

State Owned Corporations Act 1989
Direction

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I, Matthew Kean MP, Minister for Energy and Environment give the following Direction, with the approval of the Treasurer, under s20P of the *State Owned Corporations Act 1989*.



MATTHEW KEAN MP
Minister for Energy and Environment

Date: 28.2.20

1. Objective

The objective of this Direction is to direct the Board of Essential Energy to give effect to the NSW Government announcement of 20 August 2019.

2. When Direction takes effect

This Direction takes effect on the date on which it is signed.

3. Period of operation of Direction

This Direction remains in operation until 20 August 2020.

4. Who Direction is given to

This Direction is given to the Board.

5. What Direction requires

- a. Essential Energy is directed to not terminate the employment of any employee whose role is based in regional NSW where the termination is on the grounds of redundancy.
- b. This clause does not apply to the termination of employment where:
 - i. An employee has previously been notified of redundancy prior to 20 August 2019; and
 - ii. Essential Energy considers that a failure to grant redundancy would be unjust in the circumstances applying to a particular employee.
- c. For the avoidance of doubt, this Direction does not affect Essential Energy's capacity to discharge its legal obligations, including, arising from any representations or legal agreements Essential Energy has made to or with its employees prior to the operation of this Direction.
- d. When conducting recruitment or engaging contractors, Essential Energy is to use its best endeavours to employ or contract people in regional NSW in which there has been a net loss of roles since 2 July 2019 as result of the proposed reduction of 182 Essential Energy roles announced on that day.

6. Interpretation

In this Direction:

- a. the **Board** means the Board of Essential Energy.
- b. **Essential Energy** means the statutory State Owned Corporation constituted under the *State Owned Corporations Act 1989*.
- c. **regional NSW** means any city or town in NSW within Essential Energy's network and does not include Sydney.

This Direction constitutes a written direction under section 20P of the *State Owned Corporations Act 1989*.