

Energy and Water Ombudsman Amendment Regulation (No. 1) 2015

Explanatory notes for SL 2015 No. 60

made under the

Energy and Water Ombudsman Act 2006

General Outline

Short title

Energy and Water Ombudsman Amendment Regulation (No. 1) 2015

Authorising law

Section 83 of the *Energy and Water Ombudsman Act 2006* (the EWOQ Act).

Policy objectives and the reasons for them

The objective of this amendment regulation is to amend subsections 4(2) and 4(3) of the *Energy and Water Ombudsman Regulation 2007* (the EWOQ Regulation) (as amended by the *National Energy Retail Law (Consequential Amendments) Regulation 2014*) to correct references to provisions in the EWOQ Act (as amended by the *Electricity Competition and Protection Legislation Amendment Act 2014*).

This amendment is necessary to ensure the EWOQ Regulation operates as intended under the EWOQ Act (as amended).

Achievement of policy objectives

The amendment regulation achieves its policy objective by:

- omitting references in subsections 4(2) and 4(3) of the EWOQ Regulation to ‘section 67(c)(i)’ of the EWOQ Act; and
- replacing these references with references to the correct ‘section 67(1)(f)’ of the EWOQ Act.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the policy objectives of the EWOQ Act, as amended by the *Electricity Competition and Protection Legislation Amendment Act 2014*. Section 67(1)(f) of the EWOQ Act (as amended) has the objective of providing a head of power to impose scheme participation fees on exempt sellers as prescribed by regulation. The amendment regulation achieves this objective by correctly setting out the fees to be paid by Maranoa and Western Downs Regional Councils as exempt seller participants in the Energy and Water Ombudsman Queensland scheme.

Inconsistency with policy objectives of other legislation

The amendment regulation is not inconsistent with any policy objectives of any other legislation.

Benefits and costs of implementation

The benefit of implementing this regulation is that it will allow the EWOQ Act and the EWOQ Regulation to operate as intended.

No costs have been identified in relation to the implementation of the regulation.

Consistency with fundamental legislative principles

The amendment regulation has been drafted having regard to the Fundamental Legislative Principles (FLPs) outlined in the *Legislative Standards Act 1992* and does not include matters inconsistent with the FLPs.

Consultation

The Department of Energy and Water Supply has consulted with the Office of the Queensland Parliamentary Counsel on the drafting of this regulation.