



Queensland

Queensland Competition Authority Regulation 2018

Subordinate Legislation 2018 No. 125

made under the

Queensland Competition Authority Act 1997

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1 Short title

This regulation may be cited as the *Queensland Competition Authority Regulation 2018*.

2 Declaration of monopoly business activity—Act, s 20

(1) For section 20(1) of the Act, the government business activity of providing water and sewerage services by each of the following is declared to be a monopoly business activity—

- (a) Bundaberg Regional Council;
- (b) Cairns Regional Council;
- (c) Gold Coast City Council;
- (d) Logan City Council;
- (e) Mackay Regional Council;
- (f) Queensland Urban Utilities;
- (g) Redland City Council;
- (h) Rockhampton Regional Council;
- (i) Toowoomba Regional Council;
- (j) Townsville City Council;
- (k) Unitywater.

(2) In this section—

Queensland Urban Utilities means the Central SEQ Distributor-Retailer Authority established under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 8.

Unitywater means the Northern SEQ Distributor-Retailer Authority established under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 8.

3 Fees—Act, s 245

- (1) For section 245(2) of the Act, the fee payable to the authority for providing a service or performing a function mentioned in schedule 1 is the amount—
 - (a) the authority considers to be reasonable; and
 - (b) that is not more than the reasonable cost of providing the service or performing the function.
- (2) The amount may be recovered as a debt payable to the authority.

4 Repeal

The Queensland Competition Authority Regulation 2007, SL No. 207 is repealed.

5 Queensland Competition Authority Regulation 2007 references

A reference in any document to the *Queensland Competition Authority Regulation 2007* may, if the context permits, be taken to be a reference to this regulation.

Schedule 1 Services and functions for which fees are payable

section 3

- 1 each of the following services about pricing practices relating to a monopoly business activity under part 3, division 3 of the Act—
 - (a) giving advice;
 - (b) conducting an investigation;
 - (c) monitoring
- 2 if requested by a government agency or another person carrying on a monopoly business activity—giving advice about pricing practices relating to the activity under part 3, division 5 of the Act
- 3 considering a request to recommend, under part 5, division 2 of the Act—
 - (a) that a particular service be declared by the Minister; or
 - (b) that a declaration be revoked
- 4 mediating an access dispute under part 5, division 5, subdivision 2A of the Act
- 5 arbitrating an access dispute, including making an access determination, under part 5, division 5, subdivision 3 of the Act
- 6 preparing or approving a draft access undertaking under part 5, division 7 of the Act
- 7 preparing or approving a draft access undertaking amending an approved access undertaking under part 5, division 7 of the Act
- 8 withdrawing an approved access undertaking under part 5, division 7 of the Act

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- 9 performing any other function of the authority under part 5, division 7 of the Act, other than a function mentioned in item 6, 7 or 8
 - 10 preparing or revising a cost allocation manual under part 5, division 9 of the Act
 - 11 considering a request to recommend, under part 5A, division 2 of the Act—
 - (a) that a particular candidate water supply activity be declared by the Minister to be a monopoly water supply activity; or
 - (b) that a declaration be revoked
 - 12 performing any function of the authority under part 5A, division 2, subdivision 7 of the Act, including making a water pricing determination for a monopoly water supply activity
 - 13 taking action under part 5A, division 6, subdivision 2 of the Act
 - 14 performing a function given to the authority under the *Electricity Act 1994*, the National Electricity (Queensland) Law, the National Electricity (Queensland) Regulations, the *National Energy Retail Law (Queensland) Act 2014* or the National Energy Retail Law (Queensland)
 - 15 conducting an arbitration hearing about an application for arbitration under the *Water Supply (Safety and Reliability) Act 2008*, section 524(2)
 - 16 if directed by the Minister—monitoring compliance by a government agency, or conducting an arbitration hearing for resolving a dispute about a government agency’s compliance, with a code of conduct the agency has agreed to abide by
 - 17 performing any other function given to the authority under another Act

ENDNOTES

- 1 Made by the Governor in Council on 23 August 2018.
- 2 Notified on the Queensland legislation website on 24 August 2018.
- 3 The administering agency is Queensland Treasury.

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