

Table of functions

IPART has provided the below 'table of functions' to assist the entity to report against each of their functions under the *Electricity Infrastructure Investment Act 2020* (NSW) (EII Act). This is a revision of the table we provided last year, to reflect changes to the legislations since the last report. We acknowledge some of the functions listed may not have been relevant for FY2023-24. We have included these functions for completeness. The table does not include any changes from 1 May to 30 June 2024. Please review the table and update if necessary.

For each of the entity's functions under the EII Act, the entity should set out:

- Whether the entity exercised each function in FY2023-24
- Relevant timeframes on when the entity exercised each function and outputs (for example, details of frameworks/guidelines/rational supporting any assessments carried out, recommendations, draft documents, etc.)
- How the entity exercised each function, including any constraints or limitations on the entity's ability to carry out, or complete, each function
- If the entity did not exercise a function in FY2023-24, an explanation why.

Table 1 Functions of the Regulator (AER) under the EII Act

Function area	Ref ^a	Function	Comments
Consideration of recommendations by the Infrastructure Planner	Section 31(3)	The Regulator must not disclose the maximum amount for development and construction of the REZ network infrastructure to any person.	On 4 June the Consumer Trustee authorised network operators to carry out the main and enabling Central-West Orana REZ network infrastructure projects and provided the AER with the maximum amount for the development and construction of those projects. Consistent with the requirements of the EII Act, the maximum amount has not been disclosed to any person.
Consultee for priority transmission infrastructure projects	Section 34(1)	The Minister must consult the Regulator before directing a network operator to carry out a priority transmission infrastructure project.	This function has not been exercised in FY2023-24 as the Minister has not directed any Network Operators to deliver any priority transmission infrastructure projects.
Consultee for authorising a network operator	Section 36(3)	The Minister must consult with the Regulator before authorising a network operator to carry out a priority transmission infrastructure project.	This function has not been exercised in FY2023-24 as the Minister has not directed any Network Operators to deliver any priority transmission infrastructure projects.
Regulator to take into account principles	Section 37(1)	In exercising its functions in relation to the authorisation of a network operator, the Regulator is to take into account the following principles—	The AER has published guidance ^b about revenue determinations for contestable and non-contestable projects which sets out how the principles

^a In this column, references to sections are to section of the EII Act, while references to clauses are references to clauses of the regulations.

^b Revenue determination guideline for NSW contestable network projects, 19 August 2022

Function area	Ref ^a	Function	Comments
		(a) a network operator is entitled to recover the prudent, efficient, and reasonable costs incurred by the network operator for carrying out the infrastructure project, (b) incentives should be given to network operators to promote economic efficiency, (c) a network operator is entitled to revenue for the ongoing ownership, control and operation of an infrastructure project that is commensurate with the regulatory and commercial risks to the network operator, (d) a network operator is entitled to be informed of material issues being considered by the Regulator under this Division, (e) other principles prescribed by the regulations.	listed in Section 37(1) of the EII Act and Clause 46 of the EII Regulation are considered. These principles were considered in the revenue determination made by the AER for the Paired Generation (Nov 2023) and non-contestable components (Dec 2023) of the Waratah Super Battery project. These revenue determinations were reviewed and remade consistent with the principles set out in Section 37(1) in March 2024 and June 2024 respectively. The determinations are published on our website. The non-contestable guideline has also been reviewed with consideration given to Section 37(1) and was published in July 2024.
Making revenue determinations	Section 38(1)-(4), (6)	The Regulator is to determine the amount payable to network operators for network infrastructure projects. Procedural requirements for the determination are set out in sections 38(2)-(4) and (6).	The revenue determination guidelines were applied to decisions in FY2023-24, the guidelines follow the requirements set out in Section 38(1)-(6). The decisions were the revenue determination for the non-contestable components of the Waratah Super Battery Project (Dec 2023), the remade determination for the non-contestable components of the Waratah Super Battery Project (June 2024), the Paired Generation Services component of the Waratah Super Battery Project (Nov 2023) and the remade determination for the Paired Generation Services (Mar 2024). All decisions are published on our website and contain the amounts payable to the network operator for the network infrastructure projects.
	Section 38(5)	The Regulator is to publish guidelines on its website about the transmission efficiency test.	The guidelines which include the transmission efficiency test are the revenue determination guidelines ^c , which were published on our website in April 2023 (non-contestable) and August 2022 (contestable). The non-contestable guideline has recently been reviewed and was published in July 2024. ^d
	Section 38(7)-(8)	The Regulator may, by written notice to a network operator, require the network operator to provide information to the Regulator that the Regulator considers necessary to enable the Regulator to make a determination. Subsection (8) prescribes the requirements for a notice if the Regulator issues a notice.	We have issued a Regulatory Information Notice (RIN) to Transgrid for the non-contestable component of the Waratah Super Battery project in May 2023 and a response was provided in June 2023, and for the Paired Generation component in September 2023 with a responded provided in October 2023. No other RINs were issued in FY2023-24, as no other revenue proposals were required to be submitted in this period.

^c Transmission Efficiency Test and revenue determination guideline for non-contestable network infrastructure projects, 27 April 2023, Revenue determination guideline for NSW contestable network projects, 19 August 2022

^d <https://www.aer.gov.au/documents/aer-transmission-efficiency-test-and-revenue-determination-final-guideline-non-contestable-network-infrastructure-projects-april-2023>

Function area	Ref ^a	Function	Comments
Reviewing determinations	Section 40(1)	The Regulator is, in accordance with the regulations, to remake a determination under section 38— (a) once every 5 years, and (b) at any time the Consumer Trustee directs.	We have not remade a determination under Section 40(1) in the 2023-24 year. We expect the first determination to be remade under section 40(1)(a) will be the System Integrity Protection Scheme battery service and will need to be made by 1 July 2028.
	Section 40(2)	The Regulator may review and remake a determination at any time, subject to the regulations.	This power was exercised in FY2023-24 for the review and remake of the non-contestable component (June 2024) and the Paired Generation Services component (Mar 2024) of the Waratah Super Battery project. Both determinations were published on our website.
Tendering for LTES agreements	Section 47(1)	The Regulator may authorise the Consumer Trustee to not conduct a competitive tender for LTES agreements.	This function has not been exercised as there has been no need in FY2023-24.
Consultee on tendering rules	Section 47(6)	The Regulator is to be consulted before the Consumer Trustee makes tendering rules under section 47(5)	The Consumer Trustee (AEMO Services Limited) consulted with the AER between February – April 2024, regarding proposed changes to tender rules. Correspondence between the AER and the Consumer Trustee have been published on our website.
Risk management framework	Section 51(3), (5)(b) and (6)	The Regulator must approve the risk management framework prepared by the Consumer Trustee. The Regulator may also approve the Consumer Trustee not to publish a part of the risk management framework. The Minister may require the Regulator to review an approved risk management framework.	This function has not been exercised in FY2023-24 as there has been no need.
Regulator to make annual contribution determinations	Section 56(1)	The Regulator is to determine an amount for a financial year (a contribution determination) that is required for the Scheme Financial Vehicle to be able to make the payments from the Fund that are required under the Act, including the amount required for the Scheme Financial Vehicle to meet its liabilities as they fall due.	<p>The contribution determination for FY2024-25 was made on 15 February 2024 and gazetted on the 21 February 2024^e. The contribution determination was made through the application of the contribution determination guideline^f.</p> <p>The gazette notice included:</p> <ul style="list-style-type: none"> • the total contribution determination amount • the minimum prudent cash balance • the amounts required to be paid by each NSW electricity distributor • details of how the contribution determination was made.

^e NSW Gazette Number 54

^f NSW contribution determination guideline, 24 August 2023

Function area	Ref ^a	Function	Comments
	Section 56(2)-(5)	The purpose of the contribution determination is to determine the amount required to be recovered from distribution network service providers (DNSPs). The amount determined by the Regulator is to include a minimum prudent cash balance for the Fund and the amount required to be paid by each DNSP. The contribution determination must contain details of how it was made, and other information prescribed by the regulations. It must be published in the Gazette no later than 28 February before the beginning of the financial year to which it applies, unless the Minister approves a later date.	As above, the contribution determination for FY2024-25 was made on 15 February 2024 and gazetted on the 21 February 2024. The contribution determination was made through the application of the contribution determination guideline which considers the requirements set out in Section 56. The gazette notice included the information required under Section 56, including: <ul style="list-style-type: none"> the total contribution determination amount the minimum prudent cash balance the amounts required to be paid by each NSW distribution network service provider details of how the contribution determination was made.
	Section 56(6)	In making a contribution determination, the Regulator must consult with the Financial Trustee and take into account the matters prescribed by the regulations.	In making its contribution determination, the AER consulted with the Financial Trustee as required by section 56(6)(a) of the EII Act. We exchanged letters with the Financial Trustee in December 2023 and January 2024. Table 1 of the gazette notice ⁹ summarises how the AER has taken the matters listed in regulation clause 35 into account.
	Section 56(7)	The Regulator may request the Scheme Financial Vehicle provide the Regulator with information the Regulator considers necessary to enable the Regulator to make a contribution determination.	The Scheme Financial Vehicle has a central role in collating the input data that underpins contribution determinations. It provided the AER with the required information in line with the process set out in our contribution determination guideline, namely at the end of October 2023 and on 15 January 2024.
	Section 57(1)	The Regulator may, by further order published in the Gazette, vary a contribution determination in certain circumstances.	This function has not been exercised in FY2023-24 as there has been no need.
	Section 57(2)	The Regulator is to publish guidelines on its website about the exercise of the Regulator's functions under this section.	We published a contribution determination guideline and model on our website on 24 August 2023. The guideline includes a section on varying contribution determinations under section 57(2).
Guidelines	Section 64(4)(a)	The Regulator has the function of issuing guidelines in relation to the exercise of functions by the persons and bodies appointed under the Act (see below the entry for clause 42 of the regulations.)	We have issued three guidelines in relation to the EII Act: <ul style="list-style-type: none"> Revenue determination guideline for NSW contestable network projects, 19 August 2022 Transmission Efficiency Test and revenue determination guideline for non-contestable network infrastructure projects, 28 April 2023 (which has recently been reissued) NSW contribution determination guideline, 24 August 2023.

⁹ NSW Gazette Number 54, published on 21 February 2024

Function area	Ref ^a	Function	Comments
			<p>We intend to publish supporting guidance in relation to the following draft guidelines:</p> <ul style="list-style-type: none"> The application of incentive schemes (section 37(1)(b) of the Act) The treatment of confidentiality claims for information provided to the AER (clause 42 of the regulations) Cost allocation requirements for network operators (clause 42 of the regulations) Legal and functional separation for network operators (clause 42 of the regulations) <p>The above guidelines were issued as a draft in 2022-23 and have been delayed from being finalised at the request of NSW DCCEEW. We expect this to resolve in early 2024-25.</p>
Annual Reports	Section 70(2)	The regulator must prepare an annual report on the exercise of its functions under the EII Act (see conferral agreement). ^h	This table fulfils this requirement and has been prepared following a request for information from IPART, which was received on 20 May 2024.
Delegation	Section 71	The Regulator may delegate any of their functions, other than the power of delegation, to a person of a class prescribed by the regulations.	We have not exercised any delegations under this provision of the EII Act in FY2023-24.
Penalty notices	Section 76	The AER (as an authorised officer) ⁱ may issue a penalty notice to a person if it appears to the officer that the person has committed a penalty notice offence.	We have not issued any penalty notices in FY2023-24 as there has been no need.
Contribution determination	Clause 35 (s 56(6))	In making a contribution determination, the Regulator must take into account the matters listed in the clause 35 of the EII Regulation.	Table 1 of the gazette notice (noted above) summarises how the AER has taken into account the matters listed in clause 35 of the EII Regulation into account.
	Clause 36 (s 64(4))	The Regulator must, within 1 week after a contribution determination is published in the Gazette, give each distribution network service provider a notice setting out the percentage of the contribution determination relating to LTES agreements for generation infrastructure.	These notices were given to the NSW distribution network service providers within the indicated time limit in February 2024. These percentages are outputs of the contribution determination template but are provided confidentially to each of the distribution network service providers due to their commercially sensitive nature.
	Clause 39 (ss 60(4), 61(2) and 63(4))	The Regulator may require the Consumer Trustee, Financial Trustee, and Infrastructure Planner to provide information to the Regulator where the Regulator considers it is reasonably necessary to enable the Regulator to make a contribution determination.	We rely on this information power to gather the input data from NSW scheme entities that underpins our contribution determinations. We issued an information request to these entities in August 2023. We understand the department is looking to amend this clause to capture new scheme entities (for example, the NSW Environmental Protection Authority).

^h Agreement - Conferral of functions on the Australian Energy Regulator under the Electricity Infrastructure Investment Act 2020 (NSW).

ⁱ Clause 3A prescribes the AER is an authorised officer.

Function area	Ref ^a	Function	Comments
Functions of the Regulator	Clause 42 (s 64(4)(b))	The Regulator must— (a) issue guidelines for network operators about the following— (i) the legal separation of the entity through which a network operator conducts regulated activities from any other entity through which it conducts business, (ii) the establishment and maintenance of consolidated and separate accounts for regulated activities and other activities conducted by the network operator, (iii) the limitations on the flow of information from or within the network operator if there is the potential for a competitive advantage or disadvantage to arise, and (b) set standards about the legal and functional separation of the regulated activities of a network operator from other activities of the network operator, and (c) monitor compliance by network operators with the standards.	As noted for section 64(4) of the Act, we intend to publish supporting guidance in relation to the draft guidelines on: <ul style="list-style-type: none"> • The application of incentive schemes (section 37(1)(b) of the Act) • The treatment of confidentiality claims for information provided to the AER (clause 42 of the regulations) • Cost allocation requirements for network operators (clause 42 of the regulations) • Legal and functional separation for network operators (clause 42 of the regulations) The above guidelines were issued as a draft in 2022-23 and have been delayed from being finalised at the request of NSW DCCEE. We expect this to resolve in early 2024-25.
Consultee for competitive assessment process	Clause 45(4) (ss 30(5)(a) and 63(4))	The Regulator is to be consulted and, if it has requested, be provided information by the Infrastructure Planner, before and during a competitive assessment process.	The Infrastructure Planner has consulted the AER in FY2023-24 for the competitive assessment processes it was undertaking during that period. In FY2023-24, these processes have been the Hunter Transmission Project, Waratah Super Battery project and Central-West Orana REZ project. This consultation has generally been in the form of regular updates and discussions, and the inclusion of the AER as an observer in the various tender evaluation panel meetings for each of the processes. We also requested information for all competitive assessment processes as set out in our contestable guideline.
Competitive assessment process	Clause 45(6) (ss 30(5)(a) and 63(4))	In the exercise of the Regulator's functions under the Act, Part 5, the Regulator must rely on and adopt information if— (a) the information was given to the Regulator— (i) by the Infrastructure Planner, or (ii) by the network operator under clause 48(1A)(a), and (b) the Infrastructure Planner or network operator obtained the information from a competitive assessment process, and (c) the Regulator is satisfied the competitive assessment process was genuine and appropriate.	The AER complied with this requirement in making the revenue determination (Nov 2023) and the review and remaking of the revenue determination (Mar 2024) for the Paired Generation Services component of the Waratah Super Battery project. In making these determinations the AER relied on and adopted information provided by the Infrastructure Planner (predominantly the procurement report and related documentation).
Principles for Regulator	Clause 46 (s 37(1)(e))	The regulations prescribe principles that the Regulator must follow when making revenue determinations.	These principles are consistent with our revenue determination making process, which is set out in our contestable and non-contestable guidelines. Our revenue determinations for the non-contestable components of the

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			Waratah Super Battery Project (Dec 2023) and the remade determination for the non-contestable components of the Waratah Super Battery Project (June 2024) were consistent with these principles. Our revenue determination for the Paired Generation Services component of the Waratah Super Battery Project (Nov 2023) and the remade determination for the Paired Generation Services (Mar 2024) were also consistent with these principles. These determinations have been published on our website.
Revenue determinations guidelines	Clause 47 (s 38(10))	The Regulator must prepare and publish guidelines on its website about revenue determinations.	The guidelines for contestable and non-contestable revenue determinations were made and published on our website in 2022. The non-contestable guidelines were reviewed and remade after a public consultation process and have been published on our website.
Guidelines about non-contestable revenue determinations	Clause 47A (s 38(10))	The regulations prescribe the requirements for the Regulator's guidelines for non-contestable revenue determinations. The Regulator must make a non-contestable revenue determination in accordance with these requirements.	These requirements are reflected in our non-contestable guideline. Our guidelines were applied in the revenue determination (Dec 2023) and the reviewed and remade revenue determination (June 2024) for the non-contestable components of the Waratah Super Battery project.
Guidelines about non-contestable revenue determinations must include schemes and models	Clause 47B (s 38(10))	The regulations prescribe the required schemes and models to be included in the Regulator's guidelines for non-contestable revenue determinations.	The application of these schemes and models are described in our non-contestable revenue determination guideline. Further guidance relating to incentive schemes for non-contestable projects is planned for early 2025. This will be published in the form of a guidance note.
Amendment of Regulator's guidelines	Clause 47C	The regulations prescribe the requirements if the Regulator amends its guidelines.	The AER commenced reviewing the Transmission Efficiency Test and revenue determination guideline for non-contestable network infrastructure projects (non-contestable guideline) in Q1 2024. A draft guideline was published on 7 May 2024. A public forum was held on 21 May 2024, and we allowed for submissions until 5 June 2024 (20 business days as per Clause 47C). An amended guideline was published on our website in Q3 2024.
Making non-contestable revenue determinations	Clause 47D (s 38(10)(a))	The regulations prescribe the way the Regulator must make non-contestable revenue determinations.	The AER made a non-contestable revenue determination for all required components of the Waratah Super Battery project on 15 December 2023. This determination was made with consideration of Clause 47D of the regulations and is published on our website.
Making revenue determinations for contestable augmentation	Clause 47E (s 38(10)(a))	The Regulator must determine the amount for the components under the Act, section 38(2) for a revenue determination for a contestable augmentation in accordance with this clause 47E. The regulations prescribe the way the Regulator must make contestable revenue determinations.	The AER was not required to make a revenue determination for a contestable augmentation in FY2023-24.

Function area	Ref ^a	Function	Comments
Network operator to give information to Regulator	Clause 48 (s 38(10)(b) and (c))	The Regulator may require the provision of information from network operators.	We have issued a Regulatory Information Notice (RIN) to Transgrid for the non-contestable component of the Waratah Super Battery project in May 2023 and a response was provided in June 2023, and for the Paired Generation component in September 2023 with a response provided in October 2023. No other RINs were issued in FY2023-24, as no other revenue proposals were required to be submitted in this period.
Consultation with the Infrastructure Planner and Consumer Trustee	Clause 49 (s 38(10)(a))	The Regulator must consult the Infrastructure Planner before making a revenue determination. If the revenue determination relates to a REZ network infrastructure project, the Regulator must also consult the Consumer Trustee.	Our revenue determination for the Waratah Super Battery project did not require formal consultation with the Consumer Trustee as it was a priority transmission infrastructure project. However, EnergyCo (the relevant Infrastructure Planner for the project) was consulted on the revenue determinations, including the remade revenue determinations, for the Waratah Super Battery project, prior to them being made.
Timing for making revenue determinations	Clause 50 (s 38(10)(a))	Provides the timeframes within which the Regulator must make a revenue determination in relation to a network operator and details the requirements of the Regulator if it fails to meet the timeframes.	The non-contestable revenue determination for components of the Waratah Super Battery project was made within 126 business days of receiving the proposal from the Network Operator, in line with Clause 50 of the regulations. The revenue determination for the contestable components of the Waratah Super Battery project (Paired Generation Services) was made within 42 days of proposal receipt, in line with the regulations. Both were published on our website.
Components of non-contestable revenue determinations	Clause 50A (s 38(2)(d))	The regulations prescribe other components the Regulator is to include in a non-contestable revenue determination.	The AER made a non-contestable revenue determination for components of the Waratah Super Battery project on 15 December 2023. The determination included all required components, including those set out in Clause 50A of the regulations.
Adjustment of amount(s) included in revenue determination	Clauses 51 (ss 38(10)(f) and 40)	The regulations prescribe the type of provisions for adjustment of any amount included in a revenue determination, and the process for carrying out adjustments.	The revenue determination for the Paired Generation Services (contestable) component and the non-contestable components of the Waratah Super Battery project included the mechanisms of how the schedule of payments may be adjusted. These are published on our website. No adjustments have been carried out in FY2023-24.
Content	Clause 52 (s 38(10)(d))	Provides the content the Regulator must include in the revenue determinations.	The revenue determinations (the initial determination and the remade determination) for the Paired Generation Services (contestable) component included a schedule of amounts required to be paid to the network operator consistent with the term of the contractual arrangements. The revenue determination for the remade non-contestable component of the Waratah Super Battery also include a schedule of payments, along with the information required as set out in clause 52 of the EII Regulation. These were published on our website.

Function area	Ref ^a	Function	Comments
Publication	Clause 53(1)-(4) (s 38(10)(f))	The Regulator must publish the following on its website— (a) if a revenue determination is made or remade— (i) the revenue determination, and (ii) the reasons for making the revenue determination, (b) if an adjustment is made to a revenue determination under clause 51 that did not require the revenue determination to be reviewed and remade- an updated schedule of amounts required to be paid to the network operator. The revenue determination or schedule must be published as soon as reasonably practicable. The Regulator must consult with the Infrastructure Planner before publishing a revenue determination on its website. There are some exemptions to publishing in Clause 53(4).	The revenue determination for the Paired Generation Services (contestable) component was published in November 2023 including the reasons for making the revenue determination. The reviewed and remade determination was published in May 2024 outlining the reasons why the determination was reviewed and remade. The determinations were published on our website. . We did not make any adjustments to a revenue determination under clause 51. We consulted with EnergyCo (the Infrastructure Planner) before publishing the above determinations.
	Clause 53(5)-(6) (s 38(10)(f))	The Regulator may also publish on its website information given to the Regulator under clause 48 that relates to— (a) a non-contestable revenue determination, or (b) a determination under clause 47E(4) for a contestable augmentation. There are some restrictions on publishing this information in Clause 53(6).	We published the revenue proposal provided to us by Transgrid for the non-contestable element of the Waratah Super Battery project and supporting information. We did not receive a revenue proposal in relation to a contestable augmentation in FY 2023-24.
Review of errors in revenue determinations	Clause 54 (s 40)	The Regulator may review and remake a revenue determination to the extent necessary to correct— (a) a material error, misdescription or miscalculation, or (b) an error resulting from the provision of false or materially misleading information to the Regulator. The regulations prescribe the persons the Regulator must consult before reviewing or remaking a revenue determination under Clause 54(1).	We remade the Waratah Super Battery non-contestable revenue determination due to a material error on our part. Before remaking the Waratah Super Battery non-contestable revenue determination in June 2024, we consulted with the Network Operator (Transgrid), the Consumer Trustee (AEMO Services) and the Infrastructure Planner (EnergyCo). This fulfilled the requirements of clause 54 of the EII Regulations. We also consulted with the Scheme Financial Vehicle.
Applying for a cost recovery declaration	Clause 54C(1)&(3)(a)	The Regulator, as a 'relevant person' for the purposes of clause 54C, may apply to the Minister for a cost recovery declaration. The Regulator is to be consulted by the Minister before the Minister makes a cost recovery declaration.	We did not apply to the Minister for a cost recovery declaration in FY2023-24.
Consultee for annual audit plans	Clause 69(2)(a)	The Regulator (AER) as an 'audit subject' for the purposes of Part 13 of the EII Regulation, is to be consulted by the Regulator (IPART) if the Regulator (IPART) proposes to audit the Regulator (AER) under the plan.	The Regulator (IPART) consulted with the Regulator (AER) in April 2024, and the Regulator (AER) provided a response to the Regulator (IPART).

Function area	Ref ^a	Function	Comments
Consultee for scope of audits	Clause 71(2)(a)(i)	The Regulator (AER), as an audit subject for the purposes of Part 13 of the EII Regulation, is to be consulted by the Regulator (IPART) in determining the scope of the audit.	The Regulator (IPART) did not commence consultation on an audit scope in 2023-24.
Consultee for performance audit guidelines	Clause 72(4)(a)	The Regulator (AER), as an audit subject for the purposes of Part 13 of the EII Regulation, is to be consulted by the Regulator (IPART) in developing or reviewing the performance audit guidelines.	The Regulator (IPART) consulted with the Regulator (AER) in April 2024, and the Regulator (AER) provided a response to the Regulator (IPART).
Give information to the auditor	Clause 74	The Regulator (AER), as an audit subject for the purposes of Part 13 of the EII Regulation, must, if requested to do so by an auditor, provide information to the auditor that the auditor considers reasonably necessary for the audit.	The auditor did not request for information that it considers reasonably necessary for an audit in 2023-24.
Consultee for audit reports	Clause 75(2)(a)	The Regulator (AER), as an audit subject for the purposes of Part 13 of the EII Regulation, is to be consulted by the auditor before publishing an audit report.	The auditor did not commence consultation on an audit report in 2023-24.