

**Reprint  
as at 24 September 1993**



**Energy Companies (WEL Energy  
Group Limited) Vesting Order  
1993**

(SR 1993/304)

Catherine A Tizard, Governor-General

**Order in Council**

At Wellington this 20th day of September 1993

Present:

The Right Hon J B Bolger presiding in Council

Pursuant to section 76(1) of the Energy Companies Act 1992, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the recommendation of the Minister of Energy, hereby makes the following order.

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**This order is administered by the Ministry of Economic Development.**

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## Order

### 1 Title

This order may be cited as the Energy Companies (WEL Energy Group Limited) Vesting Order 1993.

### 2 Interpretation

(1) In this order, unless the context otherwise requires,—

**the Act** means the Energy Companies Act 1992

**the Authority** means the Waikato Electricity Authority

**the Committee** means the Share Distribution Monitoring Committee referred to in the share allocation plan approved by the Minister in respect of the Authority on 22 March 1993

**the company** means WEL Energy Group Limited

**customer** means—

(a) a person who, at the close of 25 November 1992, was liable (whether alone or jointly with any other person or persons) under the terms of any contract between the company and that person, for the payment of any amount payable in respect of electricity or line services or both supplied to that person by the company or any subsidiary of the company:

(b) a nominee

**nominee** means a person nominated, in the manner required by the company, by any customer (as defined in paragraph (a) of the definition of that term) as being a person who, at the close of 25 November 1992,—

(a) resided at the same address as that customer; or

- (b) contributed, or was liable to contribute, to the payment for electricity or line services or both supplied to that customer

**the Trust** means the WEL Energy Trust, being the trust referred to by that name in the share allocation plan approved by the Minister in respect of the Authority on 22 March 1993.

- (2) Expressions not defined in this order but defined in the Act have, in this order, the meanings so defined.

### **3 Appointment of date for vesting of undertaking of Authority in successor company**

26 October 1993 is hereby appointed as the date on which, by virtue of section 76(1) of the Act,—

- (a) both—
  - (i) all shares held by the Authority in the company; and
  - (ii) all money and other debt securities that are part of the undertaking of the Authority—shall vest in the persons specified in clause 4 and clause 5; and
- (b) the undertaking of the Authority (other than the shares referred to in paragraph (a)(i), and the money and other debt securities referred to in paragraph (a)(ii)) shall vest in the company.

### **4 Shares held by Authority in company**

- (1) On 26 October 1993, the shares held by the Authority in the company at the close of 25 October 1993 shall, by virtue of section 76(1)(a)(i) of the Act, vest in accordance with subclauses (2) to (5).
- (2) Subject to subclause (5), 5 880 000 of the shares referred to in subclause (1) shall vest as follows:
  - (a) where 5 880 000 is a multiple of the number of customers, the shares shall be divided equally among the customers; or
  - (b) where 5 880 000 is not a multiple of the number of customers,—
    - (i) the number of shares that corresponds to that multiple of the number of customers that is the

- highest multiple less than 5 880 000 shall be divided equally among the customers; and
- (ii) the remaining shares shall vest in the following persons jointly in their capacity as members of the Committee:
    - (A) Douglas Frank Price:
    - (B) Jennifer Anne Binns:
    - (C) Robert James Clarke.
- (3) 120 000 of the shares referred to in subclause (1) shall vest in the following persons jointly in their capacity as members of the Committee:
    - (a) Douglas Frank Price:
    - (b) Jennifer Anne Binns:
    - (c) Robert James Clarke.
  - (4) 6 000 000 of the shares referred to in subclause (1) shall vest in the following persons jointly in their capacity as trustees of the Trust:
    - (a) Donald Raymond Peter Bethune:
    - (b) Shirley Josephine Dooley:
    - (c) Brian Patrick Farrell:
    - (d) Lois Anita Livingston:
    - (e) Patricia Aileen Neagle:
    - (f) Clifford Vincent Tait:
    - (g) May Naumai Woodcock:
    - (h) Gordon Frederick Yates.
  - (5) Where, by virtue of 1 agreement for the supply of electricity or line services by the company or any subsidiary of the company, 2 or more persons come within the definition of customer in clause 2, those persons shall, for the purposes of subclause (2), be deemed to be 1 customer, and the shares in the company to which they are entitled under subclause (2) shall be issued to them jointly.

## **5 Vesting of money and other debt securities of Authority**

On 26 October 1993, all money and other debt securities that, at the close of 25 October 1993, are part of the undertaking of the Authority shall, by virtue of section 76(1)(a)(ii) of the Act, vest in the following persons jointly in their capacity as trustees of the Trust:

- (a) Donald Raymond Peter Bethune:
- (b) Shirley Josephine Dooley:
- (c) Brian Patrick Farrell:
- (d) Lois Anita Livingston:
- (e) Patricia Aileen Neagle:
- (f) Clifford Vincent Tait:
- (g) May Naumai Woodcock:
- (h) Gordon Frederick Yates.

Marie Shroff,  
Clerk of the Executive Council.

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### **Explanatory note**

*This note is not part of the order, but is intended to indicate its general effect.*

This order is made pursuant to section 76(1) of the Energy Companies Act 1992. The order appoints 26 October 1993 as the date on which—

- (a) both—
  - (i) all shares held by the Waikato Electricity Authority in WEL Energy Group Limited; and
  - (ii) all money and other debt securities that are part of the undertaking of the Waikato Electricity Authority—shall vest in the persons specified in the order; and
- (b) the undertaking of the Waikato Electricity Authority (other than the shares referred to in paragraph (a)(i) above, and the money and debt securities referred to in paragraph (a)(ii) above) shall vest in WEL Energy Group Limited.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 23 September 1993.

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**Notes****1 General**

This is a reprint of the Energy Companies (WEL Energy Group Limited) Vesting Order 1993. The reprint incorporates all the amendments to the order as at 24 September 1993, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

**2 Status of reprints**

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

**3 How reprints are prepared**

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

#### **4 Changes made under section 17C of the Acts and Regulations Publication Act 1989**

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5** *List of amendments incorporated in this reprint  
(most recent first)*

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