

Queensland



GLADSTONE POWER STATION AGREEMENT AMENDMENT ACT 1994

Act No. 5 of 1994

Queensland



**GLADSTONE POWER STATION
AGREEMENT AMENDMENT ACT 1994**

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Queensland



**Gladstone Power Station Agreement
Amendment Act 1994**

Act No. 5 of 1994

An Act to amend the *Gladstone Power Station Agreement Act 1993*

[Assented to 7 March 1994]

The Parliament of Queensland enacts—**Short title**

1. This Act may be cited as the *Gladstone Power Station Agreement Amendment Act 1994*.

Act amended

2. This Act amends the *Gladstone Power Station Agreement Act 1993*.

Amendment of s 3 (Minister may make agreement substantially in form of agreement)

3. Section 3—

omit ‘31 December 1993’, *insert* ‘31 March 1994’.

Amendment of s 27 (Employees’ superannuation)

4. Section 27—

insert—

‘(2) Despite section 380(1) of the *Electricity Act 1976*, an employee—

- (a) to whom the subsection applied; and
- (b) who elected to transfer from the State Service Superannuation Fund to the State Public Sector Superannuation Scheme; and
- (c) who has been excepted from the State Public Sector Superannuation Scheme under section 3.4(4) of the *Superannuation (State Public Sector) Act 1990*; and
- (d) who is employed in the electricity supply industry;

becomes a member of the Queensland Electricity Supply Industry Employees’ Superannuation Scheme.’.

Amendment of Schedule

5. The Schedule to the *Gladstone Power Station Agreement Act 1993* is amended as set out in the Schedule to this Act.

SCHEDULE

AMENDMENTS TO SCHEDULE

section 5

1. Clause 1, definition “Interconnection and Power Pooling Agreement”, paragraphs (b) and (c)—

omit, insert—

- ‘(b) there will be Capacity Support (as defined in the agreement) provided by QEC to each of the Participants; and
- (c) there will be a pooling of energy between QEC and each of the Participants; and’.

2. Clause 1, definition “Long Term Investor”—

omit ‘Clause 18(e)’, insert ‘Clause 18(a)(iii)’.

3. Clause 1, definition “Pollution”—

omit ‘the following conditions’ insert ‘any of the following’.

4. Clause 1, definition “Pollution”, paragraph (a)—

omit ‘or conditions’ insert ‘or conditions making land’.

5. Clause 10(b)(i) and (ii)—

omit ‘90’, insert ‘60’.

6. Clause 16—

omit, insert—

‘16. Compliance with legislative requirements

- (a) All buildings at the GPS on the Date of Transfer are taken to comply with and to have complied with and not to breach and not to have breached any statute, by-law, regulation, licence or lawful order (whether current or repealed and whether or not binding on the Crown) applying to the construction, modification, extension, fire safety, occupation or use of those buildings.
- (b) All certificates and approvals which were required to be issued or given prior to the Date of Transfer (or which would have been required to be issued if QEC or Queensland Electricity Generating Board were not the Crown) under any statute, by-law, regulation, licence or lawful order (whether current or repealed) for the lawful construction, modification, extension, fire safety, occupation or use of all buildings at the GPS on the Date of Transfer are taken to have been duly issued or given.’.

7. Clause 22(b)(iii) (after ‘Agreement’)—

insert ‘(excluding the GPS Environmental Policy Schedule)’.

8. First Schedule, paragraph (a)(i)—

omit, insert—

- ‘(i) the maximum continuous capacity for Gladstone Power Station will be the Net Maximum Capacity (as defined in the Interconnection and Power Pooling Agreement) from time to time under the Interconnection and Power Pooling Agreement, together with the capacity of the gas turbine associated with the Gladstone Power Station (nominally of 14MW) but in any event the Gladstone Power Station must not exceed 6 operating units of a capacity each of nominally 280MW, together with the gas turbine of a capacity of nominally 14MW associated with the Gladstone Power Station;’.

9. Second Schedule, Part E, paragraph 5.3, definition “baseline uses”—

omit ‘later’, insert ‘other’.