



Queensland

Energy and Water Ombudsman Act 2006

Energy and Water Ombudsman Regulation 2007

Current as at 28 February 2022

Reprint note

This is the last reprint before repeal. Repealed on 26 August 2022 by 2022 SL No. 114 s 7.

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Energy and Water Ombudsman Regulation 2007

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Energy and Water Ombudsman Regulation 2007

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Energy and Water Ombudsman Regulation 2007*.

2 Commencement

This regulation commences on 1 July 2007.

2A Prescribed energy entities—Act, s 7

- (1) For section 7(2) of the Act, the following entities are prescribed to be energy entities—
- (a) a retailer whose retailer authorisation authorises the retailer to sell electricity by on-supplying it to residential customers;
 - (b) an exempt seller, if any of the following exemptions under part 5, division 6 of the NERL (Qld) are in force in relation to the exempt seller—
 - (i) an individual exemption under which the exempt seller sells electricity by on-supplying it to residential customers;
 - (ii) an exemption included in class D2, D6, R2, R3 or R4 described in the AER Exempt Selling Guidelines applying to retail exemptions;
 - (c) a person who holds an exemption under the National Electricity (Queensland) Law, section 12 or 13, if the exemption is included in class ND2, ND6, NR2, NR3 or NR4 described in the network exemption guideline.
- (2) In this section—

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AER Exempt Selling Guidelines see the NERL (Qld), section 118(1).

NER see the NERL (Qld), section 2(1).

network exemption guideline means the ‘Electricity network service provider - registration exemption guideline’ made under the NER, clause 2.5.1(e).

residential customer see the NERL (Qld), section 2(1).

retailer authorisation see the NERL (Qld), section 2(1).

Part 2 General provisions

3 Requirement of retailer to notify event starting scheme participation

- (1) This section applies to a retailer who first enters into a contract for the provision of, or who first starts to provide, customer (energy) retail services to a small customer (energy).
- (2) The retailer must, within 10 business days after entering into the contract or starting to provide the services, give the energy and water ombudsman notice of that fact in the form approved under section 82 of the Act.

Maximum penalty—20 penalty units.

Note—

The events mentioned in subsection (1) mark the start of scheme participation. See section 64(1) of the Act.

3A Prescribed amount for participation fee for, and when participation fee is payable by, prescribed energy entities—Act, ss 66 and 67

- (1) For section 67(1)(g) of the Act, the following amount is prescribed—

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- (a) for a prescribed energy entity mentioned in section 2A(1)(a)—
 - (i) if the prescribed energy entity holds 1 retailer authorisation—\$5,000; or
 - (ii) if the prescribed energy entity holds more than 1 retailer authorisation—\$10,000;
 - (b) for a prescribed energy entity mentioned in section 2A(1)(b) or (c)—
 - (i) if the prescribed energy entity sells electricity to not more than 2,000 relevant energy customers—nil; or
 - (ii) if the prescribed energy entity sells electricity to more than 2,000 relevant energy customers—\$5,000.
- (2) For section 66(5)(a) of the Act, the energy and water ombudsman must give a prescribed energy entity an invoice for the amount of the participation fee.
 - (3) For section 66(5)(b) of the Act, the period is 14 days after the prescribed energy entity receives the invoice.

4 Prescribed amounts for participation fee for Maranoa and Western Downs Regional Councils—Act, s 67

- (1) This section applies if the Maranoa Regional Council or the Western Downs Regional Council is an energy entity providing—
 - (a) customer connection services under the *Gas Supply Act 2003*; or
 - (b) customer retail services as an exempt seller under the NERL (Qld).
- (2) For the Maranoa Regional Council, the amount prescribed for section 67(1)(a)(i) of the Act and for section 67(1)(f) of the Act is \$50.

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- (3) For the Western Downs Regional Council, the amount prescribed for section 67(1)(a)(i) of the Act and for section 67(1)(f) of the Act is \$250.