

Market Administrator Determination	
Date	6 September 2023
Breach notice number	2021-088
Notice receipt date	24 December 2021
Reporting entity	Langford Consulting
Participant alleged to have breached the Rules/Regulations	Hanergy Limited
Participant/s joined as a party¹	No parties joined
Rule/Regulation allegedly breached	<p>Rule/s allegedly breached:</p> <ul style="list-style-type: none"> • Gas (Switching Arrangements) Rules 2008 • Rule 91 Provision of information to auditor <ul style="list-style-type: none"> ○ 91.1 In conducting an audit under rule 88, the auditor may: <ul style="list-style-type: none"> ○ 91.1.1 Request any information from the industry body and any registry participant; and ○ 91.1.2 Request to examine any processes, systems, procedures and data of the registry operator or any registry participant, provided such processes, systems, procedures and data are directly relevant to the performance of the registry participant in terms of compliance with these rules. ○ 91.2 Any request under rule 91.1 must be reasonable and strictly for the purposes of the audit. ○ 91.3 The registry operator, the industry body and every registry participant must comply with a request under rule 91.1 but nothing in this rule limits any claim for legal professional privilege. ○ 91.4 In providing information to the auditor, a registry participant or the registry operator may indicate to the auditor where such information is considered to be confidential. ○ 91.5 For the purposes of these rules 88-97, information is confidential if the registry participant or the registry operator who either owns or holds the information, considers that the information is commercially sensitive.

¹ This is a participant who has notified the Market Administrator that it considers that it is affected by the alleged breach and wished to become a party to the breach notice.

Material Issue	<p>No material issue/s is raised.</p> <p>The Market Administrator has, in determining the materiality of the alleged breach, taken into account the factors listed in regulation 19(1) of the Gas Governance (Compliance) Regulations 2008 to the extent the factors are practical or relevant.</p> <p>The Market Administrator has also taken into account any information provided in accordance with regulation 14(1) of the Gas Governance (Compliance) Regulations 2008.²</p>
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² The Market Administrator will keep confidential all information provided or disclosed to it except to the extent that disclosure is permitted under regulation 15(1) of the Gas Governance (Compliance) Regulations 2008.