

Notice of the Electricity Industry Participation Code Amendment (Code Review Programme) 2025

1. Under sections 38 and 39(3) of the Electricity Industry Act 2010 (“Act”) and having complied with section 39 of that Act, the Electricity Authority (“Authority”) gives notice of making the Electricity Industry Participation Code Amendment (Code Review Programme) 2025 (“amendment”).
2. The amendment comes into force on 1 April 2025, except clauses 15, 16, 18 and 19, which come into force on 1 June 2025.
3. The amendment makes a variety of independent and relatively minor amendments as part of the Authority’s Code review programme to improve the operation of the Electricity Industry Participation Code 2010 (“Code”).
4. The amendment amends Parts 1, 6A, 7, 8, 10, 11, 12A, 13, 14, 15 and 16A of the Code. The changes include:
 - a. revoking the definition of “outage constraint” and removing the provisions relating to outage constraint reports and adjustments of submitted volumes;
 - b. clarifying the default distributor agreement template in Schedule 12A.4 permits sharing of load control between distributors and other parties, and that the parties’ agreed protocol must allow for both parties to share control over the same load, and must be the same (or similar) for all traders;
 - c. amending the definition of “ICP” to include a point of connection at which the electrical facility for a generator or direct purchase is connected to a network other than the grid;
 - d. amending the definition of “disclosing participant” to exclude an embedded generator who is not a retailer, and is only purchasing electricity is for its own use;
 - e. permitting distributors to operate interconnection points without becoming certified, and incorporating the audit of their reconciliation functions associated with interconnection points into distributor audits;
 - f. requiring participants to pay the costs of certain audits within 10 business days after being advised of the amount owing, or by the due date specified in the invoice, whichever is later;
 - g. clarifying that the certification expiry date for a data storage device is the last day of the applicable validity period, and that certification reports must include either the validity period or expiry date;
 - h. clarifying that the Authority may conduct more than one review of the system operator’s performance in any year ending 30 June;
 - i. extending the maximum certification period of reconciliation participants to 36 months, to align with existing audit periods;
 - j. permitting an ATH (a person who is approved to operate an approved test house) to use another ATH’s recertification reports when recertifying a population of metering installations;
 - k. permitting the system operator to specify the date the South Island provider of automatic under-frequency load shedding must provide demand profile information;
 - l. clarifying that, if there is a change in the intended date of creation or decommissioning of a network supply point as defined in the Code (“NSP”), the participant must still provide at least 30 days’ notice from the original notification to the changed date;
 - m. clarifying when the 2-year period for auditor rotation starts and end and that an audit started just before the end of the 2-year period may be completed by the same auditor;
 - n. removing duplicate obligations on grid owners and generators to provide NSP information to the reconciliation manager; and
 - o. including, as an event of default that triggers the process under Schedule 11.5 for managing trader default situations, the situation where the clearing manager is prevented from doing (or continuing) business with a participant under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009; and
 - p. making several other technical changes to correct minor typographical and other errors in the Code.
5. Where the amendment makes a change to the Code under section 39(3)(a) of the Act, the Authority has not prepared and publicised a regulatory statement, or consulted on a regulatory statement, because it is satisfied on reasonable grounds that the relevant change is technical and non-controversial.
6. This amendment is secondary legislation for the purposes of the Legislation Act 2019 and is administered by the

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Authority.

7. A copy of the amendment and the Code is available on the Authority's website: <http://www.ea.govt.nz/code-and-compliance/the-code/>.

8. A copy of the amendment and the Code may also be inspected free of charge or purchased from the Electricity Authority, Level 7, AON Centre, 1 Willis Street, Wellington.

Dated at Wellington this 24th day of February 2025.

ANNA KOMINIK, Chair, Electricity Authority.

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