

Queensland



**ELECTRICITY AND OTHER
LEGISLATION AMENDMENT
ACT 2003**

Act No. 28 of 2003



ELECTRICITY AND OTHER LEGISLATION AMENDMENT ACT 2003

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	8
2	Commencement	8
PART 2—AMENDMENT OF ELECTRICITY ACT 1994		
3	Act amended in pt 2 and sch 1	8
4	Replacement of s 20 (Exemptions from Act)	8
PART 6—EXEMPTIONS FROM ACT		
<i>Division 1—On-suppliers</i>		
<i>Subdivision 1—Preliminary</i>		
20	Definitions for div 1	9
<i>Subdivision 2—Exemptions</i>		
20A	Exemptions for on-suppliers	10
<i>Subdivision 3—On-supply agreements</i>		
20B	On-supply agreement	10
20C	Act prevails over on-supply agreement	11
<i>Subdivision 4—Preliminary disclosure requirements about common area charges</i>		
20D	Application of sdiv 4	11
20E	Preliminary consumption estimate	11
20F	Required contents for on-supply agreement	11
20G	Consequence of not complying with sdiv 4	12
<i>Subdivision 5—Individual metering</i>		
20H	Individual metering option	12
20I	Compensation for installation damage	13

20J	Maximum charge for metered supply	14
	<i>Subdivision 6—Disclosure requirements for common area consumption charges</i>	
20K	Application of sdiv 6	15
20L	Periodic consumption estimates.	15
20M	Audited statements.	15
20N	Content requirements for audited statement	15
	<i>Subdivision 7—On-suppliers who operate a private network</i>	
20O	Market Code exemption required	16
	<i>Division 2—Other exemptions</i>	
20P	Exemption for connection of generating plant not supplying electricity to transmission grid or supply network.	16
20Q	Exemptions for Queensland Rail	17
20R	Regulation may exempt person or thing from Act.	18
5	Amendment of s 33 (Additional condition not to buy and sell electricity).	18
6	Amendment of s 90 (Minister may decide retail price for non-contestable customers).	19
7	Insertion of new s 90A	19
	90A Obtaining relevant information for deciding prices or methodology for fixing prices	20
8	Amendment of s 116 (Authority to acquire land)	20
9	Amendment of s 137 (Entry to read meters etc.)	21
10	Amendment of s 146 (Appointment and qualifications).	21
11	Insertion of new ch 7, pt 2A	22
	PART 2A—POWERS OF INSPECTION OFFICERS	
	<i>Division 1—Entry of places</i>	
152A	Power to enter place.	22
	<i>Division 2—Procedure for entry</i>	
152B	Entry with consent	22
152C	Application for warrant	23
152D	Issue of warrant	24
152E	Special warrant.	24
152F	Warrant—procedure before entry	26

	<i>Division 3—General powers of inspection officers</i>	
	152G General powers after entering place	26
	152H Power to seize evidence	27
	152I Powers supporting seizure	28
	152J Receipt for seized thing	29
	152K Forfeiture of seized thing	29
	152L Return of seized thing	30
	152M Access to seized thing	30
12	Amendment of s 180 (Consideration of application for generation authority)	30
13	Amendment of s 182 (Amendment of generation authorities)	31
14	Amendment of s 183 (Amendment of conditions stated in generation authorities)	31
15	Replacement of s 184 (Generation authorities not transferable)	31
	<i>Division 3—Transfer of authority</i>	
	184 Transfer of generation authorities	31
	184A Application for transfer	31
	184B Consideration of application for transfer	32
	184C Notice of refusal to transfer generation authority	32
16	Amendment of s 189 (Consideration of application for authority)	32
17	Amendment of s 191 (Amendment of transmission authorities)	32
18	Amendment of s 192 (Amendment of conditions stated in transmission authorities)	33
19	Replacement of s 193 (Transmission authorities not transferable)	33
	<i>Division 3—Transfer of authority</i>	
	193 Transfer of transmission authorities	33
	193A Application for transfer	33
	193B Consideration of application for transfer	33
	193C Notice of refusal to transfer transmission authority	34
20	Amendment of s 197 (Consideration of application for authority)	34
21	Amendment of s 199 (Amendment of distribution authorities)	34
22	Amendment of s 200 (Amendment of conditions stated in distribution authorities)	34
23	Replacement of s 201 (Distribution authorities not transferable)	35

<i>Division 3—Transfer of authority</i>	
201	Transfer of distribution authorities 35
201A	Application for transfer 35
201C	Notice of refusal to transfer distribution authority 36
24	Amendment of s 205 (Consideration of application for authority) 36
25	Amendment of s 207 (Amendment of retail authorities) 36
26	Amendment of s 207A (Amendment of conditions stated in retail authorities) 36
27	Amendment of s 210 (Consideration of application for special approval) 36
28	Amendment of s 211A (Amendment of special approval) 37
29	Amendment of s 211B (Amendment of conditions stated in special approval) 37
30	Amendment of s 211C (Amendment of special approval and conditions by notice to holder of special approval) 37
31	Replacement of s 212 (Special approvals not transferable) 37
<i>Division 3—Transfer of special approval</i>	
212	Transfer of special approval 38
212A	Application for transfer 38
212B	Consideration of application for transfer 38
212C	Notice of refusal to transfer special approval 38
32	Insertion of new ch 14, pt 5 38
PART 5—TRANSITIONAL PROVISIONS FOR ELECTRICITY AND OTHER LEGISLATION AMENDMENT ACT 2003	
305	Existing on-supply agreements 39
306	Particular existing agreements about common area consumption 39
307	Existing exemptions from Act 39
33	Insertion of new division headings 39
34	Replacement of sch 1 (Appeals against administrative decisions) 40
SCHEDULE 1	
APPEALS AGAINST ADMINISTRATIVE DECISIONS	
35	Amendment of sch 5 (Dictionary) 42
PART 3—AMENDMENT OF INTEGRATED PLANNING ACT 1997	
36	Act amended in pt 3 43
37	Amendment of s 3.7.8 (When pt 7 does not apply) 43

38	Amendment of sch 8 (Assessable, self-assessable and exempt development)	43
39	Amendment of sch 10 (Dictionary).....	44
	PART 4—AMENDMENT OF INTEGRATED PLANNING AND OTHER LEGISLATION AMENDMENT ACT 2001	
40	Act amended in pt 4.	44
41	Amendment of s 84 (Replacement of sch 8 (Assessable, self-assessable and exempt development))	44
	SCHEDULE 1	45
	MINOR AND CONSEQUENTIAL AMENDMENTS OF ELECTRICITY ACT 1994	
	SCHEDULE 2	46
	NEW DIVISION HEADINGS FOR ELECTRICITY ACT 1994	

Queensland



Electricity and Other Legislation Amendment Act 2003

Act No. 28 of 2003

An Act to amend the *Electricity Act 1994*, the *Integrated Planning Act 1997* and the *Integrated Planning and Other Legislation Amendment Act 2001*

[Assented to 23 May 2003]

The Parliament of Queensland enacts—

PART 1—PRELIMINARY

1 Short title

This Act may be cited as the *Electricity and Other Legislation Amendment Act 2003*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

PART 2—AMENDMENT OF ELECTRICITY ACT 1994

3 Act amended in pt 2 and sch 1

This part and schedule 1 amend the *Electricity Act 1994*.

4 Replacement of s 20 (Exemptions from Act)

Section 20—

omit, insert—

‘PART 6—EXEMPTIONS FROM ACT

‘Division 1—On-suppliers

‘Subdivision 1—Preliminary

‘20 Definitions for div 1

‘In this division—

“accounting period”, for an on-supply agreement, means a period of 1 year beginning on a day fixed by the on-supplier.

“common area”, of an on-supplier’s premises, means a part of the premises that the on-supplier and each lessee or other person the on-supplier has given a right to use the premises have agreed is a common area of the premises.

Examples of a part of an on-supplier’s premises that may be a common area—

- community, entertainment, information and leisure facilities in a caravan park
- elevators, escalators and stairways
- fountains and gardens
- malls and walkways
- parking areas
- rest rooms and toilets.

“common area consumption”, for an on-supplier’s premises, means the whole or part of the electricity consumed in a common area of the on-supplier’s premises.

“first accounting period”, for an on-supply agreement, means the accounting period in which the agreement is made, or proposed to be made.

“on-supplier” means a person who—

- (a) is the owner or occupier of premises or has the right to use premises; and
- (b) supplies, or supplies and sells, electricity for use in the premises.

Examples of persons under paragraph (a)—

- an owner, occupier or a person who has a right to use a caravan park, exhibition centre, hostel, hotel, industrial park, lodging house, marina, market arcade, motel or shopping centre
- a relevant body corporate.

“on-supplier’s premises”, for a person who is an on-supplier, means the premises for which the person is an on-supplier.

“on-supply agreement” means an agreement made under section 20B.

“receiver” means a person who owns, occupies or has the right to use premises and to whom electricity is supplied, or supplied and sold, by an on-supplier for the premises.

‘Subdivision 2—Exemptions

‘20A Exemptions for on-suppliers

If an on-supplier complies with subdivisions 3 to 7, the on-supplier is exempted from sections 88A and 89.¹

‘Subdivision 3—On-supply agreements

‘20B On-supply agreement

‘(1) An on-supplier and a receiver may agree about how—

- (a) the on-supplier is to supply electricity to the receiver; or
- (b) the on-supplier may charge the receiver for common area consumption for the on-supplier’s premises.

‘(2) The agreement may state a charge or no charge for the supply or common area consumption.

‘(3) The agreement may be—

- (a) written or oral; or
- (b) made in any way permitted by law; or

¹ Sections 88A (Prohibition on operating supply network unless authorised) and 89 (Restriction on sale of electricity)

- (c) incorporated in a lease or other agreement between the on-supplier and the receiver.

‘20C Act prevails over on-supply agreement

‘If there is an inconsistency between an on-supply agreement and this Act, this Act prevails to the extent of the inconsistency.

‘Subdivision 4—Preliminary disclosure requirements about common area charges

‘20D Application of sdiv 4

‘This subdivision applies if—

- (a) a person (the **“prospective on-supplier”**) proposes to enter into an on-supply agreement as an on-supplier; and
- (b) under the agreement, the on-supplier will charge another person (the **“prospective receiver”**) for common area consumption for the on-supplier’s premises.

‘20E Preliminary consumption estimate

‘(1) The prospective on-supplier must, within a reasonable period before making the on-supply agreement, give the prospective receiver—

- (a) written notice of the accounting period that is to apply to the on-supply agreement; and
- (b) an estimate of the common area consumption for the first accounting period for the agreement.

‘(2) In deciding what is a reasonable period for subsection (1), regard must be had to whether the period is enough to allow the prospective receiver to estimate his or her liability for the common area consumption for the first accounting period for the agreement.

‘20F Required contents for on-supply agreement

‘(1) The prospective on-supplier must not enter into the on-supply agreement unless it provides for—

- (a) how the common area consumption is to be worked out; and
- (b) if the receiver is only required to pay part of the common area consumption—how that part is to be worked out.

‘(2) Subject to section 20G, failure to comply with subsection (1) does not invalidate the agreement.

‘20G Consequence of not complying with sdiv 4

‘(1) This section applies if the prospective on-supplier—

- (a) does not comply with section 20E(1) before entering into the on-supply agreement; or
- (b) enters into an on-supply agreement in contravention of section 20F.

‘(2) The receiver under the agreement may, by written notice to the on-supplier, terminate any liability that the receiver would, other than for this section, have had for common area consumption to which the agreement applies.

‘(3) However, the notice may be given only within 2 months after the agreement is made.

‘(4) A termination under this section ends any liability for common area consumption accrued or incurred under the agreement or otherwise at any time before or after the termination.

‘(5) To remove any doubt, it is declared that a termination under this section does not, of itself, affect any other liability of the receiver to the on-supplier under the agreement or another agreement.

‘(6) This section does not limit section 20A.

‘Subdivision 5—Individual metering

‘20H Individual metering option

‘(1) This section applies if an on-supply agreement for the supply and sale of electricity between an on-supplier and a receiver is in force.

‘(2) The receiver may, at any time—

- (a) elect, by written notice to the on-supplier, to be charged on the basis of the receiver's consumption of electricity supplied from the on-supplier, as measured by a meter; and
- (b) install the meter, at the receiver's expense.

'(3) However, the election has effect only if the installation is done in a way—

- (a) that complies with any reasonable written directions the on-supplier gives the receiver within 5 business days after the giving of the notice; or
- (b) if no written directions are given within the 5 business days—that is reasonable.

'(4) In deciding what is reasonable for subsection (3), regard must be had to the interests of the on-supplier and anyone who is an occupier of the on-supplier's premises.

'20I Compensation for installation damage

'(1) This section applies if—

- (a) a receiver has, under section 20H, given an on-supplier a written notice of election; and
- (b) the receiver installs a meter for electricity supplied from the on-supplier to the receiver; and
- (c) either—
 - (i) no written direction was given by the on-supplier under section 20H; or
 - (ii) the installation was done in a way that does not comply with the on-supplier's reasonable written directions under that section; or
 - (iii) the installation was not done in a way that is reasonable; and
- (d) a person as follows (the "**claimant**") suffers damage to property because of the installation—
 - (i) the on-supplier;
 - (ii) anyone who is an occupier of the on-supplier's premises.

'(2) Compensation for the damage is payable by the receiver to the claimant.

‘(3) The compensation may be claimed and recovered in a proceeding brought in a court of competent jurisdiction.

‘(4) A court may order payment of the compensation only if it is just to make the order in the circumstances of the particular case.

‘(5) In making the order the court must have regard to—

- (a) whether it was reasonable for the claimant to give the receiver an opportunity to fix the damage; and
- (b) if paragraph (a) applies—whether the receiver was given a reasonable period to fix the damage.

‘(6) This section does not limit a civil right or remedy that exists apart from this section, whether at common law or otherwise.

‘20J Maximum charge for metered supply

‘(1) This section applies if electricity supplied and sold by an on-supplier to a receiver is charged on the basis of the receiver’s electricity consumption as measured by a meter.

‘(2) However, this section does not apply to electricity that is common area consumption for the on-supplier’s premises.

‘(3) If there is a relevant retail entity for the supply, the rate of the charge must not be more than the lowest rate that the receiver would have paid for the consumption had the receiver been a non-contestable customer of the entity.

‘(4) If there is no relevant retail entity for the supply, the rate of charge must not be more than the lowest rate that the receiver would have paid for the consumption had the receiver been a non-contestable customer of the retail entity that sells electricity to the on-supplier.

‘(5) In working out the lowest rate for subsections (3) and (4), any cost of connecting the receiver’s premises to a supply network to allow the supply of electricity from the network to the premises must be disregarded.

‘(6) The on-supplier can not recover an amount for the consumption to the extent the amount has been worked out at a rate that is more than the lowest rate allowed under subsection (3) or (4).

‘(7) In this section—

“relevant retail entity”, for the supply, means a retail entity whose retail authority states an area in which the receiver’s premises are located.

‘Subdivision 6—Disclosure requirements for common area consumption charges

‘20K Application of sdiv 6

‘This subdivision applies if, under an on-supply agreement, the on-supplier may charge for common area consumption.

‘20L Periodic consumption estimates

‘(1) The on-supplier must, for each accounting period after the first accounting period for the agreement, give the receiver an estimate of the common area consumption for the on-supplier’s premises during the accounting period.

‘(2) An estimate for an accounting period must be given at least 1 month before the accounting period begins.

‘20M Audited statements

‘(1) The on-supplier must, for each accounting period, give the receiver audited statements of the common area consumption.

‘(2) A statement for an accounting period must—

- (a) comply with section 20N; and
- (b) be given within 3 months after the accounting period ends.

‘20N Content requirements for audited statement

‘Each audited statement under section 20M must—

- (a) comply with the standards in the statements of accounting and auditing standards made by the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia; and
- (b) be prepared by a person (the **“auditor”**) who is—
 - (i) registered, or taken to be registered, as an auditor under the Corporations Act; or

- (ii) a member of, and holds a practising certificate from, the Australian Society of Certified Practising Accountants or the Institute of Chartered Accountants in Australia; and
- (c) contain the auditor's opinion about whether the statement presents fairly the on-supplier's charges for the common area consumption during the period to which it relates, in accordance with the on-supplier's financial records; and
- (d) compare each relevant estimate given under this division with the amount actually spent by the on-supplier on the common area consumption during the period; and
- (e) compare the total amount actually spent by the on-supplier on common area consumption during the period with the amount actually paid for the period by anyone for the on-supplier's premises.

'Subdivision 7—On-suppliers who operate a private network

'200 Market Code exemption required

'An on-supplier must be exempt from the requirement under the Market Code, clause 2.5,² to be registered as a network service provider if the on-supplier—

- (a) operates a supply network located solely within the on-supplier's premises; and
- (b) supplies, or supplies and sells, electricity using the network.

'Division 2—Other exemptions

'20P Exemption for connection of generating plant not supplying electricity to transmission grid or supply network

'Section 87³ does not apply to the connection of a standby generating plant to a transmission grid or supply network if—

2 The Market Code, clause 2.5 (Network service provider)

3 Section 87 (Connection of generating plant to transmission grid or supply network only if authorised)

- (a) the connection is only when the operation of the plant is tested; and
- (b) electricity is not supplied by the plant into the grid or network.

‘20Q Exemptions for Queensland Rail

‘(1) Queensland Rail is exempted from sections 88A and 89⁴ in relation to the supply and sale of electricity to Airtrain Citylink Limited ACN 066 543 315 for electricity used—

- (a) in connection with the building or use of electrical installations and other works by Airtrain Citylink Limited, as part of a system of electric traction or for signalling purposes, on the Brisbane Airport Rail Link; or
- (b) for powering electric rolling stock and railway signals on the Brisbane Airport Rail Link.

‘(2) Queensland Rail is also exempted from sections 88A and 89 in relation to the supply and sale of electricity to a third party access holder for electricity used by the third party access holder—

- (a) in connection with the building or use of electrical installations and other works, as part of a system of electric traction or for signalling purposes, on the nominated network or connected to the nominated network; or
- (b) for powering electric rolling stock and railway signals on the nominated network or rail transport infrastructure owned by the third party access holder and connected to the network.

‘(3) In this section—

“**Airtrain Citylink Limited**” includes its successors and assigns.

“**Brisbane Airport Rail Link**” means the proposed railway shown on CMPS&F Pty Limited drawing no. RQ0159-C029 (F)⁵—

- starting at a point 0.313 km from Queensland Rail’s north coast rail line (defined on the drawing as the “**ownership transfer point**”)

4 Sections 88A (Prohibition on operating supply network unless authorised) and 89 (Restriction on sale of electricity)

5 A copy of the drawing is available for inspection at the offices of Queensland Transport, Level 12, Capital Hill Building, 85 George Street, Brisbane.

- finishing at the domestic terminal of Brisbane Airport.

“third party access holder” means a person who, under an arrangement with Queensland Rail, is entitled to access and use a nominated part of Queensland Rail’s rail transport infrastructure (the **“nominated network”**).

‘20R Regulation may exempt person or thing from Act

‘(1) If the Governor in Council considers it necessary because of an emergency or other extraordinary circumstances, a regulation may—

- (a) exempt a person or thing from this Act or a provision of this Act; and
- (b) impose conditions on the exemption; and
- (c) provide that the exemption ceases or continues if a condition of the exemption is contravened.

‘(2) The regulation expires 6 months after it commences, unless it is earlier repealed.

‘(3) A person must not contravene a condition of an exemption applying to the person.

Maximum penalty for subsection (3)—50 penalty units.’.

5 Amendment of s 33 (Additional condition not to buy and sell electricity)

(1) Section 33(1), after ‘authority’—

insert—

‘held by a transmission entity that operates a regulated transmission grid’.

(2) Section 33(3)—

omit, insert—

‘(3) In this section—

“**regulated transmission grid**” means a transmission grid that is subject to the regulatory arrangements for transmission service pricing under the Market Code, chapter 6.⁶.

6 Amendment of s 90 (Minister may decide retail price for non-contestable customers)

(1) Section 90, heading—

omit, insert—

‘**90 Deciding retail prices for non-contestable customers**’.

(2) Section 90(1)—

omit, insert—

‘(1) The Minister may—

(a) decide the prices, or the methodology for fixing the prices, that a retail entity may charge to provide the following to non-contestable customers—

(i) customer retail services;

(ii) other goods and services prescribed under a regulation; or

(b) delegate to the QCA all or part of the Minister’s powers under paragraph (a).’.

(3) Section 90(3), after ‘Minister’—

insert—

‘or the QCA (the “**pricing entity**”)’.

(4) Section 90(4) and (6), ‘Minister’—

omit, insert—

‘pricing entity’.

7 Insertion of new s 90A

After section 90—

insert—

6 Market Code, chapter 6 (Network pricing for transmission and distribution systems)

‘90A Obtaining relevant information for deciding prices or methodology for fixing prices

‘(1) A pricing entity may, in writing, ask a retail entity for relevant information the pricing entity requires to decide, under section 90, prices or a methodology for fixing prices for the retail entity.

‘(2) The retail entity must, within the reasonable period stated in the request, give the relevant information to the pricing entity.

Maximum penalty for subsection (2)—100 penalty units.’

8 Amendment of s 116 (Authority to acquire land)

(1) Section 116(1), ‘(an “**authorised electricity entity**”)’—
omit.

(2) Section 116—
insert—

‘(3A) On the commencement of this subsection, each of the following electricity entities is taken to be authorised, under subsection (1), to acquire any land for any works, including proposed works, for the period starting on the commencement and ending on the revocation of the authorisation under subsection (7)—

- (a) ENERGEX LIMITED ACN 078 849 055;
- (b) Ergon Energy;
- (c) QETC.’.

(3) Section 116(4), words before paragraph (a)—
omit, insert—

‘(4) The *Acquisition of Land Act 1967* applies to an authorised electricity entity acting under an authority given, or taken to be given, under subsection (1) as if—’.

(4) Section 116(5)—
omit, insert—

‘(5) The *Land Act 1994*, section 218⁷ applies to an authorised electricity entity as if it were a constructing authority.’.

⁷ *Land Act 1994*, section 218 (Resumption for constructing authorities)

(5) Section 116(6), ‘the authorised’—

omit, insert—

‘an authorised’.

(6) Section 116—

insert—

‘(7) To remove any doubt, it is declared that the Minister may, by gazette notice, amend or revoke an authorisation mentioned in subsection (3A).

‘(8) In this section—

“**authorised electricity entity**” means an entity authorised, or taken to be authorised, under subsection (1), to acquire land.’.

9 Amendment of s 137 (Entry to read meters etc.)

(1) Section 137—

insert—

‘(da) check any electrical equipment located at the electricity entity’s meter, including, for example, wiring and connections to the meter; or’.

(2) Section 137(da) and (e)—

renumber as section 137(e) and (f).

10 Amendment of s 146 (Appointment and qualifications)

(1) Section 146(1)(b)—

omit, insert—

‘(b) a public service officer;

(ba) an employee of—

(i) an electricity entity; or

(ii) an electricity entity’s subsidiary company;’.

(2) Section 146(1)(ba) and (c)—

renumber as section 146(c) and (d).

(3) Section 146(2), ‘subsection (1)(b) or (c)’—

omit, insert—

‘subsection (1)(b), (c) or (d)’.

11 Insertion of new ch 7, pt 2A

Chapter 7—

insert—

‘PART 2A—POWERS OF INSPECTION OFFICERS

‘Division 1—Entry of places

‘152A Power to enter place

‘(1) An inspection officer may enter a place if—

- (a) its occupier consents to the entry; or
- (b) it is a public place and the entry is made when it is open to the public; or
- (c) the entry is authorised by a warrant.

‘(2) For the purpose of asking the occupier of a place for consent to enter, an inspection officer may, without the occupier’s consent or a warrant—

- (a) enter land around premises at the place to an extent that is reasonable to contact the occupier; or
- (b) enter part of the place the inspection officer reasonably considers members of the public ordinarily are allowed to enter when they wish to contact the occupier.

‘Division 2—Procedure for entry

‘152B Entry with consent

‘(1) This section applies if an inspection officer intends to ask an occupier of a place to consent to the inspection officer or another inspection officer entering the place.

‘(2) Before asking for the consent, the inspection officer must tell the occupier—

- (a) the purpose of the entry; and
- (b) that the occupier is not required to consent.

‘(3) If the consent is given, the inspection officer may ask the occupier to sign an acknowledgment of the consent.

‘(4) The acknowledgment must state—

- (a) the occupier has been told—
 - (i) the purpose of the entry; and
 - (ii) that the occupier is not required to consent; and
- (b) the purpose of the entry; and
- (c) the occupier gives the inspection officer consent to enter the place and exercise powers under this part; and
- (d) the time and date the consent was given.

‘(5) If the occupier signs the acknowledgment, the inspection officer must immediately give a copy to the occupier.

‘(6) If—

- (a) an issue arises in a proceeding about whether the occupier consented to the entry; and
- (b) an acknowledgment complying with subsection (4) for the entry is not produced in evidence;

the onus of proof is on the person relying on the lawfulness of the entry to prove the occupier consented.

‘152C Application for warrant

‘(1) An inspection officer may apply to a magistrate for a warrant for a place.

‘(2) The application must be sworn and state the grounds on which the warrant is sought.

‘(3) The magistrate may refuse to consider the application until the inspection officer gives the magistrate all the information the magistrate requires about the application in the way the magistrate requires.

Example—

The magistrate may require additional information supporting the application to be given by statutory declaration.

‘152D Issue of warrant

‘(1) The magistrate may issue a warrant only if the magistrate is satisfied there are reasonable grounds for suspecting—

- (a) there is a particular thing or activity (the “**evidence**”) that may provide evidence of an offence against this Act; and
- (b) the evidence is at the place, or, within the next 7 days, may be at the place.

‘(2) The warrant must state—

- (a) that a stated inspection officer may, with necessary and reasonable help and force—
 - (i) enter the place and any other place necessary for entry; and
 - (ii) exercise the inspection officer’s powers under this part; and
- (b) the offence for which the warrant is sought; and
- (c) the evidence that may be seized under the warrant; and
- (d) the hours of the day or night when the place may be entered; and
- (e) the date, within 14 days after the warrant’s issue, the warrant ends.

‘152E Special warrant

‘(1) An inspection officer may apply for a warrant (a “**special warrant**”) by phone, fax, radio or another form of communication if the inspection officer considers it necessary because of—

- (a) urgent circumstances; or
- (b) other special circumstances, including, for example, the inspection officer’s remote location.

‘(2) Before applying for the special warrant, the inspection officer must prepare an application stating the grounds on which the warrant is sought.

‘(3) The inspection officer may apply for the special warrant before the application is sworn.

‘(4) After issuing the special warrant, the magistrate must immediately fax a copy (“**facsimile warrant**”) to the inspection officer if it is reasonably practicable to fax the copy.

‘(5) If it is not reasonably practicable to fax a copy to the inspection officer—

- (a) the magistrate must tell the inspection officer—
 - (i) what the terms of the special warrant are; and
 - (ii) the date and time the special warrant is issued; and
- (b) the inspection officer must complete a form of warrant (a “**warrant form**”) and write on it—
 - (i) the magistrate’s name; and
 - (ii) the date and time the magistrate issued the special warrant; and
 - (iii) the terms of the special warrant.

‘(6) The facsimile warrant, or the warrant form properly completed by the inspection officer, authorises the entry and the exercise of the other powers stated in the special warrant issued.

‘(7) The inspection officer must, at the first reasonable opportunity, send to the magistrate—

- (a) the sworn application; and
- (b) if the inspection officer completed a warrant form—the completed warrant form.

‘(8) On receiving the documents, the magistrate must attach them to the special warrant.

‘(9) If—

- (a) an issue arises in a proceeding about whether an exercise of a power was authorised by a special warrant; and
- (b) the warrant is not produced in evidence;

the onus of proof is on the person relying on the lawfulness of the exercise of the power to prove a special warrant authorised the exercise of the power.

‘152F Warrant—procedure before entry

‘(1) This section applies if an inspection officer named in a warrant issued under this part for a place is intending to enter the place under the warrant.

‘(2) Before entering the place, the inspection officer must do or make a reasonable attempt to do the following things—

- (a) identify himself or herself to a person present at the place who is an occupier of the place by producing a copy of the inspection officer’s identity card or other document evidencing the inspection officer’s appointment;
- (b) give the person a copy of the warrant or if the entry is authorised by a facsimile warrant or warrant form, a copy of the facsimile warrant or warrant form;
- (c) tell the person the inspection officer is permitted by the warrant to enter the place;
- (d) give the person an opportunity to allow the inspection officer immediate entry to the place without using force.

‘(3) However, the inspection officer need not comply with subsection (2) if the inspection officer believes on reasonable grounds that immediate entry to the place is required to ensure the effective execution of the warrant is not frustrated.

‘Division 3—General powers of inspection officers**‘152G General powers after entering place**

‘(1) This section applies to an inspection officer who enters a place.

‘(2) However, if an inspection officer enters a place to get the occupier’s consent to enter a place, this section applies to the inspection officer only if the consent is given or the entry is otherwise authorised.

‘(3) For monitoring and enforcing compliance with this Act, the inspection officer may—

- (a) search any part of the place; or
- (b) inspect, measure, test, photograph or film any part of the place or anything at the place; or

- (c) take a thing, or a sample of or from a thing, at the place for analysis or testing; or
- (d) copy a document at the place; or
- (e) take into or onto the place any persons, equipment and materials the inspection officer reasonably requires for exercising a power under this part; or
- (f) require a person at the place to give the inspection officer reasonable help to exercise the inspection officer's powers under paragraphs (a) to (e); or
- (g) require a person at the place to answer questions by the inspection officer to help the inspection officer ascertain whether this Act is being or has been complied with.

‘(4) When making a requirement mentioned in subsection (3)(f) or (g), the inspection officer must warn the person it is an offence to fail to comply with the requirement, unless the person has a reasonable excuse.

‘(5) A person given a requirement under subsection (3)(f) or (g) must comply with the requirement, unless the person has a reasonable excuse.

Maximum penalty for subsection (5)—100 penalty units.

‘(6) It is a reasonable excuse for the person to fail to comply with the requirement that complying with the requirement might tend to incriminate the person.

‘(7) A reasonable excuse does not include a matter of mere convenience.

‘152H Power to seize evidence

‘(1) An inspection officer who enters a place under this part, other than with a warrant, may seize a thing at the place if—

- (a) the inspection officer reasonably believes the thing is evidence of an offence against this Act; and
- (b) for an entry made with the occupier's consent—seizure of the thing is consistent with the purpose of entry as told to the occupier when asking for the occupier's consent.

‘(2) An inspection officer who enters a place with a warrant may seize the evidence for which the warrant was issued.

‘(3) An inspection officer may also seize anything else at a place the officer enters under this part if the officer reasonably believes—

- (a) the thing is evidence of an offence against this Act; and
- (b) the seizure is necessary to prevent the thing being hidden, lost or destroyed or used to continue or repeat the offence.

‘(4) Also, an inspection officer may seize a thing at a place the inspection officer enters under this part if the inspection officer reasonably believes it has just been used in committing an offence against this Act.

‘152I Powers supporting seizure

‘(1) Having seized a thing, an inspection officer may—

- (a) move the thing from the place where it was seized (the “**place of seizure**”); or
- (b) leave the thing at the place of seizure but take reasonable action to restrict access to it and, if the thing is electrical equipment, to disconnect it from its supply of electricity to the extent considered appropriate; or

Example—

Sealing the entrance to a room where the seized thing is situated and marking it to show access to it is restricted.

- (c) if the thing is electrical equipment—dismantle it or cause it to be dismantled.

‘(2) An inspection officer may direct an electricity entity to give the inspection officer the help the inspection officer reasonably requires to disconnect electrical equipment under subsection (1)(b).

‘(3) An electricity entity must comply with a direction under subsection (2).

‘(4) If an inspection officer restricts access to a seized thing, a person must not tamper, or attempt to tamper, with the thing or something restricting access to the thing without an inspection officer’s approval.

Maximum penalty for subsection (4)—100 penalty units.

‘(5) If an inspection officer disconnects seized electrical equipment from its supply of electricity, a person must not reconnect, or attempt to reconnect, the electrical equipment to a source of supply without an inspection officer’s approval.

Maximum penalty for subsection (5)—100 penalty units.

‘152J Receipt for seized thing

‘(1) As soon as practicable after an inspection officer seizes a thing, the inspection officer must give a receipt for it to the person from whom it was seized.

‘(2) However, if it is not practicable to comply with subsection (1), the inspection officer must leave the receipt in a conspicuous position and in a reasonably secure way at the place of seizure.

‘(3) The receipt must describe generally the thing seized and its condition.

‘(4) This section does not apply to a thing if it is impracticable or would be unreasonable to give the receipt required by the section, given the thing’s nature, condition and value.

‘152K Forfeiture of seized thing

‘(1) A seized thing is forfeited to the State if the inspection officer who seized the thing—

- (a) can not find its owner after making reasonable inquiries; or
- (b) can not return it to its owner, after making reasonable efforts; or
- (c) reasonably believes it is necessary to keep the thing to prevent it being used to commit an offence against this Act.

‘(2) Subsection (1)(a) does not require the inspection officer to make inquiries if it would be unreasonable to make inquiries to find the owner, and subsection (1)(b) does not require the inspection officer to make efforts if it would be unreasonable to make efforts to return the thing to its owner.

‘(3) If the inspection officer decides to forfeit a thing under subsection (1)(c), the inspection officer must tell the owner of the decision by written notice.

‘(4) Subsection (3) does not apply if—

- (a) the inspection officer can not find its owner, after making reasonable inquiries; or
- (b) it is impracticable or would be unreasonable to give the notice.

‘(5) The written notice must include a notice stating the following—

- (a) the reasons for the decision;
- (b) the rights of review or appeal under this Act;

- (c) the period in which the review or appeal must be started;
- (d) how the rights of review or appeal are to be exercised;
- (e) that a stay of the decision may be applied for under this Act.

‘(6) In deciding whether, and if so what, inquiries or efforts are reasonable, or whether it would be unreasonable to give notice about a thing, regard must be had to the thing’s nature, condition and value.

‘152L Return of seized thing

‘(1) If a seized thing has not been forfeited, the inspection officer must return it to its owner—

- (a) at the end of 6 months; or
- (b) if a proceeding for an offence involving it is started within 6 months, at the end of the proceeding and any appeal from the proceeding.

‘(2) However, unless the thing has been forfeited, the inspection officer must immediately return a thing seized as evidence to its owner if the inspection officer stops being satisfied its continued retention as evidence is necessary.

‘152M Access to seized thing

‘(1) Until a seized thing is forfeited or returned, an inspection officer must allow its owner to inspect it and, if it is a document, to copy it.

‘(2) Subsection (1) does not apply if it is impracticable or would be unreasonable to allow the inspection or copying.’.

12 Amendment of s 180 (Consideration of application for generation authority)

(1) Section 180(5), before paragraph (a)—

insert—

‘(aa) the objects of this Act; and’.

(2) Section 180(5)(aa) to (b)—

renumber as section 180(5)(a) to (c).

13 Amendment of s 182 (Amendment of generation authorities)

Section 182, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

14 Amendment of s 183 (Amendment of conditions stated in generation authorities)

Section 183, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

15 Replacement of s 184 (Generation authorities not transferable)

Section 184—

omit, insert—

‘Division 3—Transfer of authority

‘184 Transfer of generation authorities

‘The regulator may transfer a generation authority.

‘184A Application for transfer

‘(1) An application for the transfer of a generation authority must—

(a) be made to the regulator in the form approved by the regulator;
and

(b) be accompanied by the fee prescribed under a regulation.

‘(2) If asked in writing by the regulator, the applicant must give the further relevant information or evidence the regulator requires to decide the application.

‘184B Consideration of application for transfer

‘(1) The regulator must consider the application having regard to the objects of this Act and may transfer, or refuse to transfer, the generation authority.

‘(2) However, the regulator may transfer the authority only if satisfied—

- (a) the proposed transferee will operate the generating plant to which the authority relates; and
- (b) the proposed transferee is a suitable person to be a generation entity; and
- (c) the proposed transferee meets the additional criteria prescribed under a regulation.

‘(3) In deciding whether the proposed transferee is a suitable person to be a generation entity, the regulator may consider the matters mentioned in section 180(3) as if the proposed transferee were applying for the issue of the authority.

‘184C Notice of refusal to transfer generation authority

‘As soon as practicable after deciding to refuse to transfer the generation authority, the regulator must give the applicant a written notice informing the applicant of the refusal, the reasons for the refusal and the applicant’s right of appeal.’.

16 Amendment of s 189 (Consideration of application for authority)

(1) Section 189(5), before paragraph (a)—

insert—

‘(aa) the objects of this Act; and’.

(2) Section 189(5)(aa) to (b)—

renumber as section 189(5)(a) to (c).

17 Amendment of s 191 (Amendment of transmission authorities)

Section 191, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

18 Amendment of s 192 (Amendment of conditions stated in transmission authorities)

Section 192, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

19 Replacement of s 193 (Transmission authorities not transferable)

Section 193—

omit, insert—

‘Division 3—Transfer of authority**‘193 Transfer of transmission authorities**

‘The regulator may transfer a transmission authority.

‘193A Application for transfer

‘(1) An application for the transfer of a transmission authority must—

- (a) be made to the regulator in the form approved by the regulator; and
- (b) be accompanied by the fee prescribed under a regulation.

‘(2) If asked in writing by the regulator, the applicant must give the further relevant information or evidence the regulator requires to decide the application.

‘193B Consideration of application for transfer

‘(1) The regulator must consider the application having regard to the objects of this Act and may transfer, or refuse to transfer, the transmission authority.

‘(2) However, the regulator may transfer the authority only if satisfied—

- (a) the proposed transferee will operate the transmission grid to which the authority relates; and
- (b) the proposed transferee is a suitable person to be a transmission entity; and

- (c) the proposed transferee meets the additional criteria prescribed under a regulation.

‘(3) In deciding whether the proposed transferee is a suitable person to be a transmission entity, the regulator may consider the matters mentioned in section 189(3) as if the proposed transferee were applying for the issue of the authority.’

‘193C Notice of refusal to transfer transmission authority

‘As soon as practicable after deciding to refuse to transfer the transmission authority, the regulator must give the applicant a written notice informing the applicant of the refusal, the reasons for the refusal and the applicant’s right of appeal.’

20 Amendment of s 197 (Consideration of application for authority)

(1) Section 197(1), ‘entity’—

omit.

(2) Section 197(5), before paragraph (a)—

insert—

‘(aa) the objects of this Act; and’.

(3) Section 197(5)(aa) to (b)—

renumber as section 197(5)(a) to (c).

21 Amendment of s 199 (Amendment of distribution authorities)

Section 199, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

22 Amendment of s 200 (Amendment of conditions stated in distribution authorities)

Section 200, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

23 Replacement of s 201 (Distribution authorities not transferable)

Section 201—

omit, insert—

‘Division 3—Transfer of authority**‘201 Transfer of distribution authorities**

‘The regulator may transfer a distribution authority.

‘201A Application for transfer

‘(1) An application for the transfer of a distribution authority must—

- (a) be made to the regulator in the form approved by the regulator;
and
- (b) be accompanied by the fee prescribed under a regulation.

‘(2) If asked in writing by the regulator, the applicant must give the further relevant information or evidence the regulator requires to decide the application.

201B Consideration of application for transfer

‘(1) The regulator must consider the application having regard to the objects of this Act and may transfer, or refuse to transfer, the distribution authority.

‘(2) However, the regulator may transfer the authority only if satisfied—

- (a) the proposed transferee will operate the supply network to which the authority relates; and
- (b) the proposed transferee is a suitable person to be a distribution entity; and
- (c) the proposed transferee meets the additional criteria prescribed under a regulation.

‘(3) In deciding whether the proposed transferee is a suitable person to be a distribution entity, the regulator may consider the matters mentioned in section 197(3) as if the proposed transferee were applying for the issue of the authority.

‘201C Notice of refusal to transfer distribution authority

‘As soon as practicable after deciding to refuse to transfer the distribution authority, the regulator must give the applicant a written notice informing the applicant of the refusal, the reasons for the refusal and the applicant’s right of appeal.’.

24 Amendment of s 205 (Consideration of application for authority)

(1) Section 205(6), before paragraph (a)—

insert—

‘(aa) the objects of this Act; and’.

(2) Section 205(6)(aa) to (b)—

renumber as section 205(6)(a) to (c).

25 Amendment of s 207 (Amendment of retail authorities)

Section 207, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

26 Amendment of s 207A (Amendment of conditions stated in retail authorities)

Section 207A, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

27 Amendment of s 210 (Consideration of application for special approval)

Section 210(2)—

omit, insert—

‘(2) Sections 180(2) to (7), 189(2) to (6), 197(2) to (7) and 205(2) to (8), to the extent the provisions are relevant to the proposed activities, apply to the giving of the approval as if the application were for the issue of a relevant authority.’

‘(3) In this section—

“**proposed activities**” means the activities proposed to be performed under the special approval.

“**relevant authority**” means a generation, transmission, distribution or retail authority the applicant would otherwise be required to hold to perform the proposed activities.’.

28 Amendment of s 211A (Amendment of special approval)

Section 211A, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

29 Amendment of s 211B (Amendment of conditions stated in special approval)

Section 211B, after ‘agreement’—

insert—

‘and after considering the objects of this Act’.

30 Amendment of s 211C (Amendment of special approval and conditions by notice to holder of special approval)

Section 211C—

insert—

‘(3) This section does not affect the power to amend under sections 211A and 211B.’.

31 Replacement of s 212 (Special approvals not transferable)

Section 212—

omit, insert—

‘Division 3—Transfer of special approval**‘212 Transfer of special approval**

‘The regulator may transfer a special approval.

‘212A Application for transfer

‘(1) An application for the transfer of a special approval must—

- (a) be made to the regulator in the form approved by the regulator; and
- (b) be accompanied by the fee prescribed under a regulation.

‘(2) If asked in writing by the regulator, the applicant must give the further relevant information or evidence the regulator requires to decide the application.

‘212B Consideration of application for transfer

‘(1) The regulator must consider the application having regard to the objects of this Act and may transfer, or refuse to transfer, the special approval.

‘(2) However, the regulator may transfer the special approval only if satisfied the proposed transferee is a suitable person to hold the special approval.

‘(3) In deciding whether the proposed transferee is a suitable person to hold the special approval, the regulator may consider the matters the regulator considers appropriate.

‘212C Notice of refusal to transfer special approval

‘As soon as practicable after deciding to refuse to transfer the special approval, the regulator must give the applicant a written notice informing the applicant of the refusal, the reasons for the refusal and the applicant’s right of appeal.’.

32 Insertion of new ch 14, pt 5

After chapter 14, part 4, first occurring—

insert—

**‘PART 5—TRANSITIONAL PROVISIONS FOR
ELECTRICITY AND OTHER LEGISLATION
AMENDMENT ACT 2003**

‘305 Existing on-supply agreements

‘(1) This section applies to an on-supply agreement under the *Electricity Regulation 1994* that is in force immediately before the commencement of this section.

‘(2) From the commencement, the agreement is taken to be an on-supply agreement under this Act.

‘306 Particular existing agreements about common area consumption

‘Chapter 1, part 6, division 1, subdivisions 4 and 6 do not apply to an on-supply agreement made before 13 October 2000.

‘307 Existing exemptions from Act

‘(1) This section applies to an exemption from this Act given by the *Electricity Regulation 1994* and in force immediately before the commencement of this section.

‘(2) From the commencement, the exemption continues in force as if it were given under the following section of this Act—

- (a) for an exemption for connection of generating plant not supplying electricity to a transmission grid or supply network—section 20P;
- (b) for an exemption for Brisbane Airport Rail Link—section 20Q(1);
- (c) for an exemption for an on-supplier—section 20A.’.

33 Insertion of new division headings

Immediately before a section mentioned in schedule 2, column 1, insert the division heading set out opposite in schedule 2, column 2.

34 Replacement of sch 1 (Appeals against administrative decisions)

Schedule 1—

*omit, insert—***‘SCHEDULE 1****‘APPEALS AGAINST ADMINISTRATIVE DECISIONS**

sections 214(1), 216(1) and 219

**‘PART 1—DECISIONS ABOUT AUTHORITIES AND
SPECIAL APPROVALS**

Section	Description of decision	Court
180(1)	Refusal to issue generation authority	Supreme
27(b)(vii)	Stating conditions in generation authority	Supreme
184B(1)	Refusal to transfer a generation authority	Supreme
189(1)	Refusal to issue transmission authority	Supreme
31(a)(vi)	Stating conditions in transmission authority	Supreme
193B(1)	Refusal to transfer a transmission authority	Supreme
197(1)	Refusal to issue distribution authority	Supreme
201B(1)	Refusal to transfer a distribution authority	Supreme

Section	Description of decision	Court
202	Refusal to agree to surrender of distribution authority	Supreme
42(a)(v)	Stating conditions in distribution authority	Supreme
205(1)	Refusal to issue retail authority	Supreme
207C	Refusal to agree to surrender of retail authority	Supreme
55D(g)	Stating conditions in retail authority	Supreme
210(1)	Refusal to give special approval	District
60(1)(a)(v)	Stating conditions in special approval	District
212B(1)	Refusal to transfer a special approval	District

‘PART 2—OTHER DECISIONS

Section	Description of decision	Court
40	Decision by distribution entity that it does not have an obligation to supply	District
49	Decision by retail entity that it does not have an obligation to supply	District
64E(1)	Working out of contribution or user-pays fee	Magistrates
130(2)	Authorisation to take over operation of electricity entity’s operating works	Supreme

Section	Description of decision	Court
133(5)	Decision that an electricity entity has a prohibited interest that must be disposed of	Supreme
134	Disciplinary action taken against electricity entity	Supreme
138(3)	Disconnection of supply if entry refused	Magistrates
141	Disconnection of supply to works or installation on safety grounds	Magistrates
152K(1)(c)	Forfeiture of something	Magistrates
154(1)	Disconnection of supply for contravening electricity restriction regulation or emergency rationing order	Magistrates
154(2) or (3)	Refusal to reconnect supply	Magistrates
176(1)	Requirement to remove works built in contravention of Act	Magistrates’.

35 Amendment of sch 5 (Dictionary)

(1) Schedule 5, definition “Country Energy”—
omit.

(2) Schedule 5—
insert—

‘**“accounting period”**, for an on-supply agreement, see section 20.

“common area”, of an on-supplier’s premises, see section 20.

“common area consumption”, see section 20.

“Country Energy” means Country Energy established under the *Energy Services Corporations Act 1995* (NSW).

“first accounting period”, for an on-supply agreement, see section 20.

“**on-supplier**” see section 20.

“**on-supplier’s premises**” see section 20.

“**on-supply agreement**” see section 20.

“**pricing entity**” see section 90(3).

“**prospective on-supplier**” see section 20D(a).

“**prospective receiver**” see section 20D(b).

“**receiver**”, see section 20.’.

(3) Schedule 5, definition “QETC”, after ‘Corporation’—

insert—

‘Limited ACN 078 849 233’.

PART 3—AMENDMENT OF INTEGRATED PLANNING ACT 1997

36 Act amended in pt 3

This part amends the *Integrated Planning Act 1997*.

37 Amendment of s 3.7.8 (When pt 7 does not apply)

Section 3.7.8(1)(a) and (b), after ‘under that Act,’—

insert—

‘or an authorised electricity entity,’.

38 Amendment of sch 8 (Assessable, self-assessable and exempt development)

(1) Schedule 8, part 1, item 4(c) and (d), after ‘under that Act,’—

insert—

‘or an authorised electricity entity,’.

(2) Schedule 8, part 3, item 15(e) and (f), after ‘under that Act,’—

insert—

‘or an authorised electricity entity,’.

39 Amendment of sch 10 (Dictionary)

Schedule 10—

insert—

‘**“authorised electricity entity”** means an entity authorised, or taken to be authorised, under the *Electricity Act 1994*, section 116(1), to acquire land.’.

PART 4—AMENDMENT OF INTEGRATED PLANNING AND OTHER LEGISLATION AMENDMENT ACT 2001

40 Act amended in pt 4

This part amends the *Integrated Planning and Other Legislation Amendment Act 2001*.

41 Amendment of s 84 (Replacement of sch 8 (Assessable, self-assessable and exempt development))

(1) Section 84, in inserted schedule 8, part 1, item 3(c) and (d), after ‘under that Act,’—

insert—

‘or an authorised electricity entity,’.

(2) Section 84, in inserted schedule 9, item 7(c) and (d), after ‘under that Act,’—

insert—

‘or an authorised electricity entity,’.

SCHEDULE 1**MINOR AND CONSEQUENTIAL AMENDMENTS OF
ELECTRICITY ACT 1994**

section 3

- 1 Section 257A—**
omit.

- 2 Chapter 14, part 4, second occurring—**
renumber as chapter 14, part 6.

- 3 Section 304, second occurring—**
renumber as section 308.

SCHEDULE 2**NEW DIVISION HEADINGS FOR ELECTRICITY
ACT 1994**

section 33

Column 1	Column 2
Section	Division heading
178	Division 1—Issue of generation authority
182	Division 2—Amendment of generation authority
185	Division 4—Surrender of generation authority
186	Division 1—Issue of transmission authority
191	Division 2—Amendment of transmission authority
194	Division 4—Surrender of transmission authority
195	Division 1—Issue of distribution authority
199	Division 2—Amendment of distribution authority
202	Division 4—Surrender of distribution authority
203	Division 1—Issue of retail authority
207	Division 2—Amendment of retail authority
207B	Division 3—Other matters about retail authorities
208	Division 1—Giving of special approval
211A	Division 2—Amendment of special approval
213	Division 4—Surrender of special approval



© State of Queensland 2003