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| <b>Subject</b> | <b>Notice of Determinations by the Industry Body (Gas Industry Co) under the Gas Governance (Critical Contingency Management) Regulations 2008</b> |
| <b>Version</b> | <b>1.0</b>   |
| <b>Date</b>    | <b>4 December 2008</b>   |

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## **1. Introduction**

- 1.1 The Gas Governance (Critical Contingency Management) Regulations 2008 (the “Regulations”) seek to achieve the effective management of critical gas outages and other security of supply contingencies without compromising long-term security of supply.
- 1.2 The Regulations provide for Gas Industry Co, as the industry body approved under the Gas Act 1992, to:
  - under the definition of “business days”, determine certain days that are not to be business days for the purposes of the Regulations (regulation 5); and
  - under the definition of “financial year”, publish the financial year of the industry body for the purposes of the Regulations (regulation 5).

Gas Industry Co’s determinations in respect of these matters are set out in this notice.

## **2. Process for changes to determinations**

- 2.1 New determinations may be required from time to time in accordance with the requirements of the Regulations to reflect changing circumstances and other factors.
- 2.2 The process which is intended for making a new determination is as follows:
  - Any proposed determination will be advised to all stakeholders. Where the changes are minor, or affect only specifically identifiable parties and no consultation is required under the Regulations, it is intended that the proposed change will be notified by email. Where the changes are considered to have a wide effect, or consultation is required under the Regulations, it is intended that the proposed changes will be posted on the Gas Industry Co and critical contingency operator websites, and stakeholders invited to make submissions.

- The consultation period will likely vary from two to four weeks depending on the circumstances. A shorter period may apply where the changes are minor or affect only specifically identifiable parties.
- Submissions will be sought by email and will be acknowledged by email.
- Any new determination made by Gas Industry Co will be advised to all stakeholders, together with a brief explanatory note on differences between the consultation proposal and the final result.
- A revised version of this notice will be posted on the Gas Industry Co website.

### **3. Determination – business day (regulation 5)**

3.1 The definition of “business day” in regulation 5 of the Regulations provides that:

business day means any day of the week except—

(a) Saturday and Sunday; and

(b) any day that Good Friday, Easter Monday, Anzac Day, the Sovereign’s birthday, Labour Day, Christmas Day, Boxing Day, New Year’s Day, the day after New Year’s Day, and Waitangi Day are observed for statutory holiday purposes; and

(c) any other day that the industry body has determined not to be a business day as published by the industry body

3.2 Pursuant to regulation 5, Gas Industry Co determines that the following days are not business days for the purposes of the Regulations:

- Wednesday, 24 December 2008;
- Monday, 29 December 2008;
- Tuesday, 30 December 2008; and
- Wednesday, 31 December 2008.

### **4. Determination – financial year (regulation 5)**

4.1 Regulation 5 defines “financial year” as the financial year of the industry body, as published by the industry body from time to time. The term “financial year” is only used in the Regulations to define the period in respect of which ongoing fees must be determined and paid (see regulations 17, 18 and 19).

4.2 Pursuant to regulation 5, Gas Industry Co determines that the financial year of the industry body is the period of 12 months beginning on 1 July in any year and ending on 30 June in the following year.