



Queensland

Electricity Regulation 2006

Explanatory Notes for SL 2006 No. 200

made under the

Electricity Act 1994

State Penalties Enforcement Act 1999

General outline

Short title

The short title is the *Electricity Regulation 2006*.

Authorising law

The *Electricity Regulation 2006* is made under various sections of the *Electricity Act 1994*, which are—

Sections 7(d), 20R(1), 23(2), 40A(2), 40D(2), 40, 49A(7), 50(2), 52A(1), 55, 55A(2), 64(2), 64FB(1), 67(a), 90(1)(ii), 101(2), 104(1), 116(6), 122, 131A(1), 133(21)(f), 135AD(1)(c)(iii), 135AM(1)(j)(ii), 135AN(3), 135BE(1)(b), 135BG, 135BK(2)(f), 135BM(2)(c), 135BP(2)(c), 135CH, 135CO(1), 135DV(2)(c), 135DX, 135FA(3)(b), 135GJ(2)(d)(iv), 135GR(1), 135GS(2)(e), 135H(e)(ii), 135HF(b), 135HH(2), 135I(3), 135IC(2), 135IF(2)(a), 135IG(1)(c) and (3), 135IH(2)(ii), 135IP(1)(b), 135IT(1)(b), 138(3)(b), 146(1)(d), 147(1)(c) and (2), 179(1)(c), 180(2)(e), (3)(f), (4), (5)(c), (6) and (7), 184A(1)(b), 184B(2)(c), 188(1)(c), 189(2)(e), (3)(f), (4), (5)(c) and (6), 193A(1)(b), 193B(2)(c), 196(1)(c), 197(2)(d), (3)(f), (4), (5)(c), (6) and (7), 201A(1)(b), 201B(2)(c), 204(1)(c), 205(2)(c), (3)(g), (5), (6)(c), (7) and (8), 207D(2)(b), 208, 209(1)(c), 212A(1)(b), 217,

219(2), 227, 253(1), 256(1)(b) and (2), 259A, 263 to 266, 280(1), 287A(1), and 299(5).

Reasons for the regulation

Under section 54 of the *Statutory Instruments Act 1992*, subordinate legislation expires on 1 September ten years after the subordinate legislation was made. The *Electricity Regulation 1994* was therefore due to expire on 1 September 2005. However, the *Statutory Instruments Amendment Regulation (No. 2) 2005* deferred the expiry date for the *Electricity Regulation 1994* to 31 August 2006.

The *Electricity Regulation 2006* replaces the existing *Electricity Regulation 1994* to ensure the appropriate regulatory mechanisms are in place to support the policy objectives of the *Electricity Act 1994*.

Objectives of the regulation

The objective of the proposed *Electricity Regulation 2006* is to provide the administrative and technical framework to underpin the operation of the *Electricity Act 1994*, and ensure the policy objectives of the *Electricity Act 1994* are achieved.

These policy objectives are set out in section 3 of the *Electricity Act 1994*:

- setting a framework for all industry participants that promotes efficient, economical and environmentally sound electricity supply and use;
- regulating the electricity industry and electricity use;
- establishing a competitive electricity market in line with the national electricity industry reform process;
- ensuring that the interests of customers are protected; and
- taking into account national competition policy requirements.

How will the policy objectives be achieved?

The regulation supports the achievement of these objectives through a number of regulatory mechanisms including the prescription of standards and procedures, definition of supply obligations, specifying energy efficiency labelling and mandatory energy performance standard requirements for electrical appliances, and providing for specific

employment conditions for employees of the government owned electricity corporations.

Overall, the regulation provides a sound business framework for electricity industry participants, which encourages the efficient, economical and environmentally sound supply and use of electricity. The regulation also ensures that the requirements of the *Electricity Act 1994* such as licensing, fees, standards etc., are effectively achieved.

Is the regulation consistent with the authorising legislation?

Yes. The regulation is consistent with the authorising powers of the *Electricity Act 1994*.

Is the regulation consistent with the policy objectives of the authorising law?

Yes. The regulation is consistent with the policy objectives of the *Electricity Act 1994*. It contributes to the provision of arrangements that achieve an appropriate balance between regulating the electricity industry to provide certainty and confidence in the electricity system, and enabling the development of a competitive industry which can operate in an efficient, economical and environmentally sound manner.

Is the regulation consistent with other legislation?

The proposed legislation is not inconsistent with any other Queensland legislation.

Possible alternative approaches

A number of alternative options for the regulation were considered in a Regulatory Impact Statement released for public comment.

Benefits and costs of implementing the regulation

The Regulatory Impact Statement for the proposed regulation sets out the benefits and costs of implementing the regulation.

Costs for government implementation

The *Electricity Regulation 2006* will be introduced to remake the current *Electricity Regulation 1994*. In remaking the *Electricity Regulation 1994*, the *Electricity Regulation 2006* will introduce some small improvements to current regulatory arrangements. These improvements aim to increase the operational effectiveness and efficiency of the regulatory arrangements without creating any new powers or responsibilities.

Given these changes are relatively small, they are not expected to result in any additional costs to the Government associated with implementation of the regulation.

Consistency with fundamental legislative principles

The regulation is consistent with the fundamental legislative principles outlined in section 4 of the *Legislative Standards Act 1992*.

Consultation

Consultation has included individual discussions with key stakeholders in the Queensland electricity industry, as well as broad industry and community consultation undertaken through the Regulatory Impact Statement (RIS) notification process.

The incumbent electricity distribution and retail entities were specifically consulted and participated in the development of regulatory improvements and the assessment of the impact of proposed changes that was incorporated into the RIS.

The availability of the RIS was notified in the Queensland Government Gazette on 10 March 2006 and in *The Courier Mail* on 11 March 2006. Over 130 electricity licence holders, various trade unions, electrical equipment manufacturing and supply associations and consumer groups were also notified of the availability of the RIS by direct mail. In addition, a copy of the RIS and background information was published on the Department of Energy website.

A copy of the RIS is contained in Attachment 1.

Officers from the Department of Energy also directly discussed particular issues with relevant electricity industry representatives.

Results of consultation

Formal submissions in relation to the RIS closed on 10 April 2006. Seven submissions were received in response to the public consultation on the RIS. Most of the issues raised in the submissions were of a minor nature relating to technical and administrative matters and these have been taken into account in finalising the drafting of the proposed *Electricity Regulation 2006*. None of the submissions raised concerns with the main changes to the regulation, relating to standard customer contracts and increases to prescribed fees.

The only major issues raised in the submissions related to the new Commonwealth “Work Choices” legislation. These issues, raised by unions with members employed in the electricity industry, have been referred to the Department of Industrial Relations (DIR) for consideration. DIR is coordinating the State’s response to “Work Choices” and other Commonwealth Government industrial relations developments. It is considered the issues raised by the unions can be more effectively dealt with as part of the whole of government response to national developments, rather than as part of the remake of the current regulation.

Generally, there has been support for the recommendations of the RIS and the proposed *Electricity Regulation 2006*.

Notes on provisions

Chapter 1 Preliminary

1 Short title

Section 1 provides that the short title of the regulation is the *Electricity Regulation 2006*.

2 Commencement

Section 2 provides that the regulation commences on 1 September 2006.

3 Definitions

Section 3 refers readers to schedule 9 for definitions of particular words used in the regulation.

4 Purposes

Section 4 lists the main purposes of the regulation.

5 How purposes are to be achieved

Section 5 lists how the regulation achieves the purposes listed in section 4.

6 Words have the same meaning as in wiring rules

Section 6 applies the meaning of words used in the Australian/New Zealand Wiring Rules (AS/NZS 3000) to the same words as they appear in the regulation, except that the expression *point of supply* in the Wiring Rules has the same meaning as *consumers terminals* as defined in the regulation.

7 Way of describing electrical articles and appliances

Section 7 allows for the description of electrical articles or appliances by referring to its model or some other way.

Chapter 2 Technical requirements

Part 1 Preliminary

8 Application of ch 2

Section 8 limits the application of the technical requirements of the regulation (chapter 2), so that it does not apply to electric lines and works within the limits of a mine or petroleum plant.

Part 2 Design, building and maintenance of electric lines and works

Division 1 Compliance with part

9 Compliance with this part

Section 9 requires a person who designs, builds, maintains or operates an electric line or works to ensure the relevant requirements of chapter 2, part 2 of the regulation are complied with.

Division 2 Earthing, frequency and voltage

10 Systems of earthing

Section 10 requires the system of earthing for low voltage supply to customers to be the multiple earthed neutral system, or if that system

is not effective, another system which complies with the Wiring Rules.

11 Supply at low voltage

Section 11 requires electricity for general supply to be alternating current with a nominal frequency of 50 hertz. This section also sets out the standard voltages for low voltage 3 phase and single phase systems.

12 Supply at high voltage

Section 12 provides that the standard voltage for a customer supplied at high voltage is the voltage level agreed between the electricity entity and the customer.

13 Changes of voltage at customer's consumers terminals

Section 13 requires electricity entities to maintain the supply of electricity to customers within an allowable margin of the standard voltages mentioned in sections 11 and 12.

Division 3 Service lines

14 Service lines on customer's premises-electricity entity's obligations

Section 14 requires an electricity entity, in accordance with recognised electricity industry practice, to determine the route, termination point and technical characteristics of its service lines to a customer's premises, and provide or arrange for the provision and installation of service lines. The electricity entity is required to meet the cost of providing and installing an initial service line of up to 20 metres long for overhead lines or 7 metres long for underground lines.

15 Service lines on customer's premises-customer's obligations

Section 15 requires a customer to provide and maintain the facilities the electricity entity reasonably decides are necessary to attach a service line to the customer's premises.

The customer is also required to provide access for the entity to install, test, maintain or take away the service line, and to pay the reasonable costs of a service line other than the initial service line provided under section 14.

Division 4 Maintenance of works

16 Maintenance of works

Section 16 requires electricity entities to periodically inspect and maintain their works in accordance with recognised electricity industry practice, to ensure they are in good working order and condition.

17 Clearing, lopping and pruning of trees on non-freehold land

Section 17 provides electricity entities the right to clear, lop or prune trees growing on non-freehold land over which the entity has an easement, wayleave or other agreement for an electric line or other works.

Division 5 Works on publicly controlled places

18 Notice to be given to public entity

Section 18 requires electricity entities, undertaking certain activities on a publicly controlled place, unless acting under section 140 to 141 of the Act, to provide the public entity in control of that place with at least 14 days written or oral notice of the intended activities, except in the case of emergency where notice should be given as soon as possible.

19 Electricity entity must comply with public entity's requirements

Section 19 confers on the public entity controlling the place under section 18, the power to require the electricity entity to work at certain times and on certain days.

20 Guarding of work on publicly controlled place

Section 20 requires the electricity entity doing works, involving the opening or breaking-up of a publicly controlled place, to barricade and guard those works, and ensure there are sufficient warning signs and lights. It also requires the electricity entity to set up any additional warning or protection devices required by the public entity controlling the place.

21 Restoration of publicly controlled place

Section 21 requires the electricity entity undertaking works on a publicly controlled place to finish the work with all convenient speed, clean up and leave the area tidy, and in accordance with the reasonable requirements of the public entity.

22 Electricity entity to keep publicly controlled place in good repair after work

Section 22 requires an electricity entity that has opened or broken up the ground on a publicly controlled place to maintain the place in good repair for a period of three months after restoring the place, and for a further nine months if the ground continues to subside.

23 Warning signs on roads

Section 23 requires that an electricity entity building or maintaining electrical works on a road must have signs and lights set up and maintained to safeguard the public.

28 Customer's generating plant for interconnection to supply network

Section 28 prohibits the installation of generating plant for interconnection with a supplier's supply network, unless the supplier agrees and the agreement includes conditions for securing safe and stable parallel operation of the supply network and the generating plant.

29 Requirement for circuit-breaker

Section 29 requires a customer to install a circuit-breaker as a main switch or instead of a fuse if required by the relevant supplier.

30 Coordination of customer's protection devices with electricity entity's protection system

Section 30 allows an electricity entity to change and test the characteristics of a customer's protection device in order to maintain discrimination between the supplier's and customer's protection systems. The entity may seal the protection equipment and a person must not break or otherwise interfere with the seal.

Chapter 3 Electricity supply and sale to customers**Part 1 Distribution entities****Division 1 Obligations of distribution entities and customers****31 Limits on obligation to provide customer connection services**

Section 31 sets out the circumstances in which a distribution entity is not obliged to provide customer connection services and is permitted

to disconnect a customer's premises from, or refuse to connect the premises to, its supply network.

32 Notice if services refused

Section 32 requires a distribution entity to give an information notice to a customer or retail entity, if the customer or retail entity asks for customer connection services in the approved way, and the distribution entity decides it is not obliged to provide the services. The information notice must be provided as soon as is practicable after, but within one month of, receiving the request.

33 Entity may provide services even if no obligation

Section 33 provides that a distribution entity may agree to provide customer connection services to a customer's premises even though it has no obligation to provide them. Such an agreement is a negotiated customer connection contract.

34 When distribution entity may refuse to connect or may disconnect

Section 34 sets out the circumstances in which a distribution entity may refuse to connect or reconnect any premises of a customer to the entity's supply network and the circumstances in which the entity may disconnect a customer's premises from the entity's supply network. However, the entity may only disconnect if the relevant conditions for disconnection under the customer connection contract, customer sale contract or negotiated sale and connection contract have been complied with.

35 Customer's liability for customer connection services

Section 35 requires a customer to pay a distribution entity for providing customer connection services to the customer's premises under a customer connection contract until supply is disconnected, supply is provided to another customer, or the earlier of 3 business days after the customer gives written or oral notice that supply is no longer needed, or the end of the business day when the distribution entity is given access to do a final meter reading.

The requirement to pay also applies to minimum payments under a customer connection contract. However, the requirement to pay does not apply if the customer and entity agree otherwise.

36 Regulating customer's use etc. of electricity

Section 36 provides that a distribution entity may require a customer by written notice to do certain things aimed at regulating the customer's use of electricity if the distribution entity is of the opinion that the customer's use or intended use of an electrical article or installation interferes, or is likely to interfere, with the supply of electricity to other customers.

37 Action if notice not complied with

Section 37 provides that, if a customer does not comply with a notice under section 36, the distribution entity may refuse to provide customer connection services to the customer's electrical installation until the customer either complies with the notice or agrees to comply with the entity's requirements for providing the service.

38 Providing metering information to retail entity

Section 38 requires a distribution entity to provide a retail entity with meter data information for mutual customers, if the retail entity requests this information.

Division 2 Meter and control apparatus requirements for non-contestable customers

39 Application of div 2

Section 39 limits the application of the division to the supply of electricity to premises of non-contestable customers.

40 Entity must provide meter and control apparatus

Section 40 requires a distribution entity, unless the entity and the customer agree otherwise, to provide, install and maintain a meter (other than the base of a plug-in meter) to measure consumption of electricity and any control apparatus that the entity considers necessary.

41 Customer to change electrical installation for meter connection

Section 41 provides that a distribution entity may require a customer to make any changes to the customer's electrical installation necessary to allow connection of the entity's meter.

42 Customer to provide links connecting meters to incoming supply

Section 42 provides that a distribution entity may require a customer to provide suitable links for connecting more than one meter to incoming supply, and the entity may seal those links.

43 No breaking or interfering with meter seal or control apparatus

Section 43 prohibits a person from breaking or interfering with a seal on a meter, control apparatus or links provided under an agreement with a distribution entity unless the entity permits the person to do so.

44 Placing meter or control apparatus on customer's premises

Section 44 requires a customer to provide at their expense, space, housing, mounting and connecting facilities on their premises for each meter and control apparatus provided under an agreement with a distribution entity, in a position that meets the reasonable requirements of the entity. The customer must also maintain these facilities in a safe and sound condition.

45 Change of placement if building changes or works

In the case where building changes or similar works results in the position of a meter or control apparatus no longer meeting the distribution entity's requirements, section 45 requires the customer to provide at their expense, space, housing, mounting and connecting facilities on their premises in another position that meets the reasonable requirements of the entity. The customer must at their expense also relocate the meter and control apparatus to the other position.

46 Matters that may be considered for placement

Section 46 sets out the things that the distribution entity may consider in deciding the placement of a meter or control apparatus.

47 Customers to provide safe access

Section 47 provides that in the case where a customer does not provide unhindered, unobstructed, safe access at any reasonable time to the distribution entity (or their authorised representative) to read a meter and install, test, maintain or take away the entity's works, then the entity may by written notice require the customer to provide access within a period of at least one month.

If the customer fails to comply with this notice, the entity may install alternative metering or other equipment or disconnect and refuse to reconnect supply, and recover its costs as a debt against the customer. This does not limit the entity's ability to take other remedies against the customer.

48 Meter accuracy test at customer's request

Section 48 allows a customer to ask a retail entity for the accuracy of the distribution entity's meter on the customer's premises to be tested. The retail entity may require this request to be in writing and the customer to pay the prescribed test fee and any amount owing to the retailer.

Once the retail entity receives the request and payment, it must ask the distribution entity to test the meter and pay the test fee to the distribution entity. The distribution entity must test the meter where it is installed, unless it is a high voltage or current transformer meter, in

which case the distribution entity can take it away for testing to another place.

The distribution entity must advise the retail entity, and the retail entity must advise the customer, when and where the test is to be performed. The customer or retail entity, or a nominee of either, may be present during the test.

49 When meter taken to register accurately

Section 49 provides that a meter is only deemed to be inaccurate if it incorrectly measures electricity consumption with an error greater than a prescribed margin of plus or minus 2.5%.

50 Extent of inaccuracy

Section 50 states the extent of the meter's inaccuracy is the difference between what the meter registers outside the prescribed margin (set out in section 49) and the margin itself.

51 Report about test results

Section 51 requires the distribution entity to supply a written notice to the retail entity about the test results as soon as possible after testing the meter under section 48. The retail entity must give a written notice to the customer about the test results as soon as possible after it receives the results from the distribution entity. The written notice must show whether the meter is accurate, and if inaccurate, the extent of the inaccuracy.

52 Refund and adjustment if inaccuracy

Section 52 requires the distribution entity to refund to the retail entity the amount of the meter test fee, if the test under section 48 shows the meter is inaccurate, and the retail entity is required to refund to the customer the meter test fee. The section also sets out how the customer's accounts are to be adjusted and notice given.

53 Referral of tested meter to regulator

Section 53 provides that, after the customer receives the results of the meter test under section 51, the customer can by written notice to the retailer, require the matter to be referred to the regulator for an inspection and test of the meter by a competent person other than an employee of the distribution entity. This written notice to the retail entity must be accompanied by the prescribed test fee.

Upon receiving the notice and fee, the retail entity must refer the matter and give the fee to the regulator and advise the distribution entity of the referral. The distribution entity must not interfere with the meter until the inspection and test by the competent person is finished.

54 Inspection and test after referral

Section 54 requires the regulator, upon receipt of the prescribed fee and referral under section 53, to arrange for a competent person to inspect and test the meter, and provide written notice of the test results to the distribution entity, retail entity and customer. The retail entity must also give a written notice to its customer of the test results as soon as possible after receiving the results from the regulator. The written notice must show whether the meter is accurate and if not accurate, the extent of the inaccuracy.

55 Refund and adjustment after test under s 54

Section 55 sets out the requirements for the distribution and retail entities to refund the test fee, adjust the customer's accounts and give notice, if the test under section 54 shows the meter is inaccurate by a margin substantially greater than shown in the original test under section 48.

56 Using testing instruments

Section 56 requires distribution entities or competent persons who use testing instruments for meter testing, to ensure the instruments are appropriate for the test, and the instruments themselves are tested each year to ensure their accuracy. They are also required to keep a record of each instrument test for at least two years.

Division 3 Substations on customers' premises

57 Application of div 3

Section 57 limits the application of division 3 to the supply of electricity to premises where customers' demand is more than, or is reasonably estimated by the distribution entity to be more than, a total maximum demand of 100 kilovolt amperes (kV.A), or other special circumstances approved by the regulator.

58 Meaning of owner in div 3

Section 58 defines *owner* for division 3.

59 Owner to provide space for substation

Section 59 provides that, if a distribution entity reasonably considers it necessary to install a substation on a premises to meet the current or future electricity demand of customers in the premises, then the distribution entity can require the owner of the premises to provide, free of cost, the space for a substation, a right of way to the entity for its electric lines and cables, and access to the entity's equipment.

Section 59 also sets out the requirements of the owner in regards to providing other facilities and maintaining the floor space.

60 Supply to other customers from substation

Section 60 provides that the distribution entity may use a substation in premises to also supply customers not within the premises, only if the owner of the premises agrees. Any such agreement remains in force while the substation is still being used to supply electricity to the premises, even if the total maximum demand for electricity is less than the amount mentioned in section 57(1).

61 Limitation of compensation

Section 61 provides that the owner of the premises is not entitled to compensation from the distribution entity, unless the entity and owner agree otherwise, for the installation of the substation or complying

with a requirement of or obligation imposed by section 59, or agreeing to a substation being used to supply customers outside the premises, other than reasonable compensation for the additional space occupied by the substation to supply those customers.

62 Taking away distribution entity's equipment

Section 62 requires the distribution entity to remove within a reasonable period of time, at its own cost, the electric lines, cables and equipment from premises, if requested by the owner of the premises and supply of electricity to the premises is no longer required.

Division 4 What is not unfair or unreasonable

63 Differing methods of charging

Section 63 provides that the mere use of differing methods of charging for customer connection services by a distribution entity is not unfair or unreasonable.

64 Negotiated customer connection contracts

Section 64 provides that the mere making of, or compliance with, a negotiated customer connection contract by a distribution entity is not unfair or unreasonable.

65 Differing security

Section 65 provides that the mere requirement of differing security by a distribution entity is not unfair or unreasonable.

66 Different terms and capital contributions that are reasonable

Section 66 states the circumstances in which it is not unfair or unreasonable for a distribution entity to impose different terms of customer connection services or capital contribution requirements on different customers or types of customers.

Part 2 Retail entities

Division 1 Obligations of retail entities and customers

67 Application of div 1

Section 67 limits the application of division 1 to retail entities with a retail area.

68 Limits on obligation to provide customer retail services

Section 68 sets out the circumstances in which a retail entity is not obliged to provide customer retail services to a non-contestable customer. This section does not limit the rights or obligations of the retail entity to ask the distribution entity to interrupt the supply of electricity, disconnect supply, or refuse to connect or reconnect supply, or to refuse to provide customer retail services under the terms of a customer sale contract.

69 Notice if services refused

Section 69 requires the retail entity, if it decides it does not have an obligation to provide customer retail services to a customer who has asked for those services, to provide an information notice and reasons for its decision to the customer within one month.

70 Entity may supply even if no obligation

Section 70 allows a retail entity to provide customer retail services to a non-contestable customer even if the entity has no obligation to provide those services.

71 When retail entity is not obliged to provide customer retail services

Section 71 sets out the circumstances in which a retail entity is not obliged to provide customer retail services to a customer. If not obliged to provide retail services, the retail entity may ask its

distribution entity to refuse to connect or reconnect any premises of the customer to the distribution entity's supply network.

Section 71 also sets out the circumstances in which a retail entity is not obliged to continue to provide customer retail services to a customer. If not obliged to continue to provide retail services, the retail entity may ask its distribution entity to disconnect the customer's premises from the distribution entity's supply network, but only if the customer sale contract conditions for disconnection have been complied with.

This section does not limit the rights or obligations of the retail entity to ask the distribution entity to interrupt the supply of electricity, disconnect supply, or refuse to connect or reconnect supply, or to refuse to provide customer retail services under the terms of a customer sale contract.

72 Customer's liability for customer retail services

Section 72 requires the customer to pay the retail entity for customer retail services provided to the customer's premises (including any minimum payments), unless otherwise agreed between the entity and customer, until supply is disconnected, supply to the premises is arranged with another customer, or the earlier of 3 business days after the customer gives written or oral notice that supply is no longer needed or the end of the business day when the distribution entity is given access to do a final meter reading.

Division 2 Obligations of host retail entities and customers

73 Application of div 2

Section 73 limits the application of division 2 to situations where a retail entity, other than a retail entity with a retail area, is suspended from the national electricity market.

74 Corporations legislation displacement provision for div 2

Section 74 displaces the operation of the *Corporations Act 2001 (Cth)* in relation to any inconsistent provisions in division 2.

75 Statutory customer contract

Section 75 deems a statutory customer contract to be established between the host retail entity and each customer of a suspended retail entity, upon the suspension of the retail entity. If a customer has not entered into a customer connection contract, then the statutory contract is also a contract for customer connection services.

76 Terms of statutory customer contract

Section 76 sets out the terms of the statutory customer contract established under section 75.

77 Other provisions about statutory customer contract

Section 77 requires the statutory customer contract to take effect as a deed and defines when the contract ends. This section does not limit the rights or obligations of the host retail entity or customer under the statutory customer contract after the contract has ended. The host retail entity and the customer are also deemed to have agreed to comply with the terms of the contract, as they apply to each party.

78 Contract outside statutory customer contract

Section 78 allows the customer and the host retailer entity, or another retail entity, to enter into a contract on different terms to the statutory customer contract, at any time while the statutory customer contract is in force. The customer need not give notice to the host retail entity before entering into a contract with another retailer. The section requires this new contract to be consistent with the Act and provides that a contract inconsistent with the Act is unenforceable to the extent of the inconsistency.

79 Customer's liability to suspended retail entity for customer retail services provided after suspension

Section 79 provides that the customer of a suspended retail entity is not liable to pay the suspended entity or an insolvency official for the suspended entity's services, after the entity has been suspended from the market. A contract between a customer and the suspended entity is

deemed to be unenforceable to the extent it is inconsistent with this section.

80 Giving necessary consents, details etc.

Section 80 facilitates the transfer of customers to the host retail entities, ensures the continuation of electricity supply to customers and allows the host retail entity to obtain necessary customer information.

The section deems the appropriate approvals and authorisations have been given, documents signed and procedures followed as required by the National Electricity Market Management Company (NEMMCO). This section also requires certain parties to provide the host retail entity with particular information about the customer after receiving a written notice from the host retail entity. The host retail entity must only use the information for the purpose it was given and not disclose the information unless it is for the purpose intended or permitted by the customer or law.

81 Regulator may require host retailer to give documents

Section 81 obliges a host retail entity to give the regulator a copy of the entity's plans and procedures for managing the operation of section 75, if required by the regulator.

Division 3 What is not unfair or unreasonable

Division 3 defines what is not unfair and unreasonable for the purposes of the Act and regulation.

82 Application of div 3

Section 82 limits the application of division 3 to retail entities providing customer retail services to non-contestable customers in respect of electrical installations or premises within an entity's retail area.

83 Differing methods of charging

Section 83 provides that merely using different methods of charging for different customers for customer retail services is not unfair or unreasonable.

84 Negotiated customer sale contracts

Section 84 provides that merely making or complying with a negotiated customer sale contract is not unfair or unreasonable.

85 Differing security

Section 85 provides that merely requiring different security from different customers is not unfair or unreasonable.

86 Different terms that are reasonable

Section 86 states the circumstances in which it is not unfair or unreasonable for a retail entity to impose different terms of customer retail services on different customers or types of customers.

Part 3 Approved industry code**87 Approved industry code**

Section 87 approves the Electricity Industry Code made by the regulator on 20 July 2006.

Part 6 Electricity restrictions

Division 1 Preliminary

92 Purpose of pt 6

Section 92 states the purpose of the part, namely to ensure a regular, economically efficient and constant supply of electricity within the available supply capacity of particular supply networks or parts thereof.

Division 2 Restrictions in Ergon Energy distribution area

93 Where restrictions apply

Section 93 applies the electricity restrictions in section 94 to electricity supplied by Ergon Energy through its supply network in the localities mentioned in schedule 1.

94 Restrictions

Section 94 prohibits the use by customers of electric motors larger than a specified size, instantaneous water heaters with a rating of more than 2.4kW and certain welding power sources. The section also sets out types of electrical equipment that are exempt from this prohibition.

Part 7 Contestable customers**Division 1 General declarations****Subdivision 1 Preliminary****95 Definitions for div 1**

Section 95 defines terms used in division 1.

96 Meaning of single premises

Section 96 defines *single premises*.

Subdivision 2 Declarations as contestable customers**97 Certification for premises**

Section 97 provides that a customer is declared to be a contestable customer for single premises when the customer has, or is taken to have, certification for the premises and has either entered into a negotiated customer sale contract or negotiated sale and connection contract, or is registered as a Market Customer under the National Electricity Rules. The declaration takes effect at the time supply of electricity is to start either under a negotiated customer sale contract or negotiated sale and connection contract, or as a Market Customer.

98 New or replacement single premises of same registered owner

Section 98 provides that, if a customer is declared a contestable customer for a single premises and is the registered owner of the lot or all of the lots that the premises are on, then that customer is also declared a contestable customer for a single premises on the lot or lots that replaces or substantially replaces the original premises and for any other single premises on the lot or lots, other than a premises

existing before the declaration took effect and for which the customer was not declared contestable.

99 Subsequent registered owner

Section 99 provides that, if a new customer becomes the registered owner of a lot or lots for which the original customer was declared a contestable customer, then the new customer is declared to be a contestable customer for each single premises on those lot or lots, other than a premises existing before the new customer became the registered owner and for which the original customer was not declared contestable.

100 Declaration continues

Section 100 provides that if a customer is declared to be contestable for particular premises and continues to own the premises, the customer shall remain a contestable customer for the premises regardless of consumption levels or use of the premises.

Subdivision 3 Contestable customer certification

101 Applying for certification

Section 101 sets out who may apply to a distribution entity for contestable customer certification and how the application must be made.

102 Consideration of application

Section 102 sets out those matters a distribution entity must consider in deciding whether to grant or refuse an application for certification. The section also sets out when the entity must grant the application, when it must refuse an application and when it is taken to have refused an application.

103 Issue of certification

Section 103 sets out the procedure a distribution entity must follow in issuing a certification if an application is granted under section 102.

104 Refusal of application

Section 104 sets out the procedure a distribution entity must follow if an application for certification is refused.

105 Certification continues

Section 105 provides that a certification granted by a distribution entity shall continue while the premises remain single premises of the customer. However, the distribution entity may cancel the certification if satisfied on reasonable grounds that the certification was obtained by fraud or misrepresentation.

Subdivision 4 Actual or estimated consumption of less than 0.2GWh

106 Application of sdiv 4

Section 106 limits the application of subdivision 4 to the making of a negotiated customer sale contract or negotiated sale and connection contract for customer retail services to any single premises of a non-contestable customer and where the annual consumption or estimated consumption is less than 0.2GWh.

107 Definition for sdiv 4

Section 107 defines the term 'cooling-off period' used in subdivision 4.

108 Disclosures to customer

Section 108 provides that a retail entity must not enter into a negotiated customer sale contract or negotiated sale and connection contract unless the entity has given the customer a disclosure statement in the approved form and the customer has signed the disclosure statement.

The retail entity is obliged to keep a copy of each signed disclosure statement until the day the negotiated customer sale contract or negotiated sale or connection contract ends, or the day five years after the entity and the customer enter into the contract, whichever is later.

109 Ending contract during cooling-off period

Section 109 provides that a customer may end a negotiated customer sale contract or negotiated sale and connection contract during the cooling-off period for the contract by giving the retail entity written notice. A customer is not liable to the retail entity in any way for ending a contract and cannot waive the cooling-off period for a contract.

110 Prohibition on providing customer retail services during cooling-off period

Section 110 prohibits a retail entity from providing customer retail services to a customer under a negotiated customer sale contract or negotiated sale and connection contract unless the cooling-off period for the contract has ended. A contract inconsistent with this prohibition is unenforceable to the extent of the inconsistency.

Division 2 Contestable customers in Country Energy's area**111 Contestable customers in Country Energy's area**

Section 111 provides that, if a customer at premises in Country Energy's supply area in Queensland would be a contestable customer under New South Wales law if the premises were in New South Wales, the customer is a contestable customer in Queensland.

Division 3 Other contestable customers**112 Customers declared to be contestable customers**

Section 112 provides that each customer listed in schedule 2 of this regulation is declared to be a contestable customer at the premises set out opposite in the schedule.

Division 5 Metering obligation if customer is contestable for premises

117 Customer's metering obligation

Section 117 requires a contestable customer for a premises to provide, install and maintain a metering installation in the way required of a Market Customer under chapter 7 of the National Electricity Rules.

Chapter 4 Market and system arrangements

Part 1 System and network control

Division 1 Operating electrical installations

118 National Electricity Rules to be followed

Section 118 requires a person operating an electrical installation to comply with the National Electricity Rules if the installation is connected directly to a transmission grid that is part of the Queensland system, or connected to a part of a supply network that either NEMMCO or the System Operator for Queensland states to be relevant to the security and reliability of the Queensland system, or includes facilities for the provision of ancillary services that either NEMMCO or the System Operator for Queensland states to be relevant to the security and reliability or the economic operation of the Queensland system.

Division 2 Network control

119 Network operation not to interfere with Queensland system

Section 119 prohibits a distribution entity from operating its supply network in a way that interferes with the performance of the

Queensland system unless the distribution entity has the agreement of NEMMCO or the System Operator for Queensland.

120 National Electricity Rules to be followed

Section 120 requires a person operating an electrical installation to comply with the National Electricity Rules if the installation is connected directly to a supply network that is part of the Queensland system or if the installation includes facilities for the provision of ancillary services to the supply network.

121 Dealings to be impartial

Section 121 requires an electricity entity carrying out network control to be impartial in its dealings with all other electricity entities, special approval holders, contestable customers and other customers.

122 Confidentiality

Section 122 stipulates the conditions under which an electricity entity may publish, or release to a person, information the entity has acquired in carrying out network control and that gives or is likely to give the person a material commercial advantage over anyone else.

123 Reasonable charges for services

Section 123 provides that an electricity entity may charge other electricity entities, special approval holders and contestable customers for the reasonable cost of carrying out its network control functions for the entity, holder or customer.

Part 2

Conditions of authorities and special approvals

124 Separation of distribution and retail sectors

Section 124 prescribes a condition for all distribution authorities which prohibits the authority holder from holding a retail authority.

129 Approval to connect for mobile generating plant for emergency or maintenance work by distribution entities

Section 129 provides that a distribution entity has a special approval to connect mobile generating plant to its supply network in order to supply electricity during an emergency or during supply network maintenance work. Section 27 (a) and (c) of the Act applies to a distribution entity acting under the special approval, as if it were a generation entity.

130 Approval to connect particular generating plant with 30MW or less capacity

Section 130 provides that a person operating generating plant with a capacity of 30MW or less has a special approval to connect the generating plant to a transmission grid or supply network, and to sell the electricity generated. Section 27 (a) and (c) of the Act applies to a person acting under the special approval, as if they were a generation entity.

131 Special approval holders treated as electricity entities-Act, s 59(2)

Section 131 provides that each special approval holder in column 1 of schedule 3 is to be treated as an electricity entity for the purposes of the Act provisions listed opposite the special approval holder in column 2 of schedule 3.

132 Special approval for QETC

Section 132 provides that QETC has a special approval to generate and sell electricity for a purpose or function mentioned in section 33(2) of the Act.

Chapter 5 Prohibited interests

133 Distribution authorities

Section 133 prohibits a distribution entity from holding a retail authority.

Chapter 6 13% gas scheme

Part 1 General provisions

134 Prescribed transmission zones

Section 134 prescribes transmission zones for the purposes of fixing Queensland Usage Factors (QUF) under section 135CO(1) of the Act, to support the operation of the 13% Gas Scheme.

135 Prescribed programs

Section 135 prescribes those laws or programs which are used under section 135GR(1)(b) of the Act to determine whether a liable load exemption can be granted, for the purposes of the 13% Gas Scheme.

Part 2 Monitoring

136 Appointment conditions for approved auditors

Section 136 prescribes the conditions of appointment for approved auditors under section 135IG(1)(c) of the Act, for the 13% Gas Scheme. These conditions are generally aimed at avoiding any conflict of interest for the auditor and require the auditor to act in good faith.

137 Prescribed contents for audit reports

Section 137 prescribes the minimum information required in an audit report under sections 135IP(1)(b) and 135IT(1)(b) of the Act, for the 13% Gas Scheme.

Chapter 7 Energy efficiency and performance of electrical equipment

Part 1 Minimum energy efficiency and performance

Division 1 Registration

138 Application for registration

Section 138 sets out the requirements for applications for registration of prescribed electrical equipment.

139 Requirements for registration

Section 139 provides that the regulator may register an item of prescribed electrical equipment and sets out the matters the regulator must consider. If the regulator refuses to register the item, the regulator must give the applicant an information notice.

140 Minimum energy efficiency and performance criteria

Section 140 sets out the energy efficiency and performance criteria requirements the regulator must consider under section 139. An item mentioned in schedule 4 part 1 or 3 must comply with the performance criteria in the relevant standard if tested in accordance with part 1 of that standard. An item mentioned in schedule 4 part 2 must comply with the energy efficiency requirements for the item in the relevant standard.

141 Notice of registration

Section 141 requires the regulator to give an applicant, within 28 days after registering prescribed electrical equipment, a written notice of registration which includes the date of registration.

142 Term of registration

Section 142 provides that the term of registration is the term (of not more than 5 years) stated in the notice, unless cancelled earlier.

143 Change of name or address

Section 143 requires the holder of a prescribed electrical equipment registration to notify the regulator of a change in name or address within 14 days after the change and requires the regulator to enter the details of the change in the register.

144 Changing energy efficiency label identifying electrical equipment

Section 144 sets out the requirements for an application to change an energy efficiency label identifying electrical equipment and the requirements for the regulator's consideration of an application.

145 Refusal to change energy efficiency label

Section 145 requires the regulator to give an applicant an information notice if the regulator refuses to approve an application.

146 Notice of change to energy efficiency label

Section 146 requires the regulator to give an applicant written notice within 28 days after approving a change in an energy efficiency label.

Division 2 Transfer and cancellation of registration

147 Transfer of registration

Section 147 sets out the requirements for an application to transfer the registration of electrical equipment and requires the regulator to give the applicant an information notice if the regulator refuses to approve the application.

148 Notice of transfer

Section 148 requires the regulator to give written notice to both the transferee and the former registration holder within 28 days after approving a transfer.

149 Cancellation of registration

Section 149 provides that the regulator may cancel registration of an item of prescribed electrical equipment and sets out the criteria for cancellation of that item and other registered items. If the regulator decides to cancel registration, then the regulator is required to give the registration holder an information notice.

150 Procedure before cancellation

Section 150 sets out the procedure that the regulator must follow in considering cancellation of registration and provides that cancellation takes effect on the sixth business day after the holder is given an information notice about cancellation.

151 Notice, by holder, of cancellation of registration

Section 151 requires that a registration holder must, immediately on receipt of an information notice about cancellation, give written notice of the cancellation to each person to whom the holder has sold an item of the type. However, this requirement does not apply if a person was sold the item by retail or sold the item at least 1 year before the registration holder received the information notice.

Division 3 Energy efficiency label

152 Energy efficiency label

Section 152 sets out the requirements for the form and content of energy efficiency labels and whether the label should be attached to or accompany an item.

Division 4 Register

153 Register

Section 153 requires the regulator to keep a register of prescribed electrical equipment registered by the regulator and to enter details of registrations or transfers in this register, which may form part of a national register.

154 Inspection of register

Section 154 requires the regulator, on payment of a prescribed fee, to keep the register open for public inspection and to provide a copy of a register entry.

Part 2 Testing and test reports

Division 1 Preliminary

155 Testing of prescribed electrical equipment

Section 155 sets out the test requirements for prescribed electrical equipment.

156 Test reports

Section 156 requires the results of testing prescribed electrical equipment to be recorded in a test report and sets out form and content requirements for a test report.

Division 2 Check testing**157 Requirement by regulator to make available prescribed electrical equipment for testing**

Section 157 provides that the regulator may, by written notice, require a registration holder to make available a registered item for testing. The section also sets out the requirements for the notice and obligates the holder to make the item available and pay the estimated cost of the testing.

158 What happens if check testing shows noncompliance

Section 158 provides that, if a check test shows an item does not comply with a relevant standard and the actual cost of testing is greater than the amount the holder had paid under section 157, then the regulator may recover the cost difference as a debt to the State.

159 What happens if check testing shows compliance

Section 159 provides that, if a check test shows an item complies with the relevant standard, the regulator must refund the amount paid under section 157, and a holder may recover the amount from the regulator as a debt owing by the State to the holder.

160 Return of equipment made available to the regulator

Section 160 sets out when the regulator is required to give oral or written notice to a person who has made equipment available free of charge to the regulator, at the regulator's request, as to where the equipment is available for collection.

165 Representations about 3-phase cage induction motors

Section 165 prohibits a person from representing a 3-phase cage induction motor mentioned in schedule 4 part 2 item 2 as a high efficiency motor unless it complies with the requirements for the item in part 5 of the relevant standard.

166 Fluorescent lamp ballast

Section 166 provides that a person must not mark a fluorescent lamp ballast, other than a ballast which has the standard mentioned in schedule 4 part 1 item 6 applying to it, with an energy efficiency label unless the label complies with the standard and is marked on the ballast in the way shown in that standard. A person must not sell a ballast with an energy efficiency label marked on it unless the ballast conforms with the energy efficiency rating shown on the label.

Chapter 8 Employment in government owned electricity industry

Part 1 Preliminary

167 Definitions for ch 8

Section 167 defines terms used in chapter 8.

168 Meaning of redundant and redundant employee

Section 168 defines *redundant* and *redundant employee*.

169 Meaning of suitable alternative employment

Section 169 defines *suitable alternative employment*.

170 Industrial Relations Commission may decide particular matters

Section 170 sets out the procedures and the Industrial Relation Commission's powers under the *Industrial Relations Act 1999* that

Queensland electricity supply industry (within the meaning of the repealed *Electricity Act 1976*) who had been compulsorily retired or voluntarily finished employment from the former employment because of ill health, or resigned the former employment within three months before starting the new employment, or are not redundant employees.

185 Recognition of previous service

Section 185 places an obligation on, and sets out the circumstances under which, a new employer may recognise an employee's service in former employment for leave and other purposes.

Part 5 Long service leave

Division 1 Entitlement

Subdivision 1 General entitlement provision

186 Entitlement to long service leave

Section 186 sets out an employee's entitlement to long service leave under part 5.

Subdivision 2 Service and continuity of service

187 Service recognised for long service leave purposes

Section 187 defines continuous service for long service leave purposes under part 5.

188 Casual employees

Section 188 provides that, if a GOE industry employee meets the employment-related criteria set out in the section, the employee's service is continuous service.

189 Periods of absence without pay that count as service

Section 189 provides that an employee's absence without pay may be counted as service only if the employee and the reason for the absence meet the criteria set out in the section.

Subdivision 3 Calculation of entitlement**190 Calculation of long service leave**

Section 190 provides that an employee's long service leave is to be calculated at the rate of 1.3 weeks at the appropriate pay for each year of the employee's continuous service and also sets out procedures for the calculation.

191 Casual employees-conversion to full time equivalent

Section 191 provides that, subject to relevant industrial instruments about long service leave, a State electricity entity and a casual employee may agree that the employee's long service leave be taken in the form of its full-time equivalent.

Division 2 Obtaining long service leave**192 Application for long service leave**

Section 192 provides that an employee who is entitled to and wishes to take long service leave must apply in writing to the employer, giving timely notice.

193 Employer's right to refuse or defer long service leave

Section 193 provides that an employer may refuse an employee's application for long service leave if the employee did not give timely notice or if granting the leave would be unreasonably detrimental to work in the employee's work unit. An employer refusing an application must arrange with the employee for the leave applied for to be taken as soon as is mutually convenient.

Division 3 Miscellaneous provisions

194 Minimum period

Section 194 limits the grant of long service leave to a minimum period of two weeks.

195 Employer's right to recall an employee from leave

Section 195 provides that an employer may, if special circumstances exist, cancel granted long service leave or recall an employee from long service leave. An employee subject to this action may agree with the employer to take the long service leave or the balance thereof at a mutually convenient time or may require the employer to credit the leave or balance thereof to the employee's undrawn long service leave entitlement.

196 Public holidays happening during long service leave

Section 196 provides that, if an employee is entitled under the terms of employment to a particular public holiday and it falls when the employee is on long service leave, a day shall be added to the employee's period of leave.

197 Illness during long service leave

Section 197 obliges an employer, and sets out the circumstances in which the obligation applies, to approve the granting of sick leave instead of long service leave to an employee on long service leave who is ill or injured for a period of at least a week and who could not perform normal duties if at work.

greater allowance up to the level payable to an employee with a dependent spouse or dependent child.

203 Allowance payable if both spouses are entitled

Section 203 obliges a State electricity entity to pay locality allowance as stated in section 202 to an employee whose spouse is a State or State instrumentality employee and entitled to locality allowance under this or other legislation. This obligation applies irrespective of whether or not the entity's employee has a dependent child.

204 Allowance payable to an employee absent from headquarters on duty

Section 204 precludes the reduction of a GOE industry employee's locality allowance merely because the employee is necessarily absent from headquarters overnight on duty and is given free board and accommodation or paid an away from home allowance in place of board and accommodation.

205 Allowance payable to an employee on leave

Section 205 precludes the reduction of a GOE industry employee's locality allowance merely because the employee is absent on recreation, sick or long service leave. This does not, however, apply to absence on leave without pay.

206 Building projects where site allowance is paid

Section 206 obliges a State electricity entity to pay, in respect of an employee stationed at a building project site and paid a site allowance for employment at the site, an allowance or combination of allowances as set out in the section.

211 Decision on review

Section 211 provides that the regulator may confirm or amend the disputed decision or, after considering the applicant's representations, substitute a new decision for the disputed decision. The regulator must give the applicant immediate written notice of the review decision. If the review decision is not that sought by the applicant, then the regulator must give the applicant an information notice.

If the maker of the disputed decision was not the regulator and the regulator amends, or substitutes a new decision for the disputed decision, the amended or substituted decision is taken to be that of the original decision maker.

Part 2 Appeals**Division 1 Appeals against decisions on what is fair and reasonable****212 Who may appeal**

Section 212 provides that any party to a dispute made under section 88 may appeal against the decision.

213 Making appeals

Section 213 requires that an appeal under section 212 must be made to the District Court as if the appeal were under chapter 10 part 2 of the Act.

Division 2 Appeals against particular decisions by regulator**214 Who may make an appeal**

Section 214 provides the right of appeal to a Magistrates Court to a person whose interests are affected by a decision of the regulator

mentioned in schedule 6 and provides the right of appeal to an Industrial Magistrates Court to a person whose interests are affected by a decision of the person's employer mentioned in section 185.

215 Making appeals

Section 215 sets out the time limitations on making an appeal made under this part.

216 Starting appeals

Section 216 requires that an appeal is started by filing written notice of appeal with the court and serving notice on the decision maker. The applicant may appeal to the Magistrates Court or Industrial Magistrates Court nearest to the applicant's residence or place of business.

217 Stay of operation of decisions

Section 217 provides that a court may grant a stay of a decision to secure the effectiveness of the appeal. The section sets out the period and conditions of the stay. An application against the decision affects the decision or the carrying out of the decision only if the decision is stayed.

218 Powers of court on appeal

Section 218 sets out the powers of a court deciding an appeal and the limits of its decision.

219 Effect of court's decision on appeal

Section 219 provides that if the court substitutes another decision under section 218, the substituted decision is taken to be that of the original decision maker.

220 Procedure of court

Section 220 provides for the appeal procedures to be followed by a Magistrates Court or Industrial Magistrates Court under each Court's authorising Act.

221 Appeals

Section 221 provides that an appeal to the District Court from a decision of a Magistrates Court may be made only on a question of law, and an appeal to the Industrial Court from a decision of an Industrial Magistrates Court may be made only on a question of law.

Chapter 10 General provisions

Part 1 Application of Freedom of Information Act and Judicial Review Act to State electricity entities

222 Commercial and excluded activities for Act, s 256

Section 222 prescribes what community service obligations are *prescribed community service obligations* in terms of the definition *excluded activities* in section 256 of the Act and declares what are *commercial activities* in terms of section 256(2) of the Act.

Part 2 Declared State electricity entities

223 Declaration-Act, ss 259A(1) and 299

Section 223 declares that Queensland Power Trading Corporation is a State electricity entity for the purposes of sections 256(2) and 299 of the Act.

229 Continuation of agreements for substations

Section 229 provides that an agreement under section 173 of the repealed *Electricity Act 1976* or under section 57(1) of the 1994 regulation is taken to be an agreement under section 60 of this regulation.

230 Electric lines installed or operated before 1 October 2002

Section 230 provides that, if an electric line was installed or operated immediately before 1 October 2002 under section 157 or 157A as in force immediately before that day, then on and from 1 October 2002 the electric line is taken to have been installed and to be operated under section 21(1) to (3) of the 1994 regulation and section 24(1) to (3) of this regulation.

231 Existing registrations of items of prescribed electrical equipment

Section 231 provides that, if an existing registration was in force immediately before 1 September 2006, the registration is taken to have been given under chapter 7 and for the remainder of its term unless cancelled earlier.

232 Existing approvals, notices, decisions and requirements given or made by regulator

Section 232 provides that, if an approval, notice, decision, direction or requirement given or made by the regulator or an electricity entity under chapter 2, 3 or 6 of the 1994 regulation and in force immediately before 1 September 2006, the approval, notice, decision, direction or requirement is taken to have been given or made under the corresponding provision of this regulation.

233 Existing applications

Section 233 provides that, if an application made by a person under chapter 6 of the 1994 regulation is not decided before 1 September 2006, the application is taken to have been made under chapter 7 of this regulation.

Schedule 2 Other contestable customers

Schedule 2 prescribes, by name and premises, other contestable customers for the purposes of section 112 of the regulation.

Schedule 3 Special approval holders treated as electricity entities

Schedule 3 prescribes, by special approval holder and relevant sections of the Act, the special approval holders treated as electricity entities for the purposes of section 131 of the regulation.

Schedule 4 Prescribed electrical equipment and relevant standards

Schedule 4 lists, by type of electrical equipment, the relevant standard applying to that type of electrical equipment.

Schedule 5 Review of decisions by the regulator

Schedule 5 lists, by Act section number and description of decision, the decisions of the regulator that may be reviewed under section 208 of the regulation.

Schedule 6 Appeals against administrative decisions to Magistrates Court

Schedule 6 lists, by Act section number and description of decision, administrative decisions that may be appealed in the Magistrates Court under section 214(1) of the regulation.

Schedule 7 Fees payable to regulator

Schedule 7 lists fees payable to the regulator under the Act.

Schedule 8 Fees payable to electricity entity

Schedule 8 lists maximum fees payable to an electricity entity for the matters stated in that schedule.

Schedule 9 Dictionary

Schedule 9 defines particular words used in the regulation.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Energy.