

ELECTRICITY INDUSTRY ACT 2004

ELECTRICITY INDUSTRY (WHOLESALE ELECTRICITY  
MARKET) REGULATIONS 2004

WHOLESALE ELECTRICITY MARKET RULES

# Market Procedure for: Notices and Communications

**Version 2**

**Commencement:** This Market Procedure is to have effect from 8:00am (WST) on the same date as the Wholesale Electricity Market Rule, in which this procedure is made in accordance with, commences.

## **Version history**

21 September 2006	Market Procedure for Notices and Communications at Market Start
19 January 2009	Amendments to the Procedure resulting from Procedure Change Proposal PC_2008_16

# 1. Notices and Communications Procedure

The Notices and Communications Procedure covers the methods by which notices and communications are to be provided to or by the IMO.

This procedure is made in accordance with Market Rule 1.6.1.

## 1.1 Interpretation

In this procedure, unless the contrary intention is expressed:

- (a) terms used in this procedure have the same meaning as those given in the Wholesale Electricity Market Rules (made pursuant to the Electricity Industry (Wholesale Electricity Market) Regulations 2004);
- (b) to the extent that this procedure is contrary or inconsistent with the Market Rules, the Market Rules shall prevail to the extent of the inconsistency.

For the avoidance of doubt, this procedure does not apply with respect to information or documents required to be published or released by the IMO pursuant to Market Rule 1.7.1;

- (c) a reference to the Market Rules or Market Procedures includes any associated forms required or contemplated by the Market Rules or Market Procedures;
- (d) words expressed in the singular include the plural or vice versa; and
- (e) the following terms have the following meanings:

“Business Hours” means 8.00 am to 5.00 pm Western Standard Time.

## 1.2 Purpose

The purpose of this procedure is:

- to describe the methods in which notices and communications can be given to or by the IMO; and
- to outline when the timing of such notice will be considered to have been duly given.

## 1.3 Application

This procedure applies to notices and communications:

- required under the Market Rules;
- contemplated by the Market Rules;
- relating to the Market Rules.

This includes Market Procedures and any forms or documents provided to or by the IMO.

## 1.4 Provision of Notice

Unless otherwise provided in the Market Rules and Market Procedures, notices and communications may be properly provided using the following methods:

- 1 **Courier or other form of personal delivery**, to the recipient's notified place of business.
- 2 **By prepaid Australia post, express post, registered post, or air mail (if outside Australia)**, to the recipient's notified postal address.
- 3 **By facsimile**, to the recipient's notified facsimile number.
- 4 **By electronic mail**, to the recipient's notified electronic communication address.
- 5 **By voice communication by the IMO**, provided the IMO confirms the communication in writing by any manner set out in methods one to four above.

## 1.5 Timing of Notice and Communications

Unless otherwise provided in the Market Rules and Market Procedures, notice will be considered to be properly given according to the following:

- 1 **Where given by Australia post or air mail:**
  - within Australia, on the third Business Day after the day on which it is mailed;
  - outside Australia, on the tenth Business Day after the day on which it is mailed.
- 2 **Where given by facsimile:**
  - during Business Hours, on the date and at the time of successful transmission as indicated on the sender's facsimile transmission report;

- outside Business Hours and the addressee is obliged to monitor the receipt by facsimile outside of Business Hours, on the date and at the time of transmission as indicated on the sender's facsimile transmission report;
- outside Business Hours and the addressee is not obliged to monitor the receipt by facsimile outside of Business Hours, at 9.00 am on the first Business Day following transmission.

**3 Where given by electronic mail:**

- during Business Hours, on the date and at the time when notification is recorded by the sender's electronic communication system as having been first received at the electronic mail destination. To ensure valid notification, the sender should request a return receipt, request confirmation from the recipient or follow up the email with alternate confirmation;
- outside Business Hours and the addressee is obliged to monitor the receipt by electronic mail outside of Business Hours, on the date and at the time when notification is recorded by the sender's electronic communication system as having been first received at the electronic mail destination;
- outside Business Hours and the addressee is not obliged to monitor the receipt by electronic mail outside of Business Hours, at 9.00 am on the following Business Day.

**4 Where given by voice communication by the IMO,** on the date and at the time of communication.

**5 In any other case,** when the person actually receives the notice or communication.

## **1.6 Contact Details**

**1** The contact details for the IMO are:

- Mailing address: PO Box 7096  
CLOISTERS SQUARE  
PERTH WA 6850
- Courier / Personal Delivery: Level 3, Governor Stirling Tower  
197 St Georges Terrace  
PERTH WA 6000
- Telephone Number: + 61 (0) 8 9254 4300

- Facsimile: + 61 (0) 8 9254 4399
  - Email: imo@imowa.com.au
- 2 The contact details for Rule Participants are as advised on the Rule Participant's Rule Participant registration application, unless otherwise advised.
  - 3 The contact details for other recipients are as advised by the recipient.