



Queensland

Electricity and Other Legislation (Batteries and Premium Feed-in Tariff) Amendment Bill 2018



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2018

A Bill

for

An Act to amend the *Electricity Act 1994*, the *Energy and Water Ombudsman Act 2006* and the *National Energy Retail Law (Queensland) Act 2014* 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 2018*. 4
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Clause 2 Commencement 6

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
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**Part 2 Amendment of Electricity Act
1994** 10
11

Clause 3 Act amended 12

This part amends the *Electricity Act 1994*. 13

Clause 4 Amendment of s 23 (Customers and their types) 14

(1) Section 23(2)— 15

omit. 16

(2) Section 23(3) to (5)— 17

renumber as section 23(2) to (4). 18

**Clause 5 Amendment of s 44A (Additional condition to allow credit
for electricity produced by small photovoltaic generators)** 19
20

(1) Section 44A(1)(a), ‘a premises’— 21

<i>omit, insert—</i>	1
premises	2
(2) Section 44A(1)(b)(i), ‘authority’s’—	3
<i>omit, insert—</i>	4
entity’s	5
(3) Section 44A—	6
<i>insert—</i>	7
(1A) However, the condition mentioned in subsection (1)(b) stops applying in relation to a qualifying customer if—	8 9 10
(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	11 12 13 14 15
(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—	16 17 18 19 20
(i) the electrical installation at the same time as the qualifying generator, other than during a supply interruption; or	21 22 23
(ii) the distribution entity’s supply network; or	24 25
(c) the customer installs 1 or more generators (each an additional generator) as part of the electrical installation supplied by the customer’s qualifying generator in a way that enables the additional generator to supply electricity to—	26 27 28 29 30 31
(i) the electrical installation at the same time as the qualifying generator, other than during a supply interruption; or	32 33 34

	(ii) the distribution entity's supply network.	1 2
	(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.	3 4 5 6 7 8
(4)	Section 44A— <i>insert</i> —	9 10
	(6) In this section— <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). <i>electricity storage device</i> means a device capable of storing energy and releasing the energy as electricity. <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.	11 12 13 14 15 16 17 18 19 20 21 22 23 24
Clause 6	Insertion of new ch 14, pt 18	25
	Chapter 14— <i>insert</i> —	26 27

Part 18	Transitional provision	1
	for Electricity and	2
	Other Legislation	3
	(Batteries and Premium	4
	Feed-in Tariff)	5
	Amendment Act 2018	6

360 Application of s 44A	7
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- | | |
|---|----------------------|
| (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
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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
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| (3) Section 44A(1A)(b) does not apply in relation to a qualifying customer if the customer— | 15
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| (a) installed the electricity storage device before the commencement; or | 17
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| (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
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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
Clause 7	Amendment of sch 5 (Dictionary)	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
Part 3	Amendment of Energy and	14
	Water Ombudsman Act 2006	15
Clause 8	Act amended	16
	This part amends the <i>Energy and Water Ombudsman Act</i>	17
	<i>2006</i> .	18
Clause 9	Amendment of s 6 (Who is a <i>small customer (energy)</i>)	19
	Section 6(4)—	20
	<i>omit.</i>	21
Clause 10	Amendment of s 6D (Who is a <i>relevant energy customer</i>)	22
	Section 6D—	23
	<i>insert—</i>	24

	(2) However, a person who, under an energy Act, is a receiver of an on-supplier for premises is not a relevant energy customer in relation to the premises unless the person is—	1 2 3 4
	(a) a small customer under an energy Act in relation to the premises; or	5 6
	(b) an eligible non-residential energy customer in relation to the premises.	7 8
Clause 11	Amendment of s 12 (Restrictions on functions—energy entities)	9 10
	(1) Section 12(1)— <i>insert—</i>	11 12
	(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;	13 14 15 16
	(2) Section 12(1)(ca) to (g)— <i>renumber</i> as section 12(1)(d) to (h).	17 18
Part 4	Amendment of National Energy Retail Law (Queensland) Act 2014	19 20 21
Clause 12	Act amended	22
	This part amends the <i>National Energy Retail Law (Queensland) Act 2014</i> .	23 24
	<i>Editor's note—</i>	25
	For a consolidated reprint of the law as it applies in Queensland, see the <i>National Energy Retail Law (Queensland)</i> .	26 27

Clause 13	Amendment of schedule (Modification of application of National Energy Retail Law)	1 2
(1)	Schedule, section 14, inserted section 19A(2), definition <i>excluded small customer</i> , paragraph (a), ‘section 23(5)’—	3 4
	<i>omit, insert—</i>	5
	section 23(4)	6
(2)	Schedule, section 14, inserted section 19C(1)(b)(ii)—	7
	<i>omit, insert—</i>	8
	(ii) if the customer is a large customer—the financially responsible retailer for the premises.	9 10 11