

EN301*

Electricity Industry Act 2004

Electricity Industry (Wholesale Electricity Market) Amendment Regulations 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electricity Industry (Wholesale Electricity Market) Amendment Regulations 2008*.

2. Commencement

These regulations come into operation as follows:

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. The regulations amended

The amendment in these regulations is to the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*.

4. Regulation 18A inserted

After regulation 18 the following regulation is inserted in Part 2 —

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18A. Excluded matters for the purposes of the Corporations Act 2001 (Commonwealth)

(1) In this regulation —

“**short term trading, balancing and reserve capacity**” means —

- (a) those parts of the market that are operated under the market rules; and

- (b) those facilities (as referred to in the *Corporations Act 2001* (Commonwealth) section 763A(1)) provided for under the market rules,

for the purpose of day ahead trading of electricity with the IMO, balancing electricity supply and consumption in the SWIS or ensuring the long term electricity supply capacity of the SWIS.

- (2) Short term trading, balancing and reserve capacity are declared to be excluded matters for the purposes of the *Corporations Act 2001* (Commonwealth) section 5F in relation to Chapter 7 of that Act.

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.