

CONSULTATION DRAFT – showing proposed amendments

Notes for readers:

1. *This consultation draft shows proposed amendments [replacement or amended text from current] to the Gas (Switching Arrangements) Rules 2008 in tracked changes. Deletions appear struck through and insertions are highlighted.*
2. *Please refer to the separate explanatory document for guidance (noting only a select few drafting notes are highlighted or repeated in this draft document for convenience only).*
3. *Please also treat any text or notes in square brackets (for example, [XXX]) as a drafting placeholder requiring confirmation and to be completed following consultation and discussion at the associated workshop).*

GAS (SWITCHING ARRANGEMENTS) RULES 2008

Pursuant to sections 43G, 43Q and 43S of the Gas Act 1992, the Minister of Energy, acting on the recommendation of Gas Industry Company Limited as the industry body appointed pursuant to s43ZL of that Act, makes the following rules.

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1. Title

These rules are the Gas (Switching Arrangements) Rules 2008.

2. Commencement

- 2.1 Subject to rule 2.2 these rules come into force on the 28th day after their notification in the *Gazette*.
- 2.2 Rules 51 to 87 come into force on the **go-live date**.

[Drafting note] – commencement provisions to be consequentially amended following consultation]

3. Purpose

The purpose of these rules is to establish a set of gas switching and registry arrangements that will enable consumers to choose, and alternate, efficiently and satisfactorily between competing retailers. This is supported by the purpose of the registry, set out in rule 39.

4. Outline

These rules provide for –

- 4.1 The establishment of the registry; and
- 4.2 The management of information held by the registry; and
- 4.3 The appointment of a registry operator; and
- 4.4 A process for switching consumers between retailers.

Part 1

General provisions

5. Interpretation

5.1 In these rules, any term that is defined in the **Act** and used in these rules, but not defined in these rules, has the same meaning as in the **Act**.

5.2 In these rules, unless the context otherwise requires –

Act means the Gas Act 1992;

actual reading means a register reading, which was recorded from a meter or corrector by means of physically viewing the register at the time or by retrieving the reading from a datalogger that recorded the reading at the time;

advanced meter means a meter, which –

- (a) Has an associated datalogger to allow register readings or gas consumption to be recorded automatically at pre-determined intervals; and
- (b) Is installed at an ICP that uses less than 10TJ per annum assigned to an allocation group under the Gas (Downstream Reconciliation) Rules 2008 that does not require gas consumption to be recorded daily;

allocation agent means the allocation agent appointed under the Gas (Downstream Reconciliation) Rules 2008;

allocation group means an allocation group as defined in rule 5.2 of the Gas (Downstream Reconciliation) Rules 2008 determined by the industry body under rule 44.1.8;

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, Matariki, 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 which the industry body has determined not to be a business day as published by the industry body;

commencement date means the date referred to or determined as provided for in rule 2.1;

Commission means the Energy Commission (if any) established under section 43ZZH of the Act;

connection status means the physical status of the connection between the distribution system or transmission system and the consumer installation, with respect to the ability of gas to flow to the consumer installation and the nature of any disconnection of the consumer installation;

consumer installation means one or more gas installations that have a single point of connection to a distribution system or transmission system and for which there is or has previously been a single consumer;

corrector means a device that dynamically replaces any one or more of the fixed factors otherwise required to convert gas volume measured at ambient conditions to gas volume measured at standard conditions;

distribution injecting party means any person injecting gas into a distribution system at a distribution injection point;

distribution injection point means any point at which gas is injected into a distribution system that is not a gas gate.

distributor means a gas distributor as defined in the Act, which in accordance with rule 44.3 includes the owner of a transmission system to which a consumer installation is directly connected;

estimated reading means a register reading that has been quantified by an estimation process;

financial year means the 12 month period beginning on the date determined by the industry body and any anniversary of that date;

gas gate means the point of connection between –

- (a) A transmission system and a distribution system; or
- (b) A transmission system and a consumer installation; or
- (c) Two gas distribution systems;

go-live date means the date on which the industry body confirms that the registry is fully operational in accordance with the requirements of rules 39 and 40;

ICP means installation control point being the point at which a consumer installation is deemed to have gas supplied, and which represents the consumer installation on the registry;

ICP identifier means the unique 15-character identifier assigned to each ICP, having the format, xxxxxxxxxxccc, where –

xxxxxxxxxx	is the gas connection number specified by the distributor and unique to that connection in the distributor's records;
xx	is an alphabetic combination, determined by the industry body, for use by the distributor when creating the ICP identifier;
ccc	is an alphanumeric checksum generated by an algorithm specified by the industry body;

ICP parameter means one of the defined set of components of an ICP as set out in Schedule 1;

ICP parameter value means a numerical value or an alphanumeric code or some free text assigned, in accordance with these rules, to an ICP parameter;

indeterminate ICP means an ICP listed on the registry that has –

- (a) An ICP status of ACTIVE-CONTRACTED; and
- (b) A responsible retailer code associated with an entity that is not a retailer (including an entity that used to be a retailer, but has ceased retailing);

industry body means the industry body approved by the Governor General by Order in Council under section 43ZL of the Act. In the event that the approval of the industry body is revoked under section 43ZM of the Act, all references to the industry body shall be treated as references to the Commission;

insolvent retailer means a retailer –

- (a) That is unable to pay its debts as they become due in the normal course of business; or
- (b) For whom the value of its assets is less than the value of its liabilities (including contingent liabilities); or
- (c) In respect of which an insolvency practitioner (including a liquidator, provisional liquidator, administrator, voluntary administrator, statutory manager, inspector, receiver, or analogous person) has been appointed; or
- (d) That is otherwise insolvent, or presumed to be so, under any law;

loss factor means the factor (if any) by which a measured or estimated volume of gas consumption for an ICP or aggregation of ICPs supplied through the same gas gate is multiplied by a distributor in order to offset expected losses for that gas gate, where losses represents the distributor's estimate of the difference between the sum of the gas consumption measured at consumer installations supplied through that gas gate and the gas injection measured at that gas gate;

meter means an instrument designed to measure the amount of gas passed through it;

meter owner means the person who owns or controls a meter used to measure gas consumption for a consumer installation;

meter pressure means the gauge pressure at the point at which the volumetric measurement is taken, expressed in kilopascals;

metering equipment means any one or a combination of a meter, corrector, datalogger and the telemetry equipment used to measure or convey volume information related to an ICP;

move switch means a situation where a consumer moves to a consumer installation and elects to have gas supplied at that consumer installation by a retailer different from the retailer that supplied the previous consumer at that consumer installation;

new retailer means the retailer who, as a result of a switch, will be the supplier of gas to the consumer installation concerned and the responsible retailer for the ICP on and from the switch date;

parent gas gate means for an ICP or gas gate, the gas gate immediately upstream of the ICP or gas gate, where upstream means in the direction towards a transmission system;

payment year has the meaning given by rule 24.1;

producer means a gas producer as defined in the Act;

publish means –

- (a) In respect of information to be published by the industry body or the registry operator, to make such information available through the registry or on the industry body's website; and
- (b) For all other information, to make available in such manner as may be determined by the industry body from time to time;

register multiplier means the factor by which a quantity taken from a register reading is multiplied in order to convert to cubic metres;

register reading means the number displayed by, or estimated for, a meter register or corrector register at a particular date and time, and that represents the volume of gas recorded by the register over a certain period;

register reading digits means the number of moving dials on a meter register that represent whole units, plus any painted or fixed digits that represent whole units;

registry means the database facility (including all relevant hardware and software) that meets the requirements set out in rule 40;

registry development costs has the meaning given by rule 22.2;

registry ongoing costs has the meaning given by rule 24.2;

registry operator means the service provider appointed by the industry body in accordance with rule 13 to be the registry operator;

registry operator service provider agreement means the agreement between the industry body and the registry operator that provides the terms of the appointment of the registry operator;

registry participant means a retailer, distributor or meter owner;

registry participant register means the register of registry participants kept by the registry operator under rule 9.1;

registry specification means the specification for the registry set out in the registry operator service provider agreement;

report access means a person is authorised to extract a report of ICP information by issuing an electronic request to the registry, which includes the criteria determining the content of the report;

responsible distributor means, for a particular ICP, the distributor whose distributor code is shown on the registry and who is thereby responsible for maintaining the values of the parameters for that ICP listed in Part A of Schedule 1;

responsible retailer means, for a particular ICP, the retailer whose retailer code is shown on the registry and who is thereby responsible for maintaining the values of the parameters for that ICP listed in Part B of Schedule 1;

responsible meter owner means, for a particular ICP, the meter owner whose meter owner code is shown on the registry and who is thereby responsible for maintaining the values of the parameters for that ICP listed in Part C of Schedule 1;

retailer means—

- (a) a gas retailer as defined in the Act; and
- (b) a consumer who receives gas directly at a gas gate or distribution injection point.

rules means these Gas (Switching Arrangements) Rules 2008 as may be amended from time to time and includes every schedule to the rules, and any codes made pursuant to the rules;

standard switch means a switch where a consumer, being supplied gas at a particular consumer installation elects to have gas supplied at that consumer installation by another retailer;

stranded ICP means an ICP listed on the registry that has –

- (a) An ICP status of INACTIVE-TRANSITIONAL or INACTIVE-PERMANENT, or ACTIVE-VACANT; and
- (b) A responsible retailer code associated with an entity that is not a retailer (including an entity that used to be a retailer, but has ceased trading);

switch means the change of retailer supplying gas to a consumer installation, and the consequent change of responsible retailer for the ICP concerned;

switch date means the date on and from which a new retailer supplies gas to a consumer installation;

switch reading means the register reading that applies to the switch date;

TOU meter means a meter which has an associated datalogger to allow register readings or gas consumption to be recorded automatically at pre-determined intervals;

transmission system owner means any person or persons who own a transmission system or a part of a transmission system and includes any agent of the transmission system owner;

view access means a person is authorised to view information in the registry, including the result of any ICP address search facility provided as part of registry functionality; and

wholesaler means a gas wholesaler as defined in the Act;

write access means a person is authorised to view and maintain certain information in the registry.

- 5.3 Where the **rules** require the **registry** to comply with a rule, this is to be regarded as an obligation on the **registry operator**.

Limit on application

6. **Limit on application of rules**

These **rules** do not apply to **retailers**, **distributors** or **meter owners** which supply liquefied petroleum gas through pipelines or in containers.

Registry participants

7. **Obligation to supply registration information**

- 7.1 All **registry participants** must supply registration information to the **registry operator**.

- 7.2 Registration information consists of –

7.2.1 The name of the **registry participant**; and

7.2.2 The **registry participant's** telephone number, physical address, facsimile number, email address, and postal address; and

7.2.3 Identification as to which class, or classes, of **registry participant (retailer, distributor or meter owner)** that the **registry participant** belongs.

- 7.3 Registration information must be given in the form and manner required by the **registry operator** as approved by the **industry body**.

8. **When registration information must be supplied**

- 8.1 Every person who is a **registry participant** at the **commencement date** must supply the registration information within 20 **business days** of the **commencement date**.

- 8.2 Every person who becomes a **registry participant** after the **commencement date** must supply the registration information within 20 **business days** of becoming a **registry participant**.

9. Registry operator must keep register

9.1 The **registry operator** must keep a register of **registry participants**.

9.2 The **registry participant register** must state –

9.2.1 The registration information provided by the **registry participant** in accordance with rule 7; and

9.2.2 The date on which the **registry participant** was recorded on the **registry participant register**; and

9.2.3 The date on which the person ceases to be a **registry participant**.

10. Changes to particulars

10.1 Every **registry participant** must notify the **registry operator** as soon as practicable –

10.1.1 Of any change in the **registry participant's** registration information; and

10.1.2 If the person ceases to be a **registry participant**.

10.2 The **registry operator** must record the change, and the date of change, in the **registry participant register** on receipt of the notice.

10.3 The **registry operator** must **publish** the change as soon as possible after recording that change.

11. Effect of registration

A **registry participant** is bound by these **rules** regardless of whether or not the **registry participant** is recorded on the **registry participant register**.

12. Effect of ceasing to be registry participant

A person continues to be liable for all acts and omissions in respect of these **rules** carried out while the person is a **registry participant**, despite the fact that the person ceases to be a **registry participant**, and the person will be deemed to be a **registry participant** for that purpose.

Registry operator

13. Appointment of registry operator

13.1 The **industry body** must, from time to time, by agreement with a person appoint that person to act as the **registry operator**.

13.2 The **registry operator** has the functions, rights, powers, and obligations set out in these **rules**.

13.3 The term of appointment of a person as the **registry operator**, and the date on which the term begins, will be as set out in the **registry operator service provider agreement**.

- 13.4 The **industry body** may at any time terminate, re-appoint, or change the appointment of any person as the **registry operator** subject to the terms of the **registry operator service provider agreement**.
- 13.5 The remuneration of the **registry operator** will be as agreed between the **industry body** and the **registry operator** in the **registry operator service provider agreement**.
- 13.6 The **industry body** and the **registry operator** may agree on any other terms and conditions, not inconsistent with the functions, rights, powers, and obligations of the **registry operator** under these **rules**.

14. Other terms of registry operator service provider agreement

- 14.1 In addition to any other terms and conditions required by these **rules**, the **registry operator service provider agreement** must provide for –
 - 14.1.1 The availability levels of the **registry**; and
 - 14.1.2 Service response times; and
 - 14.1.3 **Registry** system upgrades; and
 - 14.1.4 **Registry** system maintenance; and
 - 14.1.5 Data integrity and recovery of data; and
 - 14.1.6 The handling of faults.
- 14.2 The **registry operator service provider agreement** must specify that the **registry operator** must maintain close contact with **distributors**, **retailers**, and **meter owners**, and provide additional services and support to ensure that the **registry** remains responsive to and consistent with the needs of the **registry participants**.

15. Publication of registry operator service provider agreement

The **industry body** must **publish** the **registry operator service provider agreement**.

16. Insurance cover

The **registry operator** must at all times maintain any insurance cover that is required by the **registry operator service provider agreement**, on terms and in respect of risks prescribed by the **industry body**, with an insurer approved by the **industry body**.

17. Performance standards to be agreed

The **industry body** and the **registry operator** must, at the beginning of the term of the appointment and at the beginning of each **financial year**, seek to agree on a set of performance standards against which the **registry operator's** actual performance must be reported and measured at the end of the **financial year**.

18. Self-review must be carried out by registry operator

18.1 The **registry operator** must conduct, on a monthly basis, a self-review of its performance.

18.2 The review must concentrate on –

18.2.1 The **registry operator's** compliance in the previous month with –

- (a) Its obligations under these **rules**; and
- (b) The terms of the **registry operator service provider agreement**; and
- (c) Any performance standards agreed between the **registry operator** and the **industry body**; and

18.2.2 The operation of these **rules**.

19. Registry operator must report to the industry body

19.1 Within 10 **business days** of the end of each month, the **registry operator** must provide a written report to the **industry body** on the results of the review carried out under rule 18.

19.2 The report must contain details of –

19.2.1 Any circumstances identified by the **registry operator** where it has failed, or may have failed, to comply with any of its obligations under these **rules**, the terms of the **registry operator service provider agreement**, or any performance standards agreed between the **registry operator** and the **industry body**; and

19.2.2 Any area that, in the opinion of the **registry operator**, an amendment to a rule may need to be considered; and

19.2.3 Any other matter that the **industry body** reasonably requests provided that the **industry body** makes its request within a reasonable time before the report is due.

19.3 As soon as practicable after receiving a report under rule 19.1, the **industry body** must **publish** that report, provided the **industry body** may exclude any information it considers to be confidential or commercially sensitive.

20. Review of registry operator performance by the industry body

20.1 At the end of each **financial year**, the **industry body** may review the manner in which the **registry operator** has performed its duties and obligations under these **rules**.

20.2 The review must concentrate on –

20.2.1 The **registry operator's** compliance in the previous **financial year** with –

- (a) Its obligations under these **rules**; and

- (b) The terms of the **registry operator service provider agreement**; and
- (c) Any performance standards agreed between the **registry operator** and the **industry body**; and

20.2.2 The operation of these **rules**.

21. Audits of the registry and the registry operator

- 21.1** In addition to the review specified in rule 20, the **industry body** may carry out audits of the records and procedures of the **registry** and **registry operator** within normal working hours on reasonable notice.
- 21.2** In respect of any audit, the **registry operator** must provide any auditor appointed by the **industry body** with –
 - 21.2.1** Reasonable access to all relevant facilities, personnel, records, and manuals; and
 - 21.2.2** Any additional information that the auditor reasonably considers necessary to enable an assessment of whether the **registry** continues to meet the requirements of these **rules**.
- 21.3** In accordance with any provisions in the **registry operator service provider agreement** between the **industry body** and the **registry operator**, the **registry operator** must implement any changes necessary to give effect to any reasonable recommendations made by the auditor, with the objective of constantly improving services.

Funding of the registry

22. Development fee

- 22.1** The development fee is a fee to meet the **registry development costs**.
- 22.2** The **registry development costs** will include –
 - 22.2.1** The capital costs associated with the development of the **registry**; and
 - 22.2.2** The costs associated with the appointment of the **registry operator**; and
 - 22.2.3** The costs of the **industry body** in connection with the development and establishment of the **registry**.
- 22.3** Every person who is a **retailer** on the **commencement date** is liable to pay a development fee in accordance with these **rules**.
- 22.4** The development fee is payable in respect of all **ICPs** except those with a status of **NEW** or **DECOMMISSIONED**.

23. How and when development fee must be paid

- 23.1** The development fee is payable to the **industry body**.

23.2 As soon as practicable after the **commencement date**, the **industry body** must determine and **publish** on its website a breakdown of the estimated **registry development costs**.

23.3 No less than 10 **business days** after publication of the estimated **registry development costs**, the **industry body** must invoice every person to whom rule 22.3 applies for that person's share of those costs calculated in accordance with the following formula –

$$A \times (B/C)$$

Where:

A = the estimated **registry development costs**; and

B = the number of **ICPs** to which rule 22.4 applies as at the **commencement date** for which that person is the **responsible retailer**; and

C = the total number of **ICPs** to which rule 22.4 applies as at the **commencement date**.

23.4 As soon as practicable after the **go-live date**, the **industry body** must determine and **publish** on its website a breakdown of the actual **registry development costs**.

23.5 No less than 10 **business days** after publication of the actual **registry development costs**, the **industry body** must invoice or issue a credit note to every person to whom rule 22.3 applies for the difference between –

23.5.1 That person's share of the actual **registry development costs** calculated in accordance with the formula in rule 23.3; and

23.5.2 The amount of the estimated **registry development costs** invoiced to that person.

24. Ongoing fees

24.1 The ongoing fees are monthly fees to meet the **registry ongoing costs** and are calculated for each **payment year** being each –

24.1.1 Calendar year, until the date notified under rule 24.5; and

24.1.2 **Financial year**, from and including the date notified under rule 24.5.

24.2 The **registry ongoing costs** for a **payment year** will include –

24.2.1 The costs payable to the **registry operator** in respect of that **payment year**; and

24.2.2 The costs of the **industry body** associated with the **registry** and its role under these **rules** during that **payment year**.

24.3 Every person who is a **retailer** on the first **business day** of a month is liable to pay ongoing fees for that month in accordance with these **rules**.

24.4 Ongoing fees are payable in respect of all **ICPs** except those with a status of **NEW** or **DECOMMISSIONED**.

24.5 The **industry body** may change the **payment year** from a calendar year to a **financial year** by giving every person to whom the **industry body** considers rule 24.3 will apply written notice of:

24.5.1 The date on which the current **payment year** (in calendar years) will end and the next **payment year** (in **financial years**) will start, which date must be:

(a) On the first day of a calendar month; and

(b) At least 2 months from the date of such notice; and

24.5.2 The number of months that will be contained in the then current **payment year** and in the next **payment year**; and

24.5.3 A revised estimate of the breakdown of the estimated **registry ongoing costs** for the then current **payment year** provided under rule 25.4.1 and an estimate under rule 25.4.1 for the next **payment year**.

24.6 A **payment year** may contain less than 12 calendar months where:

24.6.1 It is the first or last **payment year** under these **rules**; or

24.6.2 The **payment year** changes from calendar year to **financial year** under rule 24.5.

25. How and when estimated ongoing fees payable

25.1 The estimated ongoing fees are payable to the **industry body**.

25.2 As soon as practicable after the **commencement date**, the **industry body** must determine and **publish** on its website a breakdown of the estimated **registry ongoing costs** for the first **payment year**.

25.3 As soon as practicable after publication of the estimated **registry ongoing costs** for the first **payment year**, the **industry body** must notify every person to whom the **industry body** considers rule 24.3 will apply of the ongoing fees payable by that person in that **payment year** to be calculated for each calendar month of that year in accordance with the following formula:

$$A \times (B/C)$$

Where:

A = the **registry ongoing costs** for that **payment year** estimated in accordance with rule 25.2 and divided by the number of calendar months in that **payment year**; and

B = the number of **ICPs** to which rule 24.4 applies as at the first **business day** of each month in that **payment year** for which that person is the **responsible retailer**; and

C = the total number of **ICPs** to which rule 24.4 applies as at the first **business day** of that month.

25.4 For each **payment year** following the first **payment year**, the **industry body** must –

25.4.1 Estimate and **publish** on its website at least 2 months prior to the beginning of the **payment year** a breakdown of the estimated **registry ongoing costs** for that **payment year**; and

25.4.2 As soon as practicable after publication of the estimated **registry ongoing costs**, notify each person to whom the **industry body** considers rule 24.3 will apply that ongoing fees will be payable by that person in that **payment year** calculated in accordance with the formula in rule 25.3.

25.5 As soon as practicable following the first **business day** of each month, the **industry body** or the **registry operator** must invoice every person to whom rule 24.3 applies with the ongoing fees that person is liable to pay, calculated in accordance with the formula in rule 25.3.

26. How and when actual ongoing fees payable

26.1 The actual ongoing fees are payable to the **industry body**.

26.2 As soon as practicable after the end of each **payment year**, the **industry body** must determine and **publish** on its website a breakdown of the actual **registry ongoing costs** for that **payment year**.

26.3 No less than 10 **business days** after publication of the actual **registry ongoing costs**, the **industry body** or the **registry operator** must invoice or issue a credit note to each person to whom rule 24.3 applies with the difference between –

26.3.1 That person's share of the actual **registry ongoing costs** calculated in accordance with the formula in rule 25.3; and

26.3.2 The amount of the estimated **registry ongoing costs** invoiced to that person during the applicable **payment year**.

27. General provisions regarding fees

27.1 The due date for payment of any invoice or refund of any credit is the 10th **business day** after the date on the invoice or credit note.

27.2 Any person who is liable to pay any fee under rules 22 to 27 inclusive, and who fails to make payment of such fee on or before the date on which it falls due, is liable to pay an additional fee of 10% of the amount of the fee that is unpaid.

27.3 The additional fee becomes payable and due on the 10th **business day** after the date that the **industry body** notifies the person that an additional fee is payable.

- 27.4** The fees payable under rules 22 to 27 inclusive are exclusive of any goods and services tax payable under the Goods and Services Tax Act 1985 and goods and services tax on those fees will be added to the invoices issued under rules 22.3, 25.5 and 26.3.

Notices and receipt of information

28. Giving of notices

- 28.1** Subject to rule 30, if these **rules** require any notice or notification to be given, the notice or notification must be in writing and be –

28.1.1 Delivered by hand to the nominated office of the addressee; or

28.1.2 Sent by post to the nominated postal address of the addressee; or

28.1.3 Sent by facsimile to the nominated facsimile number of the addressee; or

28.1.4 Sent by electronic transmission or any other similar method of electronic communication to the appropriate nominated electronic address of the addressee.

- 28.2** In the case of an emergency, a person may give notice other than in accordance with rule 28.1, but the person must as soon as practicable, confirm the notice in writing and by a method set out in rule 28.1.

29. When notices taken to be given

In the absence of proof to the contrary, notices provided in accordance with rule 28 and information provided to the **registry** in accordance with rule 30 are taken to be given –

- 29.1** In the case of notices delivered by hand to a person, when actually received at that person's address;

- 29.2** In the case of notices sent by post, at the time when the letter would in the ordinary course of post be delivered; and in proving the delivery, it is sufficient to prove that the letter was properly addressed and posted;

- 29.3** In the case of notices sent by fax, at the time indicated on a record of its transmission;

- 29.4** In the case of notices sent by electronic transmission or any other similar method of electronic communication, at the time –

29.4.1 The computer system used to transmit the notice has received an acknowledgment or receipt to the electronic mail address of the person transmitting the notice; or

29.4.2 The notice was transmitted by computer system to the electronic address provided by the addressee, as proven by the person who gave the notice;

30. Entering information in the registry

For the purposes of these **rules** any reference to entering information in the **registry** means an attempt –

- 30.1 By the **responsible distributor**, **responsible retailer**, or **responsible meter owner** to enter information in the **registry**;
- 30.2 By electronic transmission, or other similar method of electronic communication (for example and without limitation, using a web browser or file batch transfer) as required by the **industry body**.

31. When notices to and entering information in the registry has occurred

31.1 For the purposes of these **rules** –

- 31.1.1 Any reference to the acceptance of information in the **registry** or the giving of notices to the **registry** means that the attempt to enter information in the **registry** or to give a notice to the **registry** has been successful and the information or the notice is recorded in the **registry**; and
- 31.1.2 Any reference to the rejection of information by the **registry** or the rejection of a notice by the **registry** means that the attempt to enter information in the **registry** or to give the notice to the **registry** has been unsuccessful and that the information or the notice is not recorded in the **registry**; and
- 31.1.3 Any reference to the receipt of a notice from the **registry** means that the notice from the **registry** is recorded in the **registry** and is capable of being viewed by the **recipient**.

31.2 If these **rules** require the **registry** to give a notice to a **distributor**, **retailer**, or **meter owner** stating that any information or notice provided by the person concerned has been rejected by the **registry**, the notice must include the time and date that the notice was rejected by the **registry** and the reason for the rejection.

32. Registry notice of changes to ICP parameter values

- 32.1 For the purposes of these **rules**, if the **registry** is required to give a notice to a **distributor**, **retailer** or **meter owner** because a change to an **ICP parameter value** has been accepted in the **registry**, the notice must identify the **ICP** and **ICP parameter** concerned, and include the new value of the **ICP parameter**, the date in respect of which the change was made, and the time and date that the change was made in the **registry**.
- 32.2 Where the **registry** is required to give notice of the change to an **ICP parameter value**, one notice shall be provided for each day in respect of which a change was made to that **ICP parameter value**, meaning that if more than one change was made the notice will provide the net result of the changes to the **ICP parameter value** for that day.

Access to the registry

33. Registry access

- 33.1** The **industry body**, in consultation with **registry participants**, must determine –
- 33.1.1** **Report access** restrictions in respect of each **distributor, retailer, and meter owner**; and
 - 33.1.2** The times within which the **registry** must provide reports requested by **registry participants**; and
 - 33.1.3** The bounds of the information viewed by any person as a result of an address search conducted on **ICPs** in the **registry**.
- 33.2** Subject to rule 33.1.1, every **registry participant** shall have **report access** to current and historical values of all **ICP parameters** for all **ICPs** in the **registry**.
- 33.3** Subject to rule 33.1.2, **registry participants** may request the **registry operator** to provide customised reports on any or multiple **ICPs**.
- 33.4** Subject to rule 33.1.3, the following persons shall have **view access** to any of the information accepted in the **registry** in relation to any individual **ICP** –
- 33.4.1** Every **registry participant**; and
 - 33.4.2** Any other person authorised by the **industry body** to have **view access** to the **registry**.
- 33.5** The following persons shall have **write access** to **ICP parameter values** in the **registry** in relation to any individual **ICP** –
- 33.5.1** Every **distributor, retailer, and meter owner** in relation to the initial population of the **registry** as set out in rules 41 and 42;
 - 33.5.2** Every **distributor, retailer, and meter owner** in relation to the creation and readying of new **ICPs** as set out in rules 51 to 56;
 - 33.5.3** Every **distributor, retailer, and meter owner** in relation to maintaining the values of the **ICP parameter** each **ICP** for which they are responsible as set out in rules 58 to 62; and
 - 33.5.4** The **registry operator** as may from time to time be approved by the **industry body**, in consultation with affected **registry participants**.

Other provisions relating to the registry and registry participants

34. Obligation of registry participants to act reasonably

- 34.1** In light of the purpose of the **registry** as set out in rule 39, every **registry participant** must act reasonably in relation to its dealings with the **registry** and, in doing so, must use its reasonable endeavours to co-operate with other **registry participants**.
- 34.2** Rule 34.1 does not limit any other obligations a **registry participant** may have under these **rules**.

35. Other obligations of registry participants

- 35.1 Each **registry participant** must ensure that any software for the **registry** is used in a proper manner by competent employees or by persons under the supervision of those employees.
- 35.2 No **registry participant** may request, permit, or authorise anyone other than the **registry operator** to provide support services in respect of any software for the **registry**.
- 35.3 Each **registry participant** must appoint a nominated manager to be responsible for all of that **registry participant's** communications with the **registry**.

36. Use of ICP identifier on invoices

- 36.1 Every **retailer** must ensure that the relevant **ICP identifier** is printed on any invoice or associated documentation relating to the supply of gas by the **retailer** to a consumer.
- 36.2 The **ICP identifier** must be clearly labelled "**ICP**" on the invoice.

37. Consumer queries

Every **retailer** and **distributor** must advise any consumer (or any person authorised by the consumer) of the consumer's **ICP identifier** within 3 **business days** of receiving a request for that information.

Part 2

Gas Registry

Establishing the registry

38. Establishment of registry

The **registry operator** must establish, operate and maintain the **registry** so as to meet the requirements of these **rules**.

39. Purpose of registry

The purpose of the **registry** is –

- 39.1 To facilitate efficient and accurate switching of **retailers** by consumers; and
- 39.2 To provide an authoritative database of current and historical information on all **ICP parameters**, to facilitate accurate billing of consumers and allocation of charges to **retailers**; and
- 39.3 To provide a mechanism by which the accuracy and timeliness of information provided in relation to an **ICP** is controlled and recorded.

40. Requirements of registry

The **registry** must –

- 40.1 Comply with, and perform in accordance with, the **registry specification**; and
- 40.2 Fulfil the purpose of the **registry** as set out in rule 39; and
- 40.3 Subject to the validation requirements set out in these **rules**, accept the information and notices referred to in these **rules**; and
- 40.4 Maintain a complete audit trail for all information and notices accepted in accordance with these **rules**; and
- 40.5 Maintain records that enable allocation and reconciliation of energy charges, line charges and metering charges between **retailers**; and
- 40.6 Facilitate **switches** in accordance with these **rules**; and
- 40.7 Otherwise perform in accordance with the requirements of these **rules**.

41. Initial population of registry

- 41.1 Prior to the **go-live date** –
 - 41.1.1 Each **distributor** must enter in the **registry**, values for the **ICP parameters** listed in Part A of Schedule 1, for each **ICP** on its distribution system; and
 - 41.1.2 Each **retailer** must enter in the **registry**, values for the **ICP parameters** listed in Part B of Schedule 1, for each **ICP** for which it supplies gas; and
 - 41.1.3 Each **meter owner** must enter in the **registry**, values for the **ICP parameters** listed in Part C of Schedule 1 in relation to each **ICP** for which it owns the **meter**.
- 41.2 When entering information in the **registry** under rule 41.1, each **distributor**, **retailer**, and **meter owner** may only assign a value to an **ICP parameter** in accordance with the **rules** set out in the second column of parts A, B and C of Schedule 1 respectively.

42. Accuracy of initial information

- 42.1 Prior to the **go-live date**, each **responsible distributor**, **responsible retailer**, and **responsible meter owner** must check the accuracy of any information entered in the **registry** in relation to the **ICPs** for which they are responsible.
- 42.2 If, a **distributor**, **retailer**, or **meter owner** becomes aware that any information in the **registry** is incorrect, the **responsible distributor**, **responsible retailer**, or **responsible meter owner** must, prior to the **go-live date**, enter the correct information in the **registry**.
- 42.3 Each **distributor**, **retailer**, and **meter owner** must use its reasonable endeavours to co-operate with each other to enter information in the **registry** under rule 41.1, having regard to the fact that for each **ICP** there will be a **distributor**, **retailer**, and a **meter owner** required to enter information in the **registry** prior to the **go-live date**.

Assignment of ICPs to consumer installations

43. Assignment of ICPs

- 43.1** Each **distributor** must assign an **ICP identifier** for each **consumer installation** that is connected to its distribution system or transmission system.
- 43.2** An **ICP** must represent a single **consumer installation** that –
- 43.2.1** May be isolated from the distribution system or transmission system without affecting any other **consumer installation**; and
 - 43.2.2** May have a single **loss factor** and a single network price category; and
 - 43.2.3** Has its gas volume measured directly by a single set of **metering equipment** complying with NZS 5259:2004 (or any subsequent replacement standard), or measured indirectly by a method approved by the **industry body** which produces the equivalent of the measurement from a single set of **metering equipment**.

Determination of certain ICP parameter codes

44. The industry body to determine applicable ICP parameter codes

- 44.1** The **industry body** must determine and **publish** the following information –
- 44.1.1** The codes for every **distributor, retailer, meter owner, distribution injecting party, corrector owner, datalogger owner and telemetry owner** that is, or is likely to be, required as a value for any relevant **ICP parameter** on the **registry**; and
 - 44.1.2** The **gas gate** codes for the **gas gates** created by **distributors or a distribution injecting party**; and
 - 44.1.3** The **ICP** types and the code for each **ICP** type; and
 - 44.1.4** The **ICP** status codes; and
 - 44.1.5** The **connection statuses** and the code for each **connection status**; and
 - 44.1.6** The valid combinations of **ICP** status and **connection status** codes for any **ICP**; and
 - 44.1.7** The load shedding categories and the code for each load shedding category; and
 - 44.1.8** The **allocation groups and the** code used for each **allocation group**; and
 - 44.1.9** The profiles that may be assigned to **ICPs** and the code for each profile.

44.2 The **industry body** may from time to time amend or revoke any code determined under rule 44.1 and the **industry body** must **publish** any amendment or revocation of a code.

44.3 In the case of a **consumer installation** directly connected to a transmission system –

44.3.1 The **industry body** must assign a unique **gas gate** code to the point of connection between the transmission system and the **consumer installation**; and

44.3.2 The **distributor** must assign an **ICP identifier** to the point of connection between the transmission system and the **consumer installation**.

45. Distributors to give notices in relation to gas gates

45.1 If a **distributor** intends to create or decommission a **gas gate**, or a distribution injection point, the **distributor** must, at least 20 **business days** before the creation or decommissioning takes effect, give notice of that **gas gate** creation or decommissioning to –

45.1.1 The **industry body**; and

45.1.2 The **registry operator**, and

45.1.3 The **allocation agent** and all **retailers** that will be affected by the **gas gate** or distribution injection point creation or decommissioning.

45.2 When a **distributor** gives notice of the creation of a new **gas gate** or decommissioning of a **gas gate**, the notice must include –

45.2.1 The **gas gate** code assigned by the **industry body** to the relevant **gas gate**; and

45.2.2 The date of creation or decommissioning of the **gas gate**; and

45.2.3 If applicable, the **gas gate** code of the **gas gate's** parent **gas gate**; and

45.2.4 The **ICP identifier** of all **ICPs** created or decommissioned or transferred between **gas gates** in association with the creation of the new **gas gate**.

45.3 When a **distributor** gives notice of the creation of a new **distribution injection point**, the notice must include –

45.3.1 The **gas gate** code associated with the **distribution injection point**; and

45.3.2 The date of creation or decommissioning of the **distribution injection point**; and

45.3.3 The name, physical address, postal address, email address and contact details of the **distribution injecting party**.

46. Distributors to determine network price category codes

Each **distributor** must determine, **publish** and maintain a schedule of its network price categories and the respective network price category codes and, except where the **distributor** requires disclosure on application in accordance with rule 50, the charges associated with each of those codes.

47. Distributors to determine loss factor codes

Each **distributor** must –

- 47.1** **Publish** and maintain a schedule of all the **loss factors** (if any) which apply to **gas gates** on the **distributor's** distribution system; and
- 47.2** Determine, **publish** and maintain the respective codes for those **loss factors**.

48. Distributors to give notices in relation to loss factor codes

If a **distributor** intends to add or delete any **loss factor** codes, the **distributor** must, at least 20 **business days** before any such change takes effect, give notice of the impending change to –

- 48.1** The **registry operator**; and
- 48.2** The **allocation agent** and all **retailers** that will be affected by the change in **loss factor** codes.

49. Meter owners to determine metering price codes

- 49.1** Each **meter owner** must determine, **publish** and maintain a schedule of its metering price codes applicable to all **ICPs** where it is the **responsible meter owner**.
- 49.2** Each **meter owner** shall provide all **registry participants** with whom it contracts to provide metering services a schedule of its metering price codes and, except where the **meter owner** requires disclosure on application in accordance with rule 50, the charges associated with each of those codes.

50. Disclosure on application

- 50.1** Where these **rules** give a **registry participant** the right to require disclosure on application for certain **ICP** information, that right shall only be used –
 - 50.1.1** Where the **registry participant** does not have a reasonably practicable alternative method of protecting its commercial interest in that information; and
 - 50.1.2** To the extent necessary to reasonably protect that interest.
- 50.2** Where a **registry participant** requires disclosure on application for certain **ICP** information –

- 50.2.1 Requests for disclosure of that information must be made directly to the **registry participant** concerned.
- 50.2.2 Upon receiving such a request, the **registry participant** must notify the requester within 1 **business day** of receiving the request whether or not it agrees to disclose the information requested, such disclosure not being unreasonably withheld.
- 50.2.3 Where the **registry participant** agrees to disclose the requested information, it must be provided within a further **business day**.

Creation of new ICPs

51. Creation of new ICPs

- 51.1 A **retailer** may request a **distributor** to assign an **ICP** for a new **consumer installation** on the distribution system.
- 51.2 If the **distributor** receives a request under rule 51.1, the **distributor** must, within 3 **business days** of receiving that request, assign an **ICP** to the new **consumer installation** or notify the **retailer** of the reason why it is unable to assign an **ICP**.
- 51.3 Once a **distributor** receives confirmation that a new **consumer installation** is first connected to its distribution system, the **distributor** must, within 2 **business days** of receiving that confirmation, enter in the **registry** the following information from Part A of Schedule 1 –
 - 51.3.1 The **ICP identifier**; and
 - 51.3.2 The **ICP** creation date; and
 - 51.3.3 The **responsible distributor** code; and
 - 51.3.4 The physical address of the **consumer installation**.

52. Registry validation of ICP creation

- 52.1 As soon as possible after the **ICP** and the information required by rule 51.3 has been entered in the **registry**, the **registry** must –
 - 52.1.1 Validate the information entered by confirming that the –
 - (a) **ICP identifier** is a valid code and does not otherwise exist in the **registry**; and
 - (b) **Responsible distributor** code is an available and valid code for the entering **distributor**; and
 - (c) **ICP** creation date is not a future date; and
 - 52.1.2 Based on the validation result, accept or reject the **ICP** and the information entered and notify the **distributor** accordingly.
- 52.2 If the **ICP** is accepted in the **registry**, the **registry** must –
 - 52.2.1 On acceptance, denote the **ICP** status as NEW; and

52.2.2 Within 1 **business day** of acceptance, give a notice to the **distributor** stating the **ICP parameters** accepted in the **registry** for that **ICP**.

53. Readying of NEW ICP and registry validation

53.1 Within 2 **business days** of having identified for a new **ICP** the values of the remaining **ICP parameters** listed in Part A of Schedule 1 apart from **ICP** status and **connection status**, the **distributor** must enter them in the **registry**.

53.2 As soon as possible after any of the remaining **ICP parameters** have been entered in the **registry**, the **registry** must –

53.2.1 Validate the **ICP parameter values** entered by confirming that they are available and valid values for the **distributor**; and

53.2.2 Based on the validation result, accept or reject any or all of the **ICP parameter values** and notify the **distributor** accordingly.

53.3 Within 1 **business day** of having accepted the full set of values for the **ICP parameters** listed in Part A of Schedule 1 apart from **ICP** status, the **registry** must –

53.3.1 Change the **ICP** status to READY; and

53.3.2 Notify the **distributor** and the expected **retailer** of the values of all the **ICP parameters** for the **ICP**.

53.4 At any time prior to the **retailer** changing the **ICP** status in accordance with rule 54.1.1, the **distributor** may change the **ICP** status to NEW by removing an **ICP parameter** value from the **registry** while the **distributor** identifies the value of that **ICP parameter** value.

54. Retailer for READY ICP

54.1 Subject to rule 54.2, within 2 **business days** of a **retailer** entering into a contract to supply gas to a consumer at a **consumer installation** for which its **ICP** has an **ICP** status of READY, the **retailer** must enter in the **registry** values for all of the **ICP parameters** listed in Part B of Schedule 1, including –

54.1.1 A change to the value of the **ICP** status according to rule 59.9; and

54.1.2 The applicable valid value of the **connection status**.

54.2 A **retailer** must not record any information in the **registry** for an **ICP** before the **ICP** status is READY.

54.3 To avoid any doubt, the **retailer** that enters information under rule 54.1 may or may not be the expected **retailer** referred to in rule 53.3.2.

55. Registry validation of first retailer information

55.1 As soon as possible after all the **ICP parameter values** referred to in rule 54.1 have been entered in the **registry**, the **registry** must –

55.1.1 Validate the information entered by confirming that they are available and valid values for the entering **retailer**; and

55.1.2 Based on the validation result, accept or reject any or all of the **ICP parameter values** and notify the entering **retailer** accordingly.

55.2 Within 1 **business day** of having accepted the information in the **registry**, the **registry** must notify the **responsible distributor**, **responsible retailer**, and **responsible meter owner** that the **ICP parameter values** are accepted in the **registry** for that **ICP**.

56. Meter owner information for new ICP

56.1 Subject to rule 56.3 and within the timeframe specified in rule 56.2, the **responsible meter owner** for an **ICP** must enter in the **registry** values for all of the **ICP parameters** listed in Part C of Schedule 1.

56.2 The timeframe is within 2 **business days** after the **responsible meter owner** –

56.2.1 Has confirmed that the **metering equipment** has been installed at the new **consumer installation**; and

56.2.2 Where rule 56.3 does not apply, has been notified of the information under rule 55.2 in relation to the **ICP**.

56.3 If an **ICP** has an **ICP** status of NEW or READY and no **responsible meter owner** exists for that **ICP**, a **meter owner** who has installed **metering equipment** at the new **consumer installation** –

56.3.1 May enter in the **registry** values for all of the **ICP parameters** listed in Part C of Schedule 1; and

56.3.2 In doing so, is deemed to become the **responsible meter owner**.

57. Registry validation of first meter owner information

57.1 As soon as possible after the **ICP parameters** referred to in rule 56.1 have been entered in the **registry**, the **registry** must –

57.1.1 Validate the information entered by confirming that they are available and valid values for the entering **meter owner**; and

57.1.2 Based on the validation result, accept or reject any or all of the **ICP parameter values** and notify the entering **meter owner** accordingly.

57.2 Within 1 **business day** of having accepted the **ICP parameters** in the **registry**, the **registry** must give notice, stating the **ICP parameters** that have been accepted in the registry for that **ICP**, to –

57.2.1 The **responsible distributor**, **responsible retailer** and **responsible meter owner** for that **ICP**; or

57.2.2 If rule 56.3 applies, the **responsible distributor**, expected **retailer** (as recorded in the **registry**) and **responsible meter owner** for that **ICP**.

Maintenance of ICP information

58. ICP information to be maintained

58.1 Each **distributor**, **retailer**, and **meter owner** must use its reasonable endeavours to maintain current and accurate information in the **registry** in relation to the **ICPs** and the **ICP parameters** for which it has responsibility as set out in Schedule 1.

58.2 When entering information in the **registry** under rule 58.1, each **distributor**, **retailer**, and **meter owner**, may only assign a value to an **ICP parameter** in accordance with the **rules** set out in the second column of each part of Schedule 1.

59. Management of ICP status by distributors and retailers

The **ICP** status recorded on the **registry** is to be managed by **distributors**, **retailers** and the **registry** in accordance with the following rules –

59.1 The **ICP** status of NEW may only be assigned by the **registry** in accordance with rule 52.2 and denotes that the **responsible distributor** has not populated all of the **ICP parameters** for which it is **responsible** and the **ICP** is not ready for uplift by a **retailer**.

59.2 The **ICP** status of READY may only be assigned by the **registry** in accordance with rule 53.3 and denotes the **ICP** is ready for uplift by a **retailer**.

59.3 Subject to the **responsible distributor** changing the **ICP** status from READY to NEW in accordance with rule 53.4, only the **responsible retailer** may change the **ICP** status from READY.

59.4 The **ICP** status of ACTIVE-CONTRACTED may only be assigned by the **responsible retailer** and denotes that the **responsible retailer** has entered into a contract to supply gas to a consumer at the **consumer installation** and that either –

59.4.1 Gas is able to flow to the installation; or

59.4.2 The gas supply is temporarily disconnected.

59.5 The **ICP** status of ACTIVE-VACANT may only be assigned by the **responsible retailer** and denotes that gas is able to flow to the **consumer installation** but the **responsible retailer** does not have a current contract to supply gas to a consumer at the **consumer installation**.

59.6 Only the **responsible retailer** may change the **ICP** status from ACTIVE-CONTRACTED or ACTIVE-VACANT.

- 59.7** The **ICP** status of INACTIVE-TRANSITIONAL may only be assigned by the **responsible retailer** and denotes that gas is not able to flow to the **consumer installation** due to a transitional (non-permanent) disconnection of supply.
- 59.8** Subject to rule 59.12, the **ICP** status of INACTIVE-PERMANENT may only be assigned by the **responsible retailer** and denotes that gas is not able to flow to the **consumer installation** due to a permanent disconnection of supply.
- 59.9** As soon as a **retailer** uplifts an **ICP** in the READY status and assumes the role of **responsible retailer** that **retailer** must change the **ICP** status to one of ACTIVE-CONTRACTED, ACTIVE-VACANT or INACTIVE-TRANSITIONAL as applicable.
- 59.10** Subject to rule 59.12, only the **responsible retailer** may change the **ICP** status from INACTIVE-TRANSITIONAL or INACTIVE-PERMANENT.
- 59.11** The **ICP** status of DECOMMISSIONED may only be assigned by the **responsible distributor** and denotes that –
- 59.11.1** The **ICP** is removed from future switching and reconciliation processes; and
- 59.11.2** Any associated **consumer installation** is no longer connected to the **responsible distributor's** distribution system.
- 59.12** The **ICP** status of DECOMMISSIONED may only be changed by the **responsible distributor** and may only be changed to INACTIVE-PERMANENT.

60. Management of connection status codes by retailers and distributors

- 60.1** The **connection status** parameter recorded on the **registry** is managed by **distributors** and **retailers**.
- 60.2** In the event that a **distributor** or **retailer** changes the **ICP** status of an **ICP** that **distributor** or **retailer** must ensure that the **ICP's connection status** for the date of the change is recorded in the **registry** in accordance with the status codes and usage requirements **published** by the **industry body** from time to time.

61. Correction of ICP information in registry and registry validation

- 61.1** If, in relation to any information in the **registry**, a **responsible distributor**, **responsible retailer**, or **responsible meter owner** becomes aware that such information is incorrect or requires updating, the relevant **responsible distributor**, **responsible retailer**, or **responsible meter owner** must, as soon as practicable, enter the correct or updated information in the **registry**.
- 61.2** As soon as possible after any information referred to in rule 61.1 has been entered in the **registry**, the **registry** must –
- 61.2.1** Validate the information entered by confirming that they are available and valid values for the person entering the information; and

- 61.2.2** Based on the validation result, accept or reject the information in the **registry** and notify the person entering the information accordingly.
- 61.3** Within 1 **business day** of having accepted the information in the **registry**, the **registry** must give notice to the **responsible distributor**, **responsible retailer**, and **responsible meter owner** in accordance with rule 32.
- 61.4** If the **registry** is required to give a notice under rule 61.3 and a gas switching notice has been given in respect of the **ICP** but the **switch** is not yet complete, the **registry** must give notice to both the **responsible retailer** and the **new retailer**.
- 62. Distributors, retailers, and meter owners to resolve discrepancies**
- 62.1** In relation to any information for an **ICP** in the **registry**, the **responsible distributor**, **responsible retailer**, and **responsible meter owner** must use their best endeavours to resolve any discrepancies between the information in the **registry** and the information held elsewhere by them.
- 62.2** In order to identify and resolve any discrepancies in the information held for an **ICP**, each **distributor**, **retailer**, and **meter owner** must, by 1600 hours on the 15th **business day** of each month, review the following relevant reports and enter any corrections in the **registry** –
- 62.2.1** The **retailer** report under rule 85; and
- 62.2.2** The **distributor** report under rule 86; and
- 62.2.3** The **meter owner** report under rule 87.
- 62.3** Each **distributor**, **retailer**, and **meter owner** must retain for such time as may be determined by the **industry body** records of the reviews and any corrections made under rule 62.2 for the purpose of any audit that may be conducted by, or on behalf of, the **industry body**.

Part 3

Switching

63. Switching retailers

Rules 64 to 81 apply to **standard switches** and **move switches**.

64. Codes relevant to switching

- 64.1** The **industry body** must determine and **publish** codes for the following –
- 64.1.1** The codes used in a **switch** notice to denote whether the **switch** is a **standard switch** or a **move switch**; and
- 64.1.2** Register content codes associated with **switch readings** in transfer notices; and
- 64.1.3** Acceptance codes for gas acceptance notices; and

64.1.4 Reason codes for gas switching withdrawal notices.

64.2 The **industry body** may amend or revoke any code determined under rule 64.1 and the **industry body** must **publish** any amendment or revocation of a code.

65. Initiation of switch

65.1 A **switch** is initiated by the **new retailer** under the authority of the consumer electing to change **retailers**.

65.2 Before the **new retailer** may initiate a **switch**, the **new retailer** must –

65.2.1 Have entered into a contract with the consumer (if not the consumer itself) for the supply of gas to the relevant **consumer installation**; and

[Drafting note] 65.2.1 – needs to extend to self-retail model

65.2.2 Have obtained the consumer's agreement to –

- (a) Effect the **switch**; and
- (b) Establish the date for commencement of supply through communication with the **responsible retailer**; and
- (c) Use an **estimated reading** from the **responsible retailer** to define the split of variable charges between the **responsible retailer** and the **new retailer** at the **switch date**; and
- (d) Collect information relating to the consumer and the **consumer installation** from the **responsible retailer** and elsewhere in order to complete the **switch** and commence gas supply; and

65.2.3 Be a party to a valid and subsisting agreement with the owner of the distribution system or transmission system to which the relevant **consumer installation** is connected, allowing the **new retailer** to transport and/or sell gas across that distribution system or transmission system; and

65.2.4 Be a party to an valid and subsisting gas sale and purchase agreement providing access to a supply of wholesale gas for distribution; and

65.2.5 Be a party to a valid and subsisting agreement with the owner or owners of the **metering equipment** at the relevant **consumer installation**, for use of that equipment to measure gas consumption for the **ICP**.

66. Gas switching notice

66.1 Subject to rule 66.1.1, within 2 **business days** after entering into a contract to supply gas to a consumer at the relevant **consumer installation**, the

new retailer must initiate the **switch** by giving a gas switching notice to the **registry**.

66.1.1 Where a contract to supply gas is entered into more than 12 **business days** in advance of the supply commencement date, the **new retailer** must initiate the **switch** by giving the gas switching notice to the **registry** as soon as practicable to comply with rule 67.3 or 67.3A, as appropriate.

66.2 The effect of giving the gas switching notice to the **registry** is that the **new retailer** –

66.2.1 Warrants that it has complied with rule 65; and

66.2.2 Is deemed to be the agent of the consumer with the authority to obtain from the **responsible retailer** the information required by these **rules** to be contained in the gas acceptance notice and the gas transfer notice.

67. What gas switching notice must contain

67.1 The gas switching notice must state –

67.1.1 The **ICP identifier**; and

67.1.2 Whether it is a **standard switch** or a **move switch** using the codes defined by the **industry body**; and

67.1.3 In the case of a **move switch** –

- (a) Subject to rule 67.3A, the requested **switch date**; and
- (b) The physical address of the **ICP**.

67.2 The gas switching notice may state –

67.2.1 The name of the consumer requesting the **switch**; and

67.2.2 Subject to rule 67.4, a request for the last 12 months of **register readings** from the **metering equipment** at the **consumer installation**; and

67.2.3 In the case of a **standard switch**, –

- (a) Subject to rule 67.3, the requested **switch date**; and
- (b) The physical address of the **ICP**.

67.3 If the **new retailer** includes a requested **switch date** for a **standard switch**, that date must not pre-date the date the gas switching notice is given to the **registry** and must not be more than 10 **business days** after the date the gas switching notice is given to the **registry**.

67.3A If the **new retailer** requests a **move switch**, the requested **switch date** must not be earlier than 1 **business day** after the date the **responsible retailer** became the **responsible retailer** and must not be more than 10

business days after the date the gas switching notice is given to the **registry**.

67.4 If the **new retailer** requests the last 12 months of **register readings** from the **meter** at the **consumer installation** –

67.4.1 The **new retailer** and the **responsible retailer** must agree as to how the **register readings** shall be provided; and

67.4.2 The **registry** is not obliged to provide any facility to communicate the **register readings** from the **responsible retailer** to the **new retailer**.

68. Registry validation of gas switching notice

68.1 As soon as possible after having received the gas switching notice, the **registry** must –

68.1.1 Validate the information contained in the gas switching notice by confirming –

- (a) That the **ICP** status for the **ICP** is;–
 - (i) ACTIVE-CONTRACTED; or
 - (ii) ACTIVE-VACANT; or
 - (iii) INACTIVE-TRANSITIONAL; or
 - (iv) INACTIVE-PERMANENT; and
- (b) That any codes used in the notice are available codes; and
- (c) That, in the case of a **move switch**, there is a requested **switch date**; and

68.1.2 Based on the validation result, accept or reject the gas switching notice and notify the **new retailer** accordingly.

68.2 Within 1 **business day** of having accepted the gas switching notice, the **registry** must give the gas switching notice to the **responsible retailer**.

69. Response to a gas switching notice

69.1 Within 2 **business days** after receiving a gas switching notice from the **registry**, the **responsible retailer** must give to the **registry** –

69.1.1 A gas acceptance notice in accordance with rule 70; or

69.1.2 A gas transfer notice in accordance with rule 72; or

69.1.3 A gas switching withdrawal notice in accordance with rule 75.

69.1A If a gas switching withdrawal notice provided under rule 69.1.3 is rejected by the **new retailer** (namely by the **new retailer** providing a gas switching withdrawal response notice in accordance with rule 78.1 that rejects the

notice provided to comply with rule 69.1.3), the **responsible retailer** must give to the **registry** within 2 **business days** after receiving notice of that rejection from the **registry** –

69.1A.1 A gas acceptance notice in accordance with rule 70; or

69.1A.2 A gas transfer notice in accordance with rule 72.

69.2 The **responsible retailer** must ensure that within 10 **business days** after receiving a gas switching notice from the **registry** it completes the **switch** by the giving of a gas transfer notice, unless the **switch** is withdrawn during that period in accordance with rule 78.3.2.

69.3 In the case of a **standard switch**, if the **responsible retailer** gives a gas transfer notice it must give that gas transfer notice within 2 **business days** of the **switch date** included in the gas transfer notice.

69.4 Where a gas switching withdrawal notice is given in accordance with rule 75.3, the **registry** will not accept a gas transfer notice until a gas switching withdrawal response notice is given.

70. What gas acceptance notice must contain

A gas acceptance notice must state –

70.1 The **ICP identifier**; and

70.2 An expected **switch date** which –

70.2.1 Except as required under rule 72.2, is not limited to any requested **switch date** in the gas switching notice; but

70.2.2 Must be no later than 10 **business days** after the date the **responsible retailer** received the gas switching notice from the **registry**; and

70.3 An acceptance code, as defined by the **industry body**, to communicate certain information that might be useful to the **new retailer** in deciding whether to proceed with or withdraw the **switch**.

71. Registry validation of gas acceptance notice

71.1 As soon as possible after having received the gas acceptance notice, the **registry** must –

71.1.1 Validate the gas acceptance notice by confirming that any codes used in the notice are available codes; and

71.1.2 Based on the result of that validation, accept or reject the gas acceptance notice and notify the **responsible retailer** accordingly.

71.2 Within 1 **business day** of having accepted the gas acceptance notice, the **registry** must give the gas acceptance notice to the **new retailer**.

71.3 For the avoidance of doubt, if a gas acceptance notice is rejected by the **registry**, the **responsible retailer** must still comply with rule 69.

72. What gas transfer notice must contain

72.1 A gas transfer notice must state –

72.1.1 The **ICP identifier**; and

72.1.2 the **switch date**; and

72.1.3 An annualised consumption (in gigajoules) estimate for the **ICP**; and

72.1.4 The **meter** location code; and

72.1.5 The date of the last **actual reading** recorded for the **ICP**; and

72.1.6 The **meter** identifier; and

72.1.7 The **meter pressure**; and

72.1.8 For each register for which information is being conveyed –

(a) The **register multiplier**; and

(b) The **register reading digits**; and

(c) The **switch reading** for the register, which must contain the same number of digits as the **register reading digits** for the register; and

(d) Whether the **register reading** is an **actual reading** or an **estimated reading**; and

(e) The register content code; and

72.1.9 Any additional information that can reasonably be expected to affect the accuracy of the **switch** and subsequent consumer billing and allocation processes.

72.2 Subject to rules 72.3 and 72.4, if the gas switching notice included a requested **switch date** that complied with rule 67.3 or 67.3A, the **responsible retailer** must use the requested **switch date** as the **switch date** and provide **switch readings** applicable to that date.

72.3 If the **responsible retailer** has, at the time the gas switching notice was given to the **responsible retailer** by the **registry**, billed a consumer for the **ICP** up to a date after the requested **switch date** then the **responsible retailer** must use –

72.3.1 The day after the billed-to-date as the **switch date** and the billed readings as the **switch readings** if the billed-to-date is less than 10 **business days** after the gas switching notice was received; or

72.3.2 A **switch date** no later than 10 **business days** after the gas switching notice was received if the billed-to-date is 10 or more **business days** after the gas switching notice was received.

72.4 For a **standard switch**, if rule 72.3 does not apply and the requested **switch date** in the gas switching notice is less than 7 **business days** from the date the gas switching notice was received by the **registry**, the **responsible retailer** may, at its discretion, use –

72.4.1 The requested **switch date**; or

72.4.2 A **switch date 7 business days** from the date the gas switching notice was received by the **registry**.

72.5 If a gas transfer notice relates to a gas switching notice that either did not include a requested **switch date**, or included a requested **switch date** that did not comply with rule 67.3 or 67.3A, the **switch date** must not pre-date the date the gas switching notice was received by the **registry** and must be no later than 10 **business days** after the gas switching notice was received by the **responsible retailer**.

73. Registry validation of gas transfer notice

73.1 As soon as possible after having received the gas transfer notice, the **registry** must –

73.1.1 Validate the information in the gas transfer notice by confirming that –

- (a) Any codes used in the notice are available codes; and
- (b) The number of digits provided for each **register reading** is equal to the **register reading digits** specified for the relevant register; and
- (c) Subject to rule 73.3, as at the **switch date** specified in the notice, the information contained in the gas transfer notice and the **ICP parameter values** held in the **registry** for the **meter identifier**, **meter pressure**, **register reading digits** and **register multiplier** each match; and

73.1.2 Based on the validation result, accept or reject the gas transfer notice and notify the **responsible retailer** accordingly.

73.2 Within 1 **business day** of having accepted the gas transfer notice, the **registry** must –

73.2.1 Show the **new retailer** as the **responsible retailer** for the **ICP**, effective on and from the **switch date**; and

73.2.2 Give the gas transfer notice to the **responsible retailer**; and

73.2.3 Give a notice to the former **responsible retailer**, the **responsible retailer**, the **distributor**, and the **meter owner**, confirming the identity of the **responsible retailer** and the **switch date**.

73.3 Rule 73.1.1(c) will:

73.3.1 Come into force on, and from, the date that is six months after the Amendment Date notified in the *Gazette*; and

73.3.2 Not apply in respect of a gas transfer notice for an **ICP** with a **TOU meter**.

74. Accuracy of switch readings

74.1 In the gas transfer notice, the **responsible retailer** must provide **switch readings** (whether **actual readings** or **estimated readings**) that are as accurate as feasible for the particular method used to collect or derive the readings.

74.2 In order to facilitate the accuracy of **switch readings** for **move switches** –

74.2.1 The **responsible retailer** must continue to take **actual readings** from the **metering equipment** for all **ICPs** where the **ICP** status is ACTIVE-CONTRACTED or ACTIVE-VACANT; and

74.2.2 All relevant **actual readings** must be included in the **responsible retailer's** processes to determine the (actual or estimated) **switch readings** for the gas transfer notice.

74.3 If an **ICP** is switched with an **ICP** status of INACTIVE-TRANSITIONAL and the **responsible retailer** uses **estimated readings** for the **switch readings**, the **responsible retailer** will comply with rule 74.1 if the **responsible retailer** –

74.3.1 Continued to collect **actual readings** from the **metering equipment** (in accordance with the **responsible retailer's** normal reading schedule) until the physical disconnection of the **ICP's consumer installation**; and

74.3.2 Used those **actual readings** in the derivation of the **estimated readings** for the **ICP**.

74.4 If the **metering equipment** for any **ICP** resets to zero after each **actual reading**, the gas transfer notice may specify that the **switch reading** is zero.

74.5 If the **consumer installation** has its volume of gas consumption determined by the difference between **register readings** at other **consumer installations** or **gas gates**, the gas transfer notice must specify that the **switch reading** is zero.

74A Ability to withdraw

Subject to rule 34 and provided a condition of withdrawal in rule 75.1 is met, a retailer is able to request that a **switch** is withdrawn by the giving of a gas switching notice or reversal of a **switch** by giving a gas switching withdrawal notice at any time as permitted by rule 75.3.

75. Withdrawal of switching

75.1 A **switch** may be withdrawn if –

- 75.1.1** There has been an error in the **switch** process such that the **switch** is not giving effect to, or has not given effect to, the agreement with the consumer; or
- 75.1.2** The consumer, exercising a contractual or statutory right, has requested the **switch** to be withdrawn.
- 75.2** A switching withdrawal must be initiated by the giving of a gas switching withdrawal notice to the **registry** by –
- 75.2.1** In the case of a **switch** that is incomplete (where a **new retailer** has given a gas switching notice to the **registry** but has not received a gas transfer notice), either the **responsible retailer** or the **new retailer**; or
- 75.2.2** In the case where a **switch** has been completed, the **responsible retailer** or the former **responsible retailer**.
- 75.3** A gas switching withdrawal notice may only be given in the period between –
- 75.3.1** The date that the gas switching notice is sent to the **registry** by the **new retailer**; and
- 75.3.2** The date that a new gas switching notice is received by the same **retailer** who is now the **responsible retailer** for that ICP.
- 75.4** Subject to rule 34, there is no limit on the number of gas switching withdrawal notices a **retailer** may give to the **registry** under rule 74A for a gas switching notice provided:
- 75.4.1** Each gas switching withdrawal notice complies with the other requirements of this rule 75; and
- 75.4.2** The **retailer** confirms prior to the giving of each gas switching withdrawal notice that a condition in rule 75.1 is satisfied; and
- 75.4.3** The **responsible retailer** complies with rules 69.2 and 72.2 for each gas switching notice.
- 76. What gas switching withdrawal notice must contain**
- The gas switching withdrawal notice must state –
- 76.1** The **ICP identifier**; and
- 76.2** The reason code for the switching withdrawal.
- 77. Registry validation of gas switching withdrawal notice**
- 77.1** As soon as possible after having received the gas switching withdrawal notice, the **registry** must –
- 77.1.1** Validate the information in the gas switching withdrawal notice by confirming –

- (a) That any codes used in the notice are available codes; and
- (b) That the notice has been given by a **retailer** authorised to give the notice under rule 75.2; and

77.1.2 Based on the validation result, accept or reject the gas switching withdrawal notice by giving notice to the **retailer** that gave the gas switching withdrawal notice that it has been accepted or rejected.

77.2 Within 1 **business day** of having accepted the gas switching withdrawal notice, the **registry** must give the gas switching withdrawal notice to the other **retailer** involved in the **switch** as set out in rule 75.2.

78. Retailer response to a gas switching withdrawal notice

78.1 Within 5 **business days** after receiving a gas switching withdrawal notice under rule 77.2, the recipient **retailer** must give the **registry** a gas switching withdrawal response notice.

78.2 Each gas switching withdrawal response notice must state whether or not the gas switching withdrawal notice is accepted or rejected. A **retailer** must accept a gas switching withdrawal notice if –

78.2.1 There has been an error in the **switch** process such that the **switch** is not giving effect to, or has not given effect to, the agreement with the consumer; or

78.2.2 The consumer has exercised a contractual or statutory right to have the **switch** withdrawn.

78.2A The **retailer** giving a gas switching withdrawal response notice must confirm prior to the giving of each gas switching withdrawal response notice whether a condition in rule 78.2 is satisfied.

78.3 If the gas switching withdrawal response notice accepts the gas switching withdrawal notice, then –

78.3.1 Within 1 **business day** of having received the gas switching withdrawal response notice, the **registry** must –

- (a) Give the gas switching withdrawal response notice to the other **retailer** involved in the **switch** as set out in rule 75.2; and
- (b) If there has been a change in **responsible retailer** as a result of the acceptance of the gas switching withdrawal, give notice to both **retailers** involved in the switching withdrawal, the **distributor**, and the **meter owner** of the change in **responsible retailer**; and

78.3.2 In the case where rule 75.2.1 applies, the uncompleted **switch** is withdrawn, meaning the **switch** is terminated prior to completion and does not result in a change of **responsible retailer** for the **ICP**; and

78.3.3 In the case where rule 75.2.2 applies, the completed **switch** is reversed and there is a change in **responsible retailer** for the **ICP**, to the **retailer** who was the former **responsible retailer**.

78.4 If the gas switching withdrawal response notice rejects the gas switching withdrawal notice, then –

78.4.1 Within 1 **business day** of having received the gas switching withdrawal response notice, the **registry** must give the gas switching withdrawal response notice to the other **retailer** involved in the **switch** as set out in rule 75.2; and

78.4.2 That particular gas switching withdrawal process is at an end.

79. Renegotiation of switch readings

79.1 This rule applies if a **responsible retailer** disputes the accuracy of a **switch reading** provided by the former **responsible retailer** in a gas transfer notice.

79.2 The **responsible retailer** may request an adjustment to a **switch reading** by giving a **switch reading** renegotiation request notice to the **registry**.

79.3 For a particular **ICP**, a **switch reading** renegotiation request notice may only be given in relation to –

79.3.1 The most recent **switch**; and

79.3.2 One **switch reading**.

79.4 The **switch reading** renegotiation request notice must state –

79.4.1 The **ICP identifier**; and

79.4.2 The **switch date**; and

79.4.3 The **meter** identifier; and

79.4.4 The content code for the **switch reading** concerned; and

79.4.5 The proposed replacement **switch reading**; and

79.4.6 The basis on which the proposed replacement **switch reading** has been determined.

80. Registry validation of switch reading renegotiation request

80.1 As soon as possible after having received the **switch reading** renegotiation request notice, the **registry** must –

80.1.1 Validate the information in the **switch reading** renegotiation request notice by confirming that the request has been given by the **responsible retailer** as authorised by rule 79.1; and

80.1.2 On the basis of that validation, accept or reject the request and notify the **responsible retailer** accordingly.

- 80.2 Within 1 **business day** of having accepted the **switch reading** renegotiation request notice, the **registry** must give the **switch reading** renegotiation request notice to the former **responsible retailer** as referred to in rule 79.1.

81. Retailer response to switch reading renegotiation request

- 81.1 Within 5 **business days** after receiving the **switch reading** renegotiation request notice, the recipient **retailer** must give to the **registry** a **switch reading** renegotiation response notice stating whether or not the **switch reading** renegotiation request is accepted or rejected.
- 81.2 Within 1 **business day** after receiving the **switch reading** renegotiation response notice, the **registry** must give the **switch reading** renegotiation response notice to the **responsible retailer**.
- 81.3 If the **switch reading** renegotiation request notice is rejected by the recipient **retailer**, the two **retailers** concerned must endeavour to resolve the matter by other negotiation.

82. Bypass

- 82.1 A bypass occurs when the **distributor** providing the connection service to a **consumer installation** is replaced.
- 82.2 The **registry participants** directly involved in effecting any bypass must process the bypass as either the creation of a new **ICP** or the re-commissioning of an **ICP**, in accordance with these **rules**.
- 82.3 Not less than 10 **business days** before a **retailer** intends giving effect to a bypass, the **retailer** must give notice to the **responsible retailer** and the **responsible distributor** that there is going to be a bypass in relation to the **consumer installation** concerned.

Reports from the registry

83. Reports from the registry

The **registry operator** must provide or **publish**, the following reports –

- 83.1 The general reports under rule 84; and
- 83.2 The **retailer** report under rule 85; and
- 83.3 The **distributor** report under rule 86; and
- 83.4 The **meter owner** report under rule 87; and
- 83.5 Any other report as may be agreed from time to time between the **registry operator** and the **industry body**.

84. General reports

- 84.1 By 0900 hours on the 6th **business day** of each month, the **registry operator** must **publish** a report which states –

- 84.1.1** The number of **ICPs** (categorised by each **ICP** status and **distributor**) contained on the **registry** as at the last day of the previous month; and
- 84.1.2** The number of valid gas switching notices received by the **registry operator** during the previous month.
- 84.2** By 1600 hours on the 15th **business day** of each month, the **registry operator** must **publish** a report on each **registry participant's** compliance with the timeframes specified in these **rules** during the previous month.
- 84.3** The content and format of the report referred to in rule 84.2 must be specified by the **industry body** after consultation with **registry participants** and the **registry operator**.
- 85. Retailer report**
- 85.1** By 0900 hours on the first **business day** of each month, the **registry operator** must give each **retailer** a report that shows –
- 85.1.1** All the **ICPs** for which that **retailer** was identified in the **registry** as **responsible retailer** during the previous month; and
- 85.1.2** For each of those **ICPs**, and for each period that the **retailer** was the **responsible retailer** during that month, the values and effective dates of all **ICP parameters** in Part B of Schedule 1.
- 86. Distributor report**
- 86.1** By 0900 hours on the 1st **business day** of each month, the **registry operator** must give each **distributor** a report that shows –
- 86.1.1** All the **ICPs** for which that **distributor** was identified in the **registry** as **responsible distributor** during the previous month; and
- 86.1.2** For each of those **ICPs**, the values and effective dates of all **ICP parameters** in Part A of Schedule 1.
- 87. Meter owner report**
- 87.1** By 0900 hours on the 1st **business day** of each month, the **registry operator** must give each **meter owner** a report that shows –
- 87.1.1** All the **ICPs** for which that **meter owner** was identified in the **registry** as **responsible meter owner** during the previous month; and
- 87.1.2** For each of those **ICPs**, the values and effective dates of all **ICP parameters** listed in Part C of Schedule 1.

Part 4

Audits

88. Industry body to commission performance audits

- 88.1** The **industry body** must arrange performance audits of **registry participants** at intervals of no greater than five years.
- 88.2** The purpose of a performance audit under this rule is to assess, in relation to the role or roles performed by a **registry participant** –
- 88.2.1** The performance of the **registry participant** in terms of compliance with these **rules**; and
 - 88.2.2** The systems and processes of that **registry participant** that have been put in place to enable compliance with these **rules**; and
 - 88.2.3** Whether, after the implementation of an intended change notified under rule 88.5, that **registry participant** will be, or will be able to be, compliant with these **rules**.
- 88.3** The industry body in its sole discretion will determine –
- 88.3.1** When a performance audit under this rule is to be conducted subject to rule 88.4;
 - 88.3.2** The person who is to be audited;
 - 88.3.3** Subject to rule 90, who will be appointed as the auditor; and
 - 88.3.4** Any terms and conditions for the performance audit.
- 88.4** If the **industry body** considers it practicable to do so, the **industry body** may commission the performance audit of a **registry participant** at the same time, and with the same auditor, as the performance audit of that same participant as an allocation participant under the Gas (Downstream Reconciliation) Rules 2008.
- 88.5** If a **registry participant** intends to make a change to any of its systems, processes or procedures that could reasonably be considered to be likely to have a major impact on any **registry participant's** compliance with these **rules**, it must, at least 90 days before the change is to take place, advise the **industry body** of the proposed change.
- 88.6** Upon notification of a proposed change under rule 88.5, the **industry body** may arrange a performance audit of the **registry participant** to be completed at any time before, or up to 90 days after, the change is to take effect.
- 88.7** The purpose of a performance audit arranged under rule 88.6 shall be limited in scope to an audit of the impact of the proposed change on the **registry participant's** systems, processes and procedures.

89. Time restriction on audit material

In conducting an audit under rule 88, the auditor must not consider: any action, circumstance, event, or inaction that occurred 60 months or more before the date the audit was requested by the **industry body**.

90. Who may be appointed as an auditor

- 90.1** In appointing an auditor, the **industry body** must appoint a person who is independent to, and not in a position of conflict of interest with, the **registry participant(s)**, as the case may be, that are to be audited.
- 90.2** No officer or employee of the **industry body** may be appointed as an auditor.
- 90.3** The person or persons that are to be the subject of the audit may recommend one or more auditors for the **industry body's** consideration.

91. Provision of information to auditor

- 91.1** In conducting an audit under rule 88, the auditor may:
 - 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.

92. Auditor to prepare draft audit report

- 92.1** The auditor must prepare, in writing, a draft audit report on the conclusions reached and recommendations formulated as a result of conducting an audit under rule 88.
- 92.2** Subject to rule 94, the auditor must give a copy of the draft audit report to –
 - 92.2.1** The person or persons that are the subject of the audit;
 - 92.2.2** The **registry operator**;
 - 92.2.3** Any other **registry participant** which the auditor considers has an interest in the report; and

92.2.4 The industry body.

- 92.3 In providing the draft audit report under rule 92.2, the persons referred to in that rule, and the **industry body**, have 10 **business days** from the date the report is received to provide the auditor with comments on the report.

93. Auditor to prepare final audit report

- 93.1 Before the auditor prepares a final audit report on the conclusions reached and recommendations formulated as a result of conducting an audit under rule 88, the auditor must take into account any comments received on the draft audit report.

- 93.2 The final audit report must be in writing and, if so requested by the person or persons that are the subject of the audit, must include as an appendix any comments from that person or persons on the draft audit report.

- 93.3 Subject to rule 94, the auditor must give a copy of the final audit report to –

93.3.1 The person or persons that are the subject of the audit;

93.3.2 The **registry operator**;

93.3.3 Any other **registry participant** which the auditor considers has an interest in the report; and

93.3.4 The **industry body**.

- 93.4 Once the auditor has given a final audit report under this rule, the report may not be altered in any way.

94. Confidential information in audit reports

- 94.1 In providing a draft audit report or final audit report, the auditor must provide a complete version to the **industry body**.

- 94.2 However, at the discretion of the auditor, the versions of the draft audit report and the final audit report provided to any other person or **published** under these **rules** may exclude any confidential information obtained in the conduct of the audit.

95. Publication of final audit reports

Subject to rule 94, the **industry body** must **publish** all final audit reports.

96. Use of final audit reports

To avoid doubt, a final audit report may be used –

- 96.1 For the purposes of the Gas Governance (Compliance) Regulations 2008;

- 96.2 For the purposes of considering any amendments to these **rules**;

- 96.3 By the **industry body** –

96.3.1 For the purpose of reviewing the performance of the **registry operator** under the **registry operator service provider agreement**;

96.3.2 For the purpose of reviewing the performance of an auditor; and

96.3.3 For any other purposes that it considers necessary.

97. Responsibility for audit costs

97.1 In relation to an audit under rule 88, the person that is being audited must pay the costs of the auditor.

97.2 For the purposes of this rule, the costs of the auditor are those costs that have been agreed between the **industry body** and the auditor

Part 5

Retailer Insolvency

98. Insolvent retailer to notify industry body

If a **retailer** becomes an **insolvent retailer**, the **insolvent retailer** must notify the **industry body** of that fact as soon as practicable.

99. Distributor, producer or wholesaler to notify industry body

Any **distributor**, **producer**, or **wholesaler** must notify the **industry body** as soon as practicable if a **retailer** is in default of its financial obligations under a contract unless the **distributor**, **producer**, or **wholesaler** has reasonable cause to believe that the **retailer's** default does not in any way suggest that the relevant **retailer** may be an **insolvent retailer**.

100. Allocation agent to notify industry body

The **allocation agent** must notify the **industry body** as soon as practicable if a **retailer** fails to provide consumption information under rules 31, 32, or 33 of the Gas (Downstream Reconciliation) Rules 2008.

101. Insolvent retailer to provide customer information to industry body

An **insolvent retailer** must, as soon as practicable after becoming insolvent (and in any event within 3 **business days** of receiving a written request from the **industry body**), provide to the **industry body** a report that –

101.1 Provides, in respect of each of its customers, the data held by the **insolvent retailer** for each of the parameters listed in Schedule 2; and

101.2 Subject to rule 102.2, is in the format determined by the **industry body** under rule 102.1

102. Industry body to determine and publish file format

102.1 The **industry body** must, after consulting with **registry participants**, determine and **publish** the file format for the report in rule 101.1.

- 102.2** Each **retailer** must be capable of producing the report specified in rule 101.1, in the format determined by the **industry body**, on, and from, the date that is 12 months after the publication of the file format by the **industry body**. Prior to this date, and if for any other reason a **retailer** is unable to produce the report in the format determined by the **industry body**, a **retailer** must be capable of producing the report specified in rule 101.1, in a format reasonably requested by the **industry body**.

103. Industry body to maintain confidentiality of information

The **industry body** must keep the information provided in the report referred to in rule 101.1 confidential to the **industry body** unless, and until, it is required to disclose that information –

- 103.1** As part of the transfer of customers of an **insolvent retailer**, as may be provided for under any gas governance regulation; or
- 103.2** As provided for, or as necessary to give effect to, rules 104 and 105; or
- 103.3** As required by law.

104. Treatment of stranded ICPs

The **industry body** will, subject to rule 106, transfer **stranded ICPs** using the following process and otherwise in accordance with relevant regulations.

- 104.1** The **industry body** must first offer **retailers** the opportunity to request **stranded ICPs**. Where one or more **retailers** requests receipt of **stranded ICPs (requesting retailers)**, the **industry body** shall transfer the **stranded ICPs** in proportion to each **requesting retailer's** existing relative market share of active **ICPs** in the relevant region, as recorded in the **registry**.
- 104.2** If there are no **requesting retailers** under rule 104.1 then the **industry body** shall transfer **stranded ICPs** to all **retailers** in proportion to each **retailer's** existing relative market share of active **ICPs**, as recorded on the **registry**.

105. Treatment of indeterminate ICPs

Where the **industry body** identifies that there are **indeterminate ICPs** then, subject to rule 106, the **industry body** must apply the following process.—

- 105.1** The **industry body** shall arrange for **meters of indeterminate ICPs** to be read at intervals so as to determine whether any gas is being consumed.
- 105.2** Where successive **register readings** for any **indeterminate ICP** indicate that no consumption is taking place the **industry body** must follow the disconnection procedure in rule 105.4.
- 105.3** Where successive **register readings** indicate that consumption is taking place at an **indeterminate ICP** the **industry body** shall –
- 105.3.1** Provide notice by registered letter to the address recorded for that **ICP** on the **registry** informing the occupant that –

- (a) if the occupant intends to use gas it must contract with a **retailer** within ten **business days** of delivery of the registered letter; and
- (b) if the occupant fails to contract with a **retailer** within that time, the industry body will direct that the **indeterminate ICP** will be disconnected by the **responsible distributor**; and

105.3.2 Monitor the status of that **indeterminate ICP** and if the occupant has not –

- (a) made arrangements to **switch** to a **new retailer** within the ten **business day** period provided for in rule 105.3.1(a); or
- (b) confirmed (to the **industry body's** satisfaction) the identity of its existing **retailer**,

then the **industry body** shall follow the disconnection procedure in 105.4.

105.4 Where an **ICP** needs to be disconnected under rule 105.2 or 105.3, the **industry body** must instruct the **responsible distributor** to –

105.4.1 disconnect that **indeterminate ICP**; and

105.4.2 notify the **industry body** immediately when that has been done;

105.5 A **responsible distributor** who receives an instruction from the **industry body** to disconnect an **indeterminate ICP** under rule 105.4 will act in accordance with that instruction, and otherwise in accordance with that **responsible distributor's** standard disconnection procedure.

105.6 Upon receiving notification under rule 105.4.2, the **industry body** shall –

105.6.1 pay to the **responsible distributor** the standard disconnection charge posted on the **responsible distributor's** website or, in the event that no standard charge is published by the **responsible distributor**, such charge as the **industry body** in its sole discretion considers reasonable for disconnection; and

105.6.2 update the **ICP** status for the indeterminate ICP on the **registry** to INACTIVE-TRANSITIONAL to reflect that it has been disconnected and is inactive; and

105.6.3 transfer the **ICP** (which is now a **stranded ICP**) to a **retailer**, by applying rule 104.

106. Exception

The **industry body** will not be required to follow the process in rule 104 for **stranded ICPs**, or rule 105 for **indeterminate ICPs**, where it has reasonable cause to believe that the **ICP** status for the relevant **ICP** on the **registry** is incorrect, and the relevant **ICP** is not a **stranded ICP** or **indeterminate ICP**.

Schedule 1

Part A

ICP parameters maintained by Distributors

ICP Parameter	Rules governing values assigned
ICP Identifier	The unique 15-character identifier assigned to the ICP by the distributor .
ICP creation date	The date that the distributor deems the ICP to be created, which must be not later than the date that the gas service pipe to the ICP's consumer installation is first lived. It is the earliest date for any event relating to the ICP in the registry .
Responsible Distributor	The code of the responsible distributor and creator of the ICP . Distributor codes are determined and published by the industry body from time to time.
Network Pressure	The value of the nominal operating pressure, expressed numerically in kilopascals, of the distribution system or transmission system to which the ICP's consumer installation is connected.
ICP Altitude	The altitude, expressed in metres above mean sea level, of the meter measuring gas consumption for the ICP's consumer installation , and for use in any required (non-dynamic) correction of the metered gas volume to standard volume.
Gas gate	The code of the gas gate from which the distributor deems gas is delivered to the ICP's consumer installation . Gas gate codes are determined and published by the industry body from time to time.
ICP Type	The code representing the ICP type. ICP types and ICP type codes are determined and published by the industry body from time to time.
ICP Status	The code representing the ICP status. ICP status is maintained by the responsible distributor under rule 59. At ICP creation and ICP readying, the value is assigned by the registry under rule 53.3.
Connection status	The code representing the connection status . Connection status is maintained by the responsible distributor under rule 60 and in accordance with the requirements published by the industry body under rule 60.2.
Load Shedding Category	The code representing the load shedding category that identifies the position of the ICP's consumer installation in the hierarchy for emergency curtailment of gas. Load shedding categories and codes are determined and published by the industry body from time to time and are consistent with the curtailment bands under Schedule 3 of the Gas Governance (Critical Contingency Management) Regulations 2008.

Maximum Hourly Quantity (MHQ)	The maximum quantity of gas, in cubic metres, that the gas-consuming equipment at the consumer installation is capable of drawing per hour. The value is distinct from the capacity of the gas service pipe or metering equipment serving the consumer installation . Mandatory only where MHQ is used to determine the distributor's network charges. May be conveyed by means of a 'disclosure on application' code in accordance with rule 50.
Expected Retailer	The code of the retailer that the distributor expects to be the first responsible retailer for the ICP .
Network Price Category	The code of the network price category to which the ICP belongs, as determined and published by the distributor . The charges associated with the code may be conveyed by means of a 'disclosure on application' code in accordance with rule 50.
Loss factor Code	The code that identifies the loss factor applicable to the ICP's consumer installation .
Network Price Details	A free-text parameter to allow the distributor to provide other information relevant to the network pricing of the ICP's consumer installation .
Physical Address	The physical address assigned by the distributor to the ICP's consumer installation , so that the ICP can be unambiguously identified with the consumer installation , in the registry .

With the exception of the **ICP identifier** and **ICP** creation date parameters, each of the parameters in Part A of Schedule 1 has an associated effective date, being the date from which the current value of the **ICP parameter** became applicable.

Part B

ICP parameters maintained by Retailers

ICP Parameter	Rules governing values assigned
Responsible Retailer	The code of the retailer with current responsibility for the ICP . Retailer codes are determined and published by the industry body from time to time.
ICP status	The code representing the ICP status. ICP status is maintained by the responsible retailer under rule 59.
Connection status	The code representing the connection status . Connection status is maintained by the responsible retailer in accordance with the requirements published by the industry body under rule 60.2.
Allocation Group	The code represents the allocation group to which the ICP belongs, as published by the industry body from time to time.
Profile	The code that identifies the profile assigned to the ICP . Profile codes are determined and published by the industry body from time to time.
Responsible Meter owner	The code, of the responsible meter owner . Responsible meter owner is assigned according to the authority of a service agreement between the responsible retailer and the meter owner providing the meter measuring consumption for the ICP . Meter owner codes are determined and published by the industry body from time to time.

Each of the parameters in Part B of Schedule 1 has an associated effective date, being the date from which the current value of the **ICP parameter** became applicable.

Part C

ICP parameters maintained by Meter Owners

ICP Parameter	Rules governing values assigned
Meter Identifier	The serial number or other unique identifier of the meter that measures volume consumption for the ICP's consumer installation , as assigned by the meter owner . However, if the consumption information is being measured by difference, the meter identifier value must be "DIFFERENCE".
Meter Location Code	The code, as defined in a published schedule of meter location codes by the meter owner , that advises the location of the meter used to record consumption at the consumer installation .
Meter Pressure	The meter pressure unless the meter operates at network pressure (as indicated by a 'Y'es in the associated field), in which case this field will be automatically populated with the network pressure. Not populated for TOU meters (as indicated by a 'Y'es in the associated field).
Register Multiplier	The factor by which a quantity taken from a register reading is multiplied in order to convert to cubic metres. Not populated for TOU meters (as indicated by a 'Y'es in the associated field).
Meter operating at network pressure	A 'Y'es or 'N'o value to indicate whether the meter is operating at network pressure (that is, has no meaningful meter pressure). Not populated for TOU meters (as indicated by a 'Y'es in the associated field).
Register Reading Digits	The number of moving dials on the meter register that represent whole units, plus any painted or fixed digits that represent whole units. Not populated for TOU meters (as indicated by a 'Y'es in the associated field).
Standard Meter	A 'Y'es or 'N'o value to indicate the use or not of a standard meter (being one that is not a prepaid meter) for measurement of consumption volume for the ICP's consumer installation .
Prepay Meter	A 'Y'es or 'N'o value to indicate the use or not of a prepaid meter for measurement of consumption volume for the ICP's consumer installation .
Advanced meter	A 'Y'es or 'N'o value to indicate the use or not of an advanced meter for measurement of consumption volume for the ICP's consumer installation .
Communicating flag	A 'Y'es or 'N'o value to indicate whether the advanced meter is communicating or not. <i>[Drafting note] Communicating flag – proposed for consideration and comment as a Y/N field rather than taking multiple values]</i>
TOU meter	A 'Y'es or 'N'o value to indicate the use or not of a TOU meter for measurement of consumption volume for the ICP's consumer installation .

Logger Owner	The code of the owner of any datalogger included in the metering equipment measuring consumption volume for the ICP's consumer installation - whether or not the datalogger is in use at the time. Logger owner codes are determined and published by the industry body from time to time.
Corrector Owner	The code of the owner of any corrector included in the metering equipment measuring consumption volume for the ICP's consumer installation - whether or not the corrector is in use at the time. Corrector owner codes are determined and published by the industry body from time to time.
Telemetry Owner	The code of the owner of any telemetry included in the metering equipment measuring consumption volume for the ICP's consumer installation - whether or not the telemetry is in use at the time. Telemetry owner codes are determined and published by the industry body from time to time.
Advanced Meter Owner	The code of the owner of any advanced meter included in the metering equipment measuring consumption volume for the ICP's consumer installation - whether or not the advanced meter is in use at the time. Advanced meter owner codes are determined and published by the industry body from time to time.
Metering Price Category	The code of the metering price category that identifies the charges applicable to the full set of metering equipment currently used to measure and convey the consumption volume information for the ICP's consumer installation . The codes are as defined and made available by the meter owner . May be conveyed by means of a 'disclosure on application' code in accordance with Rule 50.

In the case of the 'Y'es and 'N'o values for the 'standard **meter**' and 'prepay **meter**' parameters, there may not be more than one 'Y' value between the two parameters, but there may be two 'N' values to signify that the **consumer installation** is unmetered.

Each of the parameters in Part C of Schedule 1 has an associated effective date, being the date from which the current value of the **ICP parameter** became applicable.

Schedule 2

Parameters for customer report provided by Insolvent Retailer

For each ICP:

ICP identifier
 Customer name, postal address and contact details
 Customer number or identifier
 Gas Gate
 Allocation group
 Dual fuel customer
 Curtailment band
 ICP status code
 Information about meter access including dog notes or other hazards
 Distributor code
 Maximum hourly quantity
 Network price/tariff code
 Loss factor code
 Annualised consumption estimate
 Date of last bill
 Meter identifier
 Meter location code
 Last actual reading date
 Meter pressure
 Number of registers

For each meter register:

Register reading digits
 Register multiplier
 Register content code
 Register reading
 Billed reading