

Reprint
as at 2 July 2012

**Commerce (Control of Natural Gas
Services) Amendment Order 2005**

(SR 2005/247)

Commerce (Control of Natural Gas Services) Amendment Order 2005: expired,
on 2 July 2012, pursuant to clause 3 of the Commerce (Control of Natural Gas
Services) Order 2005 (SR 2005/213).

Pursuant to section 53 of the Commerce Act 1986, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Energy, who is satisfied that the services described in this order may be controlled under section 52 of the Commerce Act 1986, makes the following order.

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1 Title

- (1) This order is the Commerce (Control of Natural Gas Services) Amendment Order 2005.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

This order is administered in the Ministry of Economic Development.

- (2) In this order, the Commerce (Control of Natural Gas Services) Order 2005¹ is called “the principal order”.

2 Commencement

This order comes into force on 25 August 2005.

3 Interpretation

- (1) Clause 4 of the principal order is amended by inserting, in their appropriate alphabetical order, the following definitions:

“NGC means NGC Holdings Limited and includes any subsidiary of that company

“NGC Whangaparaoa distribution system means the distribution system in Whangaparaoa that is owned by NGC and that begins at the Waitoki Gate Station outlet flange and that connects to the Vector Limited distribution system at the outlet flange of the gas measurement station located at 1 Wainui Road, NZMG coordinate 2660675 mE, 6508075 mN”.

- (2) Clause 4 of the principal order is amended by adding, as subclause (2), the following subclause:

“(2) To avoid doubt, Vector Limited is not treated as owning any distribution system or gas measurement system that is or was owned by NGC solely because Vector Limited is an interconnected body corporate of NGC.”

4 Schedule amended

- (1) Clause 1 of the Schedule of the principal order is amended by revoking paragraph (b), and substituting the following paragraph:

“(b) any distribution system (other than the NGC Whangaparaoa distribution system) or fitting that, after 1 July 2003, is added or connected to a distribution system described in paragraph (a).”

- (2) The Schedule of the principal order is amended by revoking clauses 3 and 4, and substituting the following clause:

“3 Metering services provided in respect of any gas measurement system if—

¹ SR 2005/213

- “(a) the gas measurement system forms part of a distribution system that is described in clause 1 or clause 2; and
“(b) the owner of the distribution system described in clause 1 or clause 2 also owns the gas measurement system.”

Diane Morcom,
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, which comes into force on 25 August 2005, amends the Commerce (Control of Natural Gas Services) Order 2005, which imposed control under the Commerce Act 1986 on certain natural gas line function services and metering services provided in respect of distribution and gas measurement systems related to Vector Limited and Powerco Limited. The amendment has 3 effects.

First, the amendment ensures that the controls imposed by that order do not apply to the distribution system in the Whangaparaoa peninsula that—

- is owned by NGC Holdings Limited; and
- is connected to the distribution system owned by Vector Limited.

Secondly, the amendment changes the way in which the metering services that are subject to control are described.

Thirdly, the amendment states, for the avoidance of doubt, that Vector Limited is not to be treated, for the purposes of the order, as owning systems that are owned by NGC Holdings Limited or its subsidiaries solely because the 2 are interconnected companies.

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Notes**1 General**

This is an eprint of the Commerce (Control of Natural Gas Services) Amendment Order 2005. The eprint incorporates all the amendments to the order as at 2 July 2012. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about eprints and officialisation, please *see* <http://www.pco.parliament.govt.nz/eprints/>.

**3 List of amendments incorporated in this eprint
(most recent first)**

Commerce (Control of Natural Gas Services) Order 2005 (SR 2005/213):
clause 3
