



Electricity—National Scheme (Queensland) Act 1997

Current as at 12 June 2009—revised version

Reprint note

The Attachment has been omitted from this reprint.

Now see the reprint of the National Electricity (Queensland) Law.

Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at www.legislation.qld.gov.au.

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at www.legislation.qld.gov.au/Leg_Info/information.htm.
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

Electricity—National Scheme (Queensland) Act 1997

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Electricity—National Scheme (Queensland) Act 1997

[as amended by all amendments that commenced on or before 12 June 2009]

An Act to make provision for the operation of a national electricity market, and for other purposes

Part 1 Preliminary

1 Short title

This Act may be cited as the *Electricity—National Scheme (Queensland) Act 1997*.

2 Commencement

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

3 Definitions

(1) In this Act—

AER has the meaning given in the National Electricity (Queensland) Law.

National Electricity (Queensland) Law means the provisions applying because of section 6.

National Electricity (Queensland) Regulations means the provisions applying because of section 7.

[s 4]

National Electricity (South Australia) Act 1996 means the *National Electricity (South Australia) Act 1996* of South Australia.

- (2) Words and expressions used in this Act and also in the National Electricity (Queensland) Law have the same meanings in this Act as they have in that Law.
- (3) Subsection (2) does not apply to the extent that the context or subject matter otherwise indicates or requires.

4 Crown to be bound

This Act, the National Electricity (Queensland) Law and the National Electricity (Queensland) Regulations bind the Crown, not only in right of Queensland but also, so far as the legislative power of Parliament permits, the Crown in all its other capacities.

5 Extra-territorial operation

It is the intention of Parliament that the operation of this Act, the National Electricity (Queensland) Law and the National Electricity (Queensland) Regulations should, so far as possible, include operation in relation to the following—

- (a) land situated outside Queensland, whether in or outside Australia;
- (b) things situated outside Queensland, whether in or outside Australia;
- (c) acts, transactions and matters done, entered into or occurring outside Queensland, whether in or outside Australia;
- (d) things, acts, transactions and matters (wherever situated, done, entered into or occurring) that would, apart from this Act, be governed or otherwise affected by the law of the Commonwealth, another State, a Territory or a foreign country.

Part 2 National Electricity (Queensland) Law and National Electricity (Queensland) Regulations

6 Application in Queensland of National Electricity Law

The National Electricity Law set out in the schedule to the *National Electricity (South Australia) Act 1996*, as in force for the time being—

- (a) applies as a law of Queensland; and
- (b) as so applying, may be referred to as the National Electricity (Queensland) Law.

7 Application in Queensland under National Electricity Law

The regulations in force for the time being under the *National Electricity (South Australia) Act 1996*, part 4—

- (a) apply as regulations in force for the purposes of the National Electricity (Queensland) Law; and
- (b) as so applying, may be referred to as the National Electricity (Queensland) Regulations.

8 Interpretation of expressions in National Electricity (Queensland) Law and National Electricity (Queensland) Regulations

- (1) In the National Electricity (Queensland) Law and the National Electricity (Queensland) Regulations—

Legislature of this jurisdiction means the Parliament of Queensland.

the National Electricity Law or *this Law* means the National Electricity (Queensland) Law.

this jurisdiction means the State of Queensland.

[s 9]

- (2) The *Acts Interpretation Act 1915*, and other Acts, of South Australia do not apply to—
 - (a) the National Electricity Law set out in the schedule to the *National Electricity (South Australia) Act 1996* in its application as a law of Queensland; or
 - (b) the regulations in force for the time being under part 4 of the *National Electricity (South Australia) Act 1996* in their application as regulations in force for the purposes of the National Electricity Law.

9 Attachment—National Electricity Law

- (1) Attached to this Act is a copy of the National Electricity Law set out in the schedule to the *National Electricity (South Australia) Act 1996* (the *National Electricity Law*).
- (2) The attachment must be revised so that it is an accurate copy of the National Electricity Law as amended from time to time.
- (3) The revision under subsection (2) must happen in the first reprint of this Act after an amendment of the National Electricity Law.
- (4) A copy of an Act passed by the Parliament of South Australia that amends the National Electricity Law must be tabled in the Legislative Assembly by the Minister within 14 sitting days after it receives the Royal Assent.
- (5) A copy of any regulation made under the *National Electricity (South Australia) Act 1996*, part 4 must be tabled in the Legislative Assembly by the Minister within 14 sitting days after it comes into force.
- (6) This section does not affect the operation of sections 6 and 7.

Part 3 Mount Isa–Cloncurry supply network

10 Economic regulation of Mount Isa–Cloncurry supply network from 1 July 2010

- (1) The AER is responsible for the economic regulation under the National Electricity Rules, chapters 6 and 11, for a relevant regulatory control period, of distribution services provided by means of, or in connection with, the Mount Isa–Cloncurry supply network as if the supply network were part of the national grid.

Editor's note—

National Electricity Rules, chapters 6 (Economic regulation of distribution services) and 11 (Savings and transitional rules)

- (2) For applying the National Electricity Rules, chapters 6 and 11—
- (a) the distribution services are taken to be distribution services for the National Electricity Rules; and
 - (b) the Mount Isa–Cloncurry supply network is taken to be a distribution system.
- (3) The chapters apply with any necessary changes to give effect to this section.
- (4) In this section—

Mount Isa–Cloncurry supply network—

- (a) means the supply network as defined under the *Electricity Act 1994*, section 8, other than the 220kV supply network—
- (i) located in the Mount Isa–Cloncurry region; and
 - (ii) owned by Ergon Energy at the commencement of this section; and
 - (iii) not connected to the national grid; and

[s 11]

- (b) includes any increase in the supply network after the commencement.

National Electricity Rules has the meaning given in the National Electricity (Queensland) Law.

national grid has the meaning given in the National Electricity Rules.

relevant regulatory control period means—

- (a) the regulatory control period, within the meaning of the National Electricity Rules, starting on 1 July 2010; and
- (b) any regulatory control period after the regulatory control period mentioned in paragraph (a).

11 Law to be construed not to exceed legislative power of Legislature

- (1) Clause 2 of schedule 2 to the National Electricity (Queensland) Law has effect in relation to the operation of any provision of this Act, or any regulation forming part of the National Electricity (Queensland) Regulations, as if the provision or regulation formed part of the National Electricity (Queensland) Law.
- (2) Subsection (1) does not limit the effect that a provision or regulation would validly have apart from the subsection.

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 12 June 2009. Future amendments of the

Electricity—National Scheme (Queensland) Act 1997

may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule

Endnotes

Key	Explanation	Key	Explanation
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnu	= unnumbered
		m	
prev	= previous		

4 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the

Reprints Act 1992

used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments to	Reprint date	Notes
1	none	6 November 1998	
2	none	6 November 1998	special reprint to update the Attachment

Reprint No.	Amendments included	Effective	Notes
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Reprint No.	Amendments to	Reprint date	Notes
2A	2005 Act No. 51	2 November 2005	
3	—	2 November 2005	special reprint to update the Attachment
3A	2009 Act No. 16	12 June 2009	
4	—	12 June 2009	special reprint to update the Attachment

Current as at	Amendments included	Notes
12 June 2009 rv	—	Attachment omitted

5 List of legislation

Electricity—National Scheme (Queensland) Act 1997 No. 27

date of assent 22 May 1997

ss 1–2 commenced on date of assent

remaining provisions commenced 23 May 1998 (automatic commencement under AIA s 15DA(2))

amending legislation—

Energy Legislation Amendment Act 2005 No. 51 s 1, pt 3

date of assent 2 November 2005

commenced on date of assent

Mines and Energy Legislation Amendment Act 2009 No. 16 ss 1, 2(2), pt 4

date of assent 12 June 2009

commenced on date of assent (see s 2(2))

6 List of annotations

Preamble

om 2005 No. 51 s 8

Definitions

s 3 def *AER* ins 2009 No. 16 s 28

Interpretation of expressions in National Electricity (Queensland) Law and National Electricity (Queensland) Regulations

s 8 amd 2005 No. 51 s 9

Attachment—National Electricity Law

s 9 amd 2005 No. 51 s 10

PART 3—MOUNT ISA—CLONCURRY SUPPLY NETWORK

pt 3 (ss 10–11) ins 2009 No. 16 s 29

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