

Reprint
as at 19 April 2016



Canterbury Earthquake (Energy Companies Act) Order 2011

(SR 2011/215)

Canterbury Earthquake (Energy Companies Act) Order 2011: revoked (after expiring on the close of 1 November 2012), on 19 April 2016, by section 146(2) of the Greater Christchurch Regeneration Act 2016 (2016 No 14).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 20th day of June 2011

Present:

His Excellency the Governor-General in Council

Pursuant to section 71 of the Canterbury Earthquake Recovery Act 2011, His Excellency the Governor-General makes the following order acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the relevant Minister following the Canterbury Earthquake Recovery Review Panel's review of a draft of the order.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This order is administered by the Ministry of Business, Innovation, and Employment.

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Order

1 Title

This order is the Canterbury Earthquake (Energy Companies Act) Order 2011.

2 Commencement

This order is deemed to have come into force on 1 April 2011.

3 Expiry

This order expires on the close of 1 November 2012.

4 Interpretation

(1) In this order, unless the context otherwise requires,—

2010/11 financial year means the year starting on 1 April 2010

2011/12 financial year means the year starting on 1 April 2011

Act means the Energy Companies Act 1992

Orion New Zealand means Orion New Zealand Limited, an energy company formed and registered in accordance with section 32 of the Act.

(2) The modifications to the Act made by this order do not affect the text of the Act but require it to be read as if it had been amended in the manner indicated in this order.

5 Modification of requirements for statement of corporate intent

Section 39 of the Act applies to Orion New Zealand and every subsidiary of Orion New Zealand in relation to the 2011/12 financial year as if—

- (a) the reference in subsection (1) to 1 month were a reference to 4 months; and
- (b) the reference in subsection (3)(a) to 2 months were a reference to 5 months; and
- (c) the reference in subsection (3)(b) to 3 months were a reference to 6 months.

6 Modification of requirement for reports and accounts

Section 44(3) of the Act applies to Orion New Zealand and every subsidiary of Orion New Zealand in relation to the 2010/11 financial year as if the reference to 3 months were a reference to 5 months.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order is deemed to have come into force on 1 April 2011 and expires on 1 November 2012. It modifies the application of the following provisions of the Energy Companies Act 1992 to Orion New Zealand and its subsidiaries (the **companies**) in relation to the specified financial year:

- section 39(1) and (3) in relation to the 2011/12 financial year:
- section 44(3) in relation to the 2010/11 financial year.

The order is retrospective in that the companies ought to have delivered their draft statements of corporate intent for the 2011/12 financial year by 1 May 2011 and received comments from shareholders by 1 June 2011. In the absence of this order, companies would be required to deliver their final statements of corporate intent by the end of June.

Section 39(1) requires the directorate of an energy company to deliver a draft statement of corporate intent to its shareholders no later than 1 month after a financial year starts. The order changes 1 month to 4 months.

Section 39(3) requires the directorate to consider comments on the draft statement of corporate intent made by shareholders within 2 months after the start of the financial year and to deliver the final statement of corporate intent within 3 months of the start of the financial year. The order changes 2 months and 3 months to 5 months and 6 months respectively.

Section 44(3) requires that within 3 months after the end of the financial year the directorate deliver to the shareholders a report of the company's operations and the operations of any subsidiaries, audited consolidated financial statements, and the auditor's report on the financial statements and performance targets and measures. In relation to the 2010/11 financial year, the order changes 3 months to 5 months.

This order is made under the Canterbury Earthquake Recovery Act 2011 and its effect is temporary.

Reprints notes

1 *General*

This is a reprint of the Canterbury Earthquake (Energy Companies Act) Order 2011 that incorporates all the amendments to that order as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Greater Christchurch Regeneration Act 2016 (2016 No 14): section 146(2)

Canterbury Earthquake (Energy Companies Act) Order 2011 (SR 2011/215): clause 3