



New South Wales

Electricity Infrastructure Investment Amendment (Consumer Trustee) Regulation 2021

under the

Electricity Infrastructure Investment Act 2020

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Infrastructure Investment Act 2020*.

MATT KEAN, MP
Minister for Energy and Environment

Explanatory note

The object of this Regulation is to provide for the appointment of the consumer trustee.

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1 Name of Regulation

This Regulation is the *Electricity Infrastructure Investment Amendment (Consumer Trustee) Regulation 2021*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Electricity Infrastructure Investment Regulation 2021

Part 3

Insert after Part 2—

Part 3 Miscellaneous

8 Appointment of consumer trustee—the Act, s 66(5)(a)

- (1) A person may be appointed as consumer trustee only if the person is a company limited by guarantee.
- (2) The company limited by guarantee must—
 - (a) have AEMO as a member, and
 - (b) not have any other members except for one or more of the following—
 - (i) the Crown in right of the Commonwealth,
 - (ii) the Crown in right of New South Wales,
 - (iii) the Crown in right of another State or Territory, and
 - (c) be a subsidiary of AEMO, and
 - (d) have a constitution that sets out—
 - (i) objects that are not inconsistent with the exercise of the functions of the consumer trustee, and
 - (ii) the functions of the company's members, and
 - (e) enter into an agreement with AEMO that deals with—
 - (i) the governance arrangements of the company, and
 - (ii) the provision by AEMO of services to assist the company in exercising its functions as consumer trustee.
- (3) This clause applies only to the first person appointed as consumer trustee under the Act, section 60.