

2022 Code Review Project Plan

Introduction

A significant portion of the NZUAG's work programme for 2022 is focussed on conducting the third review of the Code, and to run a series of webinars to raise awareness of the review.

The Code Review programme will be run through the 2022 calendar year and into the start of 2023. The timing will not be right to release the newly approved Code at the RIMS Conference in 2023 because the Conference has been postponed. Therefore our implementation plan will need to ensure that our communication is strong enough to bridge the gap this leaves and pick this up with the Conference when it occurs in July.

This paper provides an update on both programmes. It also summarises the estimated income and costs for the Code Awareness Programme, and invites discussion on the budget for this item.

Personnel

The Board Appointed the Committee to undertake the 2022 Code Review. The Review committee is intended to consist of two Utility Operators and two Corridor Managers. At present, due to a Board resignation, the representatives on the committee are Nick Miskelly (Telecommunications Operators), Adam Du Fall (Electricity Operators) and Ian Cox (Government Roading). The Board needs to appoint another Corridor Manager to fill the current vacancy. The Team will require a considerable amount of Colin Lewis' time to organise data and record outcomes as we progress with the submissions. It is intended to ask Webb Henderson to again carry out the legal review as they have a reasonable amount of legacy knowledge about the Code, which should increase the effectiveness of the legal work.

The Code Review Programme

The 2022 Code Review will follow a similar structure to that used successfully for the first Code Review in 2014, rather than the three submission structure used in 2018.

It would be our normal expectation that we could lead into the launch of the Review via introduction to industry at the annual RIMS Conference, but there is a level of uncertainty as to the format and the Conference is postponed. Our contingency plan is to ensure that the introduction is workable wherever the RIMS Conference falls in the process. What will be vital is the level of communication that we have with the utilities sector and we will have to find means of reaching out as much as possible.

It is intended that the input to the review process will consist of two submission rounds.

The first round is to consist of open participation to provide to provide feedback on;

- What is already within the Code works well and should be kept;
- What is already within the Code is not working and should be changed; and/or
- How could compliance with the Code be improved.

Submissions will be invited in April (to be introduced at the RIMS conference), and will allow for a longer submission period so that people have more time to gather their thoughts and provide feedback.

The second round will be limited to submissions on the Code changes proposed in the first round of submissions and the proposed responses.

With all submissions considered, the Code document will be updated, undergo a legal review, be presented to the NZUAG Board for approval, be presented to Treasury for them to recommend to the to the Minister for approval, gazetted and published.

The project plan and timeline for this review is detailed on the plan attached.

1st Submission Round

The first round of submission will close probably in May. The submissions received will be considered by the Code Review Committee (Nick Miskelly, Ian Cox, Adam and a Corridor Manager to be appointed, supported by Colin Lewis) during early to mid-June. Changes the committee adopt will be drafted as proposed changes to the Code.

2nd Submission Round

The second submission round will commence probably in July and will run for 4-5 weeks. We will invite submissions on a "track change" version of the Code that incorporates changes adopted by the Code Review Committee. The Committee will review and consider submissions during September. Submitters will be given an opportunity to present their submission points to the Committee through this phase.

The Code Review Awareness Programme

Objectives

The objectives of this programme is to:

- Engage participation in the Code Review process,
- Promote discussion of current industry issues,
- Seek feedback on the effectiveness of the previous Review changes, and
- Introduce the proposal to change the length of each Review cycle.

The Committee considers that there should be a better introduction and attract attention to the Code Review. That means that we should consider how to get a message out

there ahead of launching the submission periods and be more proactive about engaging with industry and the public.

The first step should be to use "The Corridor" to provide a part of that introduction following on from the Board meeting. This is now of greater importance because it has de facto become the launch of the Review process.

There will need to be advertising so that we reach out to the public and engage them in the process. We will need to look at what we can do beyond the public notices that we will need to utilise to demonstrate intent to engage with the public.

We need to make greater use of the website as a means to provide direct access to information. We should provide links from our external publicity to the website and ensure that documents we produce are available for viewing on an easily discoverable page.

A suggestion is for the Review Team to prepare a discussion Paper that sets out some of the issues that are already under consideration so that people can give us feedback on the issues even if they do not provide direct changes to the Code. That could be done ahead of time and provided for reading on our home page.

As part of the introduction, the 2022 Code Review Programme will include a couple of webinar sessions utilising the NZUAG Zoom facility. The webinars will be used to introduce the purpose of the Review, capture interest and direct parties to further information. Regional seminars are not contemplated as the quality of previous outcomes was very variable and they did not provide a very good opportunity for potential submitters in more remote locations.

The Review Team may need to consider face to face discussion if necessary. In the previous Review the facility was allowed that a submitter could ask for the submission to be presented direct to the team. That did prove valuable in one particular case where the written submission was not understood but the verbal discussion made it clear, particularly through the ability to ask questions. That submission allowed the Team to make a significant clarification in the Code.

External Services

As we did in 2018, the Committee recommends engaging Webb Henderson to facilitate and manage the legal review of the revised Code. Their services will again consist of:

- Legal check of the proposed Code changes,
- Consideration and recommendation of requirements to meet legislative changes that have occurred in the interim,
- Addressing any legal questions we may address to them that may have arisen from the feedback, and
- Any suggestions for higher-level changes we might want to raise with the Minister.

As we do not intend to hold regional sessions, we will not need to engage external service support for our awareness programme.

The Webinar Session Schedule

The 3 webinar sessions will be conducted as part of the introduction in an attempt to gain greater engagement in the process. The actual dates of these have yet to be determined. This process should be discussed and agreed at this Board meeting.

The structure of the webinars will be:

- PowerPoint presentation of key NZUAG messages:
 - The why of the Review and who we are to manage it
 - The key changes made last time and whether they have been effective
 - The key issues currently engaging the industry
 - Feedback from the Code Effectiveness Working Group
 - The review cycle and feedback on whether the frequency is correct
- Open forum for general discussion, experiences, and question/answer

Budget

The budget (GST excl.) estimated for the Review process is:

<u>Cost to NZUAG:</u>	
Administration fees	\$6,000
NZUAG travel	\$1,500
Legal review	\$3,000
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Cost to NZUAG of:	\$10,500
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It is assumed the webinar sessions will be zero, or minimal, additional cost.

Ian Cox

Attachment: Project timeline for the Review