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**ENERGY**

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EN301

Electricity Industry Act 2004

**Electricity Industry (Network Quality and Reliability of Supply) Amendment Code 2017**

Made by the Minister under section 39(2a)(a) of the Act.

**1. Citation**

This code is the *Electricity Industry (Network Quality and Reliability of Supply) Amendment Code 2017*.

**2. Commencement**

This code comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this code is published in the *Gazette* (*gazettal day*);
- (b) sections 8 to 14 — on 1 July 2017;
- (c) the rest of the code — on the day after gazettal day.

**3. Code amended**

This code amends the *Electricity Industry (Network Quality and Reliability of Supply) Code 2005*.

**4. Section 3 amended**

In section 3(1) delete the definition of *unplanned interruption*.

**5. Section 11 amended**

- (1) In section 11(2) after “subsection (1)(a)” insert:

and section 11A(3)(a)

- (2) After section 11(3)(a) insert:

- (aa) is sent by post to the customer to an address, other than the address of the premises concerned, that has been nominated by the customer for notices to be given by post under this section; or
- (ab) is sent electronically to the customer, including by email, facsimile, text message or the internet; or

(3) After section 11(3) insert:

(4) For the purposes of subsection (3)(ab), a notice cannot be given by telephone or by publication on a website maintained by the transmitter or distributor.

(4) In section 11(3) after paragraph (a) insert:

or

**6. Section 11A inserted**

After section 11 insert:

**11A. Interruptions to restore supply from network**

(1) In this section —

*customer* includes an eligible person as defined in section 16.

(2) This section applies if a customer is being supplied with electricity by alternative means because the customer is unable to receive supply from the network.

(3) It is not a breach of section 9 for a transmitter or distributor to interrupt the supply of electricity to a customer for the purpose of restoring the supply of electricity to the customer from the network if —

(a) so far as is reasonably practicable, the length of the interruption does not exceed the relevant period specified in section 11(2); and

(b) the transmitter or distributor has used its best endeavours to give notice of the proposed interruption by contacting —

(i) the customer; or

(ii) if the customer's premises are residential premises, the customer or another person who resides at those premises.

(4) For the purposes of subsection (3)(b), the customer or other person may be contacted face to face, by post or by telephone, email, facsimile, text message, the internet or other electronic means but not by the publication of a notice on a website maintained by the transmitter or distributor.

**7. Section 19 amended**

In section 19(1)(a) delete “section 11(1); and” and insert:

section 11(1) or 11A(3); and

**8. Section 23 amended**

- (1) In section 23(1) delete “section 27.” and insert:

sections 26 and 27.

- (2) In section 23(2) delete “section 27.” and insert:

section 26 or 27.

**9. Section 25A inserted**

At the beginning of Part 4 Division 3 insert:

**25A. Term used: reporting period**

- (1) In this Division —

*reporting period*, in relation to an audit and report under section 26, means —

- (a) the period of 3 years; or
- (b) for a transmitter or distributor given a notice by the Authority under section 26A, the reporting period stated in that notice;

*reporting period*, in relation to a report under section 27, means the period of 1 year.

- (2) A reporting period begins on 1 July and ends on 30 June, as relevant to that period.

**10. Section 26 amended**

- (1) In section 26(2) delete “year ending on 30 June.” and insert:

reporting period.

- (2) After section 26(2) insert:

- (3) A transmitter and a distributor must publish the report referred to in subsection (1) not later than 1 October following the reporting period.

- (4) A report is published for the purposes of subsection (3) if —
  - (a) copies of it are available to the public, without cost, at places where the transmitter or distributor transacts business with the public; and
  - (b) a copy of it is posted on a website maintained by the transmitter or distributor.
- (5) A copy of each report must be given to the Minister and the Authority not less than 7 days before it is published under subsection (3).

Note: The heading to amended section 26 is to read:

**Audit and report on monitoring systems**

**11. Section 26A inserted**

After section 26 insert:

**26A. Authority may give notice regarding reporting period**

- (1) The Authority may give a transmitter or distributor a written notice stating that the reporting period is the period of 1 year or 2 years for the purposes of an audit and report under section 26.
- (2) The Authority may, by written notice, revoke a notice under subsection (1).

**12. Section 27 amended**

- (1) In section 27(1)(b) delete “and the report referred to in section 26”.
- (2) In section 27(2)(b) delete “an internet” and insert:

a

**13. Section 28 amended**

In section 28 delete “year if, during the year,” and insert:

reporting period if, during that period,

**14. Section 29 inserted**

At the end of Part 4 Division 3 insert:

**29. Transitional provisions for Part 4 Division 3**

- (1) In this section —  
*commencement day* means 1 July 2017.
- (2) This Division, as in force immediately before the commencement day, continues to have effect for the purposes of an audit and report under section 26 in respect of the year ending on 30 June 2017.
- (3) For the purposes of this Division, as in force on and from the commencement day, the first reporting period for section 26 commences on that day.

**15. Schedule 1 amended**

In Schedule 1 delete items 3, 14 and 15.

BEN WYATT, Minister for Energy.

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