



Terms of Reference for 2014 Review of National Code of Practice for Utility Operators' Access to Transport Corridors

Background

The National Code of Practice for Utility Operators' Access to Transport Corridors (hereinafter referred to as 'the Code') was approved by the Minister for Infrastructure in November 2011.

Clause 8.1.1 of the Code requires that it is reviewed biennially, with the first review being undertaken two years after the date the Code takes effect. Clause 8.1.1 also provides requirements that a review process must meet.

Objectives and Guiding Principles of the Review

1. To comply with the requirement in Clause 8.1.1 of the Code that a review is carried out two years after the Code comes into effect.
2. To increase industry ownership of, and compliance with, the Code and the general principals and objectives set out therein.
3. To ensure that the Code is relevant and workable.
4. To ensure that any changes are well reasoned, enduring and based on the general principles contained in Clause 1.4 of the Code.
5. To consult widely through the industry. Throughout the process each party needs to the opportunity to air all issues relating to the Code, to be heard and treated fairly.

Scope of the Review

Given that the Code has only been operational for two years the scope of this review is limited to the following;

1. Identifying any clauses contained in the Code that are unworkable or unenforceable and may require clarity or amendment to the Code
2. Identifying if there are areas causing issues between Utility Operators and Corridor Managers and/or their agents, including omissions, lack of clarity or lack of process, that the code could provide guidance on to ensure national consistency of application

This review will not alter or accept submissions on altering the scope of the Code as set out in Clause 1.1

Note - Impending changes to HSE legislation may have implications that need consideration.

Review Process and Timeline

The review will start with a discussion document being released to industry stakeholders with 7 weeks allowed for feedback. This gives all parties the opportunity to detail any issues relating to specific sections of the Code or implementation of such.

The NZUAG Board will analyse feedback objectively to identify whether the issues raised are Code compliance, operational understanding or the quality control process needs attention and whether any amendments to the Code are necessary.

A summary of the NZUAG Board's findings and recommendations will be provided to all submitters and posted on the NZUAG website.

If any amendments to the Code are required an amended code will be released for a public consultation period of 6 weeks with the opportunity for submitters to be heard at public hearings.

Any amended code will be ratified by NZUAG at the AGM or a Special General Meeting called for such purpose

Discussion document released for feedback	1 April 2014
Submissions Close	16 May 2014
Summary of recommendations and proposed changes posted on NZUAG Website	31 July 2104
Draft code released for public consultation	25 August 2014
Submissions Close	6 October 2014
Public Hearings held	4-8 November 2014
NZUAG AGM	26 November 2014