

13.2 Defined terms

(a) In this *Code*, unless the contrary intention appears:

“*Accounting Procedures*” means the procedures of that name approved or issued by the *Commission* under clause 5 for the purposes of this *Code*;

“*Act*” means the *Utilities Commission Act*;

“*applicable laws*” means legislation, regulations, codes or other instruments with which an *Electricity Entity* must comply under the terms of a *licence* issued to the *Electricity Entity*;

“*approved arm’s length contract*” has the meaning in clause 3.4(b)(v) of this *Code*;

“*arm’s length contract*” has the meaning in clause 3.4(b)(i) of this *Code*;

“*arm’s length contracting principles*” has the meaning in clause 3.4(b) of this *Code*;

“*Associate*” means in relation to:

(a) an *Electricity Entity* that is a legal entity incorporated pursuant to the *Corporations Act*, a person that would be an associate of that *Electricity Entity* under Division 2 of Part 1.2 of the *Corporations Act* if sections 13, 16(2) and 17 did not form part of that Act; and

(b) an *Electricity Entity* that is not a legal entity incorporated pursuant to the *Corporations Act*, a person that would be an associate of that *Electricity Entity* under Division 2 of Part 1.2 of the *Corporations Act* if sections 13, 16(2) and 17 did not form part of that Act and if that *Electricity Entity* were a legal entity incorporated pursuant to that Act;

“*business day*” means a day other than a Saturday or Sunday or a day declared to be a public holiday in the Northern Territory under the *Public Holidays Act*;

“*Code*” means this Northern Territory Electricity Ring-Fencing Code;

“*Codes*” means the previous versions of the Northern Territory Electricity Ring-Fencing Codes previously made by the *Commission*.

“*Commencement Date*” means the later of 1 August 2008 or the date set out in the notice published in the *Gazette* making this *Code* as the date of commencement of this *Code*;

“*Commission*” means the Utilities Commission of the Northern Territory established by the *Act*;

“*competition*” means either actual or potential rivalry or competition in relation to a business (or component of a business) or activity in the *Electricity Supply Industry*;

“*Competitor*” means an entity (whether identifiable, actual or notional) which either actually or potentially may be in *competition* with an *Electricity Entity*;

“*Confidential Information*” means information which is or has been provided to, or has otherwise been obtained by, an *Electricity Entity* (or *Associate* of that *Electricity Entity*) in connection with the carrying on of a *Prescribed Business* and which is confidential or commercially sensitive and includes information which is derived from any such information;

“*contestable*” in relation to goods or services within the *Electricity Supply Industry* means goods or services in relation to which there exists or potentially exists *competition* in a market in relation to the supply of the relevant goods or services;