



Queensland

# **Electricity and Other Legislation (Batteries and Premium Feed-in Tariff) Amendment Bill 2017**





Queensland

# Electricity and Other Legislation (Batteries and Premium Feed-in Tariff) Amendment Bill 2017

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title .....	4
2	Commencement .....	4
<b>Part 2</b>	<b>Amendment of Electricity Act 1994</b>	
3	Act amended .....	4
4	Amendment of s 23 (Customers and their types) .....	4
5	Amendment of s 44A (Additional condition to allow credit for electricity produced by small photovoltaic generators) .....	5
6	Insertion of new ch 14, pt 18 .....	6
	Part 18 Transitional provision for Electricity and Other Legislation (Batteries and Premium Feed-in Tariff) Amendment Act 2017	
	360 Application of s 44A .....	7
7	Amendment of sch 5 (Dictionary) .....	8
<b>Part 3</b>	<b>Amendment of Energy and Water Ombudsman Act 2006</b>	
8	Act amended .....	8
9	Amendment of s 6 (Who is a small customer (energy)) .....	8
10	Amendment of s 12 (Restrictions on functions—energy entities)	9



**2017**

---

**A Bill**

for

***An Act to amend the *Electricity Act 1994* and the *Energy and Water Ombudsman Act 2006* for particular purposes***

---

**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3

This Act may be cited as the *Electricity and Other Legislation  
(Batteries and Premium Feed-in Tariff) Amendment Act 2017*. 4  
5

**Clause 2 Commencement** 6

(1) Part 2, other than sections 4 and 7, is taken to have  
commenced on the day the Bill for this Act was introduced  
into the Legislative Assembly. 7  
8  
9

(2) The following provisions commence on 1 December 2017— 10

(a) sections 4 and 7; 11

(b) part 3. 12

**Part 2 Amendment of Electricity Act  
1994** 13  
14

**Clause 3 Act amended** 15

This part amends the *Electricity Act 1994*. 16

**Clause 4 Amendment of s 23 (Customers and their types)** 17

(1) Section 23(2)— 18

*omit*. 19

(2) Section 23(3) to (5)— 20

*renumber* as section 23(2) to (4). 21

---

<b>Clause 5</b>	<b>Amendment of s 44A (Additional condition to allow credit for electricity produced by small photovoltaic generators)</b>	1 2
(1)	Section 44A(1)(a), ‘a premises’—	3
	<i>omit, insert—</i>	4
	premises	5
(2)	Section 44A(1)(b)(i), ‘authority’s’—	6
	<i>omit, insert—</i>	7
	entity’s	8
(3)	Section 44A—	9
	<i>insert—</i>	10
	(1A) However, the condition mentioned in subsection (1)(b) stops applying in relation to a qualifying customer if—	11 12 13
	(a) the maximum output of the component of the customer’s qualifying generator that generates electricity exceeds, in aggregate, the approved total rated inverter capacity of the generator; or	14 15 16 17 18
	(b) the customer installs an electricity storage device as part of the electrical installation supplied by the customer’s qualifying generator in a way that enables the device to supply electricity to—	19 20 21 22 23
	(i) the electrical installation at the same time as the qualifying generator, other than during a supply interruption; or	24 25 26
	(ii) the distribution entity’s supply network; or	27 28
	(c) the customer installs 1 or more generators (each an <b>additional generator</b> ) as part of the electrical installation supplied by the customer’s qualifying generator in a way	29 30 31 32

	that enables the additional generator to supply electricity to—	1 2
	(i) the electrical installation at the same time as the qualifying generator, other than during a supply interruption; or	3 4 5
	(ii) the distribution entity's supply network.	6 7
(1B)	If, because of the operation of subsection (1A), a qualifying customer stops being entitled to be credited with a prescribed credit amount under subsection (1)(b), that subsection no longer applies to the distribution entity in relation to that customer.	8 9 10 11 12 13
(4)	Section 44A—	14
	<i>insert—</i>	15
	(6) In this section—	16
	<i>approved total rated inverter capacity</i> , of a customer's qualifying generator, means the total rated inverter capacity of the generator approved by the distribution entity for the purposes of complying with the condition mentioned in subsection (1)(b).	17 18 19 20 21 22
	<i>electricity storage device</i> means a device capable of storing energy and releasing the energy as electricity.	23 24 25
	<i>supply interruption</i> means an interruption in the supply, by a distribution entity through the entity's supply network, of electricity to a qualifying customer's electrical installation.	26 27 28 29
<b>Clause 6</b>	<b>Insertion of new ch 14, pt 18</b>	30
	Chapter 14—	31
	<i>insert—</i>	32



---

<b>Part 18</b>	<b>Transitional provision for Electricity and Other Legislation (Batteries and Premium Feed-in Tariff) Amendment Act 2017</b>	1 2 3 4 5 6
<b>360 Application of s 44A</b>		7
(1)	Despite section 328, section 44A(1A), (1B) and (6) applies in relation to a qualifying customer who is a small customer mentioned in section 328.	8 9 10
(2)	Section 44A(1A)(a) does not apply in relation to a qualifying customer for an oversizing modification of a qualifying generator made before the commencement.	11 12 13 14
(3)	Section 44A(1A)(b) does not apply in relation to a qualifying customer if the customer—	15 16
(a)	installed the electricity storage device before the commencement; or	17 18
(b)	entered into a contract for the installation of the electricity storage device before the commencement, and the device is installed after the commencement.	19 20 21 22
(4)	Section 44A(1A)(c) does not apply in relation to a qualifying customer if the customer—	23 24
(a)	installed the additional generator before the commencement; or	25 26
(b)	entered into a contract for the installation of the additional generator before the commencement, and the generator is installed after the commencement.	27 28 29 30
(5)	In this section—	31
	<i>oversizing modification</i> , of a qualifying	32

---

	generator, means a modification of the generator	1
	so it becomes, or continues to be, a generator	2
	described in section 44A(1A)(a).	3
<b>Clause 7</b>	<b>Amendment of sch 5 (Dictionary)</b>	4
	(1) Schedule 5, definition <i>excluded customer</i> , ‘section 23(5)’—	5
	<i>omit, insert—</i>	6
	section 23(4)	7
	(2) Schedule 5, definition <i>large customer</i> , ‘section 23(3)’—	8
	<i>omit, insert—</i>	9
	section 23(2)	10
	(3) Schedule 5, definition <i>small customer</i> , ‘section 23(4)’—	11
	<i>omit, insert—</i>	12
	section 23(3)	13
<b>Part 3</b>	<b>Amendment of Energy and</b>	14
	<b>Water Ombudsman Act 2006</b>	15
<b>Clause 8</b>	<b>Act amended</b>	16
	This part amends the <i>Energy and Water Ombudsman Act</i>	17
	2006.	18
<b>Clause 9</b>	<b>Amendment of s 6 (Who is a <i>small customer (energy)</i>)</b>	19
	(1) Section 6—	20
	<i>insert—</i>	21
	(2A) In addition, a person is a small customer (energy)	22
	if the person is both—	23
	(a) an eligible non-residential energy customer;	24
	and	25

---

	(b) a receiver of an on-supplier under an energy Act.	1 2
(2)	Section 6(4)— <i>omit, insert—</i>	3 4
	(4) To remove any doubt, it is declared that a person is not a small customer (energy) if the person is a receiver of an on-supplier under an energy Act but is not—	5 6 7 8
	(a) a small customer under an energy Act; or	9
	(b) an eligible non-residential energy customer.	10
<b>Clause 10</b>	<b>Amendment of s 12 (Restrictions on functions—energy entities)</b>	11 12
(1)	Section 12(1)— <i>insert—</i>	13 14
	(ca) disputes between a small customer under an energy Act, or an eligible non-residential energy customer, and an on-supplier under an energy Act;	15 16 17 18
(2)	Section 12(1)(ca) to (g)— <i>renumber</i> as section 12(1)(d) to (h).	19 20