



## **Electricity Industry (Levy of Industry Participants) Amendment Regulations 2015**

Jerry Mateparae, Governor-General

### **Order in Council**

At Wellington this 2nd day of June 2015

Present:

His Excellency the Governor-General in Council

Pursuant to section 128 of the Electricity Industry Act 2010, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Energy and Resources, makes the following regulations.

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## Regulations

### 1 Title

These regulations are the Electricity Industry (Levy of Industry Participants) Amendment Regulations 2015.

### 2 Commencement

- (1) Regulation 4(2) comes into force on 30 June 2015.
- (2) The rest of these regulations come into force on 1 July 2015.

### 3 Principal regulations

These regulations amend the Electricity Industry (Levy of Industry Participants) Regulations 2010 (the **principal regulations**).

### 4 Regulation 4 amended (Interpretation)

- (1) In regulation 4(1), replace the definition of **customer switching fund** with:

**consumer participation operations** means—

- (a) the activities of the Authority under section 16(1)(i) of the Act to promote to consumers the benefits of comparing and switching retailers; and
- (b) any other activities of the Authority that seek to facilitate consumer participation in electricity markets, including programmes focusing on addressing consumer awareness, understanding, motivation, and action

- (2) In regulation 4(1), replace the definition of **market operations** with:

**market operations** means the activities of the Authority that relate to the following parts of the Code:

- (a) regime for dealing with undesirable trading situations;
- (b) metering;
- (c) trading arrangements;
- (d) clearing and settlement;
- (e) prudential requirements;
- (f) reconciliation

- (3) In regulation 4(1), definition of **registry and consumer operations**, after “and other consumer-related activities”, insert “(other than activities within consumer participation operations)”.

### 5 Regulation 7 amended (Calculation of annual levy rates)

- (1) In regulation 7(2), table 1, column 1, replace “Customer switching fund” with “Consumer participation operations”.

- (2) In regulation 7(4), table 2, first column, replace “Customer switching fund” with “Consumer participation operations”.

**6 Regulation 9 amended (Calculation of each participant’s monthly instalment)**

In regulation 9(2), table 3, first column, replace “Customer switching fund” with “Consumer participation operations”.

**7 New regulations 19 and 20 inserted**

After regulation 18, insert:

**19 Levy for year ending 30 June 2015**

The levy for the 2014/15 financial year is payable in accordance with these regulations as amended by regulation 4(2) of the Electricity Industry (Levy of Industry Participants) Amendment Regulations 2015, irrespective of the fact that that regulation was made after the 2014/15 financial year had commenced.

**20 Levy for year ending 30 June 2016**

The levy for the 2015/16 financial year and subsequent years is payable in accordance with these regulations as amended by the Electricity Industry (Levy of Industry Participants) Amendment Regulations 2015.

Michael Webster,  
Clerk of the Executive Council.

### Explanatory note

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

These regulations amend the Electricity Industry (Levy of Industry Participants) Regulations 2015 (the **principal regulations**) to do 2 things.

*Regulation 4(2)* of these regulations comes into force on 30 June 2015 and applies to the 2014/15 levy year (and subsequent years). It makes a consequential change to the principal regulations to reflect the new Parts 14 and 14A of the Electricity Industry Participation Code 2010 that came into force on 24 March 2015.

The other amendments made by these regulations come into force on 1 July 2015, which is the start of the 2015/16 levy year, to apply to that levy year (and subsequent years). They impose a levy (payable by retailers) in respect of the costs of the activities of the Electricity Authority that relate to facilitating consumer participation in the electricity market. This levy replaces the levy (also payable by retailers) in respect of the customer switching fund, which was set up to meet the costs incurred by the Crown before 1 May 2014 in promoting to customers the benefits of comparing and switching retailers.

**Electricity Industry (Levy of Industry Participants)  
Amendment Regulations 2015**

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These regulations are administered by the Ministry of Business, Innovation, and Employment.

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Wellington, New Zealand:

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