with obligations when registry suspended**

- "(1) Neither the **registry manager** nor any **trader** is required to comply with any obligation imposed by this Part in respect of a matter that—
 - "(a) arises during the period in which the **registry** is suspended; and
 - "(b) requires the **registry manager** to provide information from, or a **trader** to provide information to, the **registry**.
- "(2) Any day during the period in which the operation of **registry** is suspended must not be counted in calculating the time period within which an obligation imposed by this Part on a **distributor** must be performed, if the obligation requires the **distributor** to provide information to the **registry**.

"11.35 Registry manager and traders not required to comply with specified provisions after registry resumes operation

- "(1) This clause applies for the period commencing when a direction given by the **Authority** under clause 11.33(1) expires, and ending when the Electricity Industry Participation (Metering Arrangements) Code Amendment 2011 comes into force.
- "(2) Any provision of this Part that imposes an obligation on the **registry manager** to provide information from the **registry**, applies in respect of any matter that arises during the period described in subclause (1), as if any time limit imposed on the **registry manager** for providing the information is extended to 1 **business day**.
- "(3) A **trader** is not required to comply with an obligation imposed by this Part in respect of a matter that—
 - "(a) arises during the period described in subclause (1); and
 - "(b) requires the **trader** to provide information to the **registry**.
- "(4) If a **trader** relies on subclause (3), the **trader** must comply with the relevant obligation—
 - "(a) in the case of a gaining **trader's** obligation in clauses 6 and 12 of Schedule 11.3 to provide a losing **trader** with a changed **validated meter reading** or a **permanent estimate** supported by 2 **validated meter readings**, no later than

- 4 months after the amendment comes into force; and
- "(b) in the case of a losing **trader's** right in clause 17 of Schedule 11.3 to request that a switch request is withdrawn, no later than 2 months after the amendment comes into force; and
- "(c) in the case of all other obligations in this Part, no later than 10 **business days** after the amendment comes into force.

"11.36 Clauses to expire

Clauses 11.33 to 11.35, and this clause, expire 4 months after the Electricity Industry Participation (Metering Arrangements) Code Amendment 2011 comes into force."

5 New clause 8A of Schedule 15.1 inserted

After clause 8 of Schedule 15.1, insert:

"8A Timeframe for auditing a change extended

- "(1) This clause applies if a **reconciliation participant** intends to make a change to any of its facilities, processes, or procedures that—
 - "(a) the **reconciliation participant** considers is material; and
 - "(b) is required to implement the Electricity Industry Participation (Metering Arrangements) Code Amendment 2011.
- "(2) Despite clause 8(1), a **reconciliation participant** must, no later than 4 months after the amendment comes into force—
 - "(a) notify the **Authority** of the change; and
 - "(b) submit to the **Authority** an **audit** report confirming that, after the change came into effect, the **reconciliation participant** continued to meet the requirements specified in clause 5.
- "(3) Despite clause 8(3), a **reconciliation participant's** certification is only deemed to be revoked if—
 - "(a) the **reconciliation participant** fails to give the advice required by subclause (2); or
 - "(b) the **Authority** advises the **reconciliation participant** that the **Authority** is not satisfied that the **reconciliation participant** continued to meet the

- requirements in clause 5 after the change came into effect.
- "(4) To avoid doubt, if this clause applies, the **Authority** must comply with clause 8(2).".

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 comes into force on 24 May 2013. This amendment amends the Electricity Industry Participation Code 2010 by inserting transitional provisions to assist with the implementation of the Electricity Industry Participation (Metering Arrangements) Code Amendment 2011.

Date of notification in the *Gazette*: 26 April 2013.