



*Queensland Competition Authority Act 1997*

# Queensland Competition Authority Regulation 2007

**Current as at 20 November 2015**

**Reprint note**

This is the last reprint before repeal. Repealed on 24 August 2018 by 2018 SL No. 125 s 4.

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Queensland

# Queensland Competition Authority Regulation 2007

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# Queensland Competition Authority Regulation 2007

## Part 1                      General

### 1            Short title

This regulation may be cited as the *Queensland Competition Authority Regulation 2007*.

### 2            Definitions

In this regulation—

*Gas Pipelines Access (Queensland) Law* see the *Gas Pipelines Access (Queensland) Act 1998*, section 3.

*Gas Pipelines Access (Queensland) Regulations* see the *Gas Pipelines Access (Queensland) Act 1998*, section 3.

*National Electricity (Queensland) Law* see the *Electricity—National Scheme (Queensland) Act 1997*, section 3(1).

*National Electricity (Queensland) Regulations* see the *Electricity—National Scheme (Queensland) Act 1997*, section 3(1).

*Queensland Urban Utilities* means the Central SEQ Distributor-Retailer Authority established under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 8.

*Unitywater* means the Northern SEQ Distributor-Retailer Authority established under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 8.

### 2A          Declaration of monopoly business activity—Act, s 20

For section 20(1) of the Act, the government business activity of providing water and sewerage services by each of the following is declared to be a monopoly business activity—

[s 3]

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- (a) Bundaberg Regional Council;
- (b) Cairns Regional Council;
- (c) Gold Coast City Council;
- (d) Logan City Council;
- (e) Mackay Regional Council;
- (f) Queensland Urban Utilities;
- (g) Redland City Council;
- (h) Rockhampton Regional Council;
- (i) Toowoomba Regional Council;
- (j) Townsville City Council;
- (k) Unitywater.

### **3 Fees—Act, s 245(2)**

- (1) The fee payable to the authority for providing a service or performing a function mentioned in schedule 1 is the amount—
  - (a) the authority considers to be reasonable; and
  - (b) that is not more than the reasonable cost of providing the service or performing the function.
- (2) The amount may be recovered as a debt payable to the authority.

## **Part 2                      Repeal and transitional provisions**

### **Division 1                Repeal**

#### **4            Repeal**

The Queensland Competition Authority Regulation 1997, SL No. 125 is repealed.

### **Division 2                Transitional provisions**

#### **5            Transitional provision for Motor Accident Insurance and Other Legislation Amendment Act 2010**

The amendment of this regulation by the *Motor Accident Insurance and Other Legislation Amendment Act 2010* does not affect the power of the Governor in Council to further amend this regulation or to repeal it.

## **Schedule 1            Services and functions for which fees are payable**

### section 3

- 1 each of the following services about pricing practices relating to a monopoly business activity under part 3, division 3 of the Act—
  - (a) giving advice;
  - (b) conducting an investigation;
  - (c) monitoring
- 2 if requested by a government agency or another person carrying on a monopoly business activity—giving advice about pricing practices relating to the activity under part 3, division 5 of the Act
- 5 consideration of a request for making a recommendation, under part 5, division 2 of the Act, for—
  - (a) the declaration by the Minister of a particular candidate service; or
  - (b) the revocation of a Ministerial declaration
- 6 mediation of an access dispute under part 5, division 5, subdivision 2A of the Act
- 7 arbitration of an access dispute, including the making of an access determination, under part 5, division 5, subdivision 3 of the Act
- 8 preparation or approval of a draft access undertaking under part 5, division 7 of the Act
- 9 preparation or approval of a draft access undertaking amending an approved access undertaking under part 5, division 7 of the Act
- 10 withdrawal of an approved access undertaking under part 5, division 7 of the Act



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- 11 performance of any other function of the authority under part 5, division 7 of the Act, other than a function mentioned in item 7, 8 or 9
  - 12 preparation or revision of a cost allocation manual under part 5, division 9 of the Act
  - 13 consideration of a request for making a recommendation, under part 5A, division 2 of the Act—
    - (a) that a particular candidate water supply activity be declared by the Minister to be a monopoly water supply activity; or
    - (b) for the revocation of a declaration by the Minister of a monopoly water supply activity
  - 14 performance of any function of the authority under part 5A, division 2, subdivision 7 of the Act, including the making of a water pricing determination for a monopoly water supply activity
  - 15 taking action under part 5A, division 6, subdivision 2 of the Act
  - 16 performance of a function given to the authority under the Gas Pipelines Access (Queensland) Law or the Gas Pipelines Access (Queensland) Regulations
  - 17 performance of a function given to the authority under the *Electricity Act 1994*, the *National Electricity (Queensland) Law*, the *National Electricity (Queensland) Regulations*, the *National Energy Retail Law (Queensland) Act 2014* or the *National Energy Retail Law (Queensland) Regulation 2014*
  - 18 conduct of an arbitration hearing about an application for arbitration under the *Water Supply (Safety and Reliability) Act 2008*, section 524(2)
  - 19 if directed by the Minister—monitor compliance by a government agency, or conduct an arbitration hearing for resolving a dispute about a government agency’s compliance, with a code of conduct the agency has agreed to abide by
  - 21 performance of any other function given to the authority under another Act