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**ENERGY**

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EN301

Electricity Industry Act 2004

**Electricity Industry Exemption Amendment  
Order (No. 2) 2022**

SL 2022/171

Made by the Governor in Executive Council.

**1. Citation**

This order is the *Electricity Industry Exemption Amendment Order (No. 2) 2022*.

**2. Commencement**

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

**3. Order amended**

This order amends the *Electricity Industry Exemption Order 2005*.

**4. Clause 3 amended**

- (1) In clause 3(1) delete the definition of ***generation capacity***.
- (2) In clause 3(1) in the definition of ***connection point***:
  - (a) delete “***point***” and insert:

***point***, in relation to generating works,
  - (b) delete “system;” and insert:

system.

- (3) Delete clause 3(2) and insert:
- (2) A person is exempt from the *Electricity Industry Act 2004* section 7(1) if —
- (a) in relation to the construction of generating works — the total generation capacity that the generating works will have is not more than 100 MW at each connection point after construction is completed; or
  - (b) in relation to the operation of generating works — the generation capacity of the generating works is not more than 100 MW at each connection point.

Note: The heading to amended clause 3 is to read:

**Exemption for generating works of 100 MW or less**

B. D'SA, Clerk of the Executive Council.