



Electricity Supply (General) Amendment Regulation 2001

under the

Electricity Supply Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Supply Act 1995*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The object of this Regulation is to amend the *Electricity Supply (General) Regulation 2001* for the following purposes:

- (a) to require information relating to the availability of interpreter services to be provided in notices, bills, application forms and contracts,
- (b) to reduce the minimum period for payment of an electricity bill from 15 business days to 12 business days,
- (c) to enable applications by customers for review of decisions by suppliers or service providers to be made orally,
- (d) to make it clear that arrangements relating to retailers of last resort apply in respect of certain customers under exempt electricity supply arrangements,
- (e) to make it clear that a last resort supply fee cannot be charged to a customer who was previously a customer under a standard form customer supply contract,
- (f) to enable market operations rules to be made about the transfer of information between licence holders,
- (g) to make other minor and law revision amendments.

2001 No 1008

Electricity Supply (General) Amendment Regulation 2001

Explanatory note

This Regulation is made under the *Electricity Supply Act 1995*, including sections 20 (1), 33A (3), 40 (1), 63C, 96 and 106 (the general regulation-making power) and clause 6 of Schedule 2.

Electricity Supply (General) Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Electricity Supply (General) Amendment Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Amendment of Electricity Supply (General) Regulation 2001

The *Electricity Supply (General) Regulation 2001* is amended as set out in Schedule 1.

2001 No 1008

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 7 Small retail customers

Insert “or intervals” after “times” in clause 7 (3).

[2] Clause 11 Notice procedures where small retail customers change supplier or status

Omit “is to end” wherever occurring in clause 11 (1). Insert instead “ends”.

[3] Clause 11 (2A)

Insert after clause 11 (2):

(2A) The notice is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[4] Clause 12 Election to be supplied under standard form customer supply contract

Insert after clause 12 (2):

(2A) The application form is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[5] Clause 13 Information given to applicants for standard form contracts

Omit “the text of” from clause 13 (1) (a).

[6] Clause 13 (1A)

Insert after clause 13 (1):

- (1A) The document is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[7] Clause 24 Contents of bill

Insert “named” before “Government” in clause 24 (2) (i).

[8] Clause 24 (2) (m)

Insert after clause 24 (2) (l):

- (m) in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[9] Clause 27 Correction where customer overcharged

Omit clause 27 (2) (b) and (c). Insert instead:

- (b) reimburse any overcharged amount paid by the customer in accordance with the customer’s instructions or, if no instructions are given, credit the amount to the customer in the next bill issued to the customer, and

[10] Clause 27 (2) (d) and (3) (b)

Omit “that amount”.

Insert instead “any overcharged amount paid by the customer”.

[11] Clause 27 (3)

Insert “and paid by the customer” after “overcharged”.

2001 No 1008

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

[12] Clause 30 Payment of bills for electricity supply by small retail customers

Omit “15” from clause 30 (1). Insert instead “12”.

[13] Clause 35 Calculation of charges if increase in rates of charges occurs

Omit clause 35 (3).

[14] Clause 36 Estimation of electricity supplied

Omit “finding was made” from clause 36 (1).
Insert instead “meter was last read”.

[15] Clause 42 Information to be provided to small retail customers about contracts

Omit clause 42 (5).

[16] Clause 43 Availability of contract documents

Insert at the end of the clause:

- (2) It is a condition of a standard supplier’s licence that the supplier make the following documents available through the internet:
 - (a) a copy of its standard form customer supply contract and any documents incorporated by reference in the contract,
 - (b) a copy of any document referred to in the contract that is not incorporated in the contract,
 - (c) a copy of the Act and this Regulation.

[17] Clause 47 Application for review

Omit clause 47 (2). Insert instead:

- (2) A written application must:
 - (a) be served on the supplier not later than 28 days after the person receives written notice of the decision, and
 - (b) state the reasons why the small retail customer is seeking the review.
- (3) An oral application must be made not later than 28 days after the person receives written notice of the decision.

[18] Clause 50 Persons who may apply to electricity industry ombudsman

Omit clause 50 (1) (a). Insert instead:

- (a) any person, in respect of a decision to classify the person as being or not being a small retail customer, or a small retail customer entitled to standard supply,

[19] Clause 56 Definitions

Insert in alphabetical order:

customer includes a person supplied with electricity under an exempt last resort supply arrangement or a new occupant supply arrangement.

[20] Clause 57 Conditions of endorsement as retailer of last resort

Omit “the customer” from clause 57 (d). Insert instead “a customer”.

[21] Clause 57 (e)

Omit the paragraph.

[22] Clause 60 Last resort supply notice

Omit “, including particulars of the categories of customers affected” from clause 60 (1).

2001 No 1008

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

[23] Clause 61 Notice to customers

Insert after clause 61 (1):

- (1A) The notice is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[24] Clause 62 Terms and conditions applying to small retail customers

Insert “(other than a transferred customer who was, immediately before the transfer, a customer under a standard form customer supply contract)” after “transferred customer” in clause 62 (5).

[25] Clause 63 Terms and conditions applying to non-small retail customers

Insert “(being network charges, costs of network losses, NEMMCO charges, charges relating to metering services or other charges approved by the Minister)” after “arrangement” in clause 63 (2) (a).

[26] Clause 63 (2) (b)

Insert “, being charges applying generally to the supply of electricity to such customers” after “customers” where firstly occurring.

[27] Clause 63 (3)

Omit the subclause.

[28] Clause 63 (4)

Omit the definition of *pool price*. Insert instead:

pool price means the spot price at the local regional reference node under the *National Electricity Code*.

[29] Clause 68 Exemptions from sec 98

Omit “an appropriate licence was in force” from clause 68 (1).
Insert instead “the arrangement was authorised by a licence”.

[30] Clause 68 (2) (a)

Omit “30 MWh”. Insert instead “30 megawatts”.

[31] Clause 68 (2) (f)

Omit “customer”. Insert instead “person”.

[32] Clause 68 (2) (g)

Insert after clause 68 (2) (f):

- (g) an arrangement under which electricity is supplied by Ergon Energy Pty Ltd to a person in respect of premises in the Tenterfield Local Government area.

[33] Clause 68 (3)

Omit the subclause. Insert instead:

- (3) A licensed supplier, is for the purposes of this Regulation, taken to have entered into an electricity supply arrangement with a person occupying premises (not being a customer under a customer supply contract) if:
 - (a) the supplier supplies electricity to the premises, and
 - (b) the premises are no longer occupied by the customer under the relevant customer supply contract applicable to those premises.

[34] Clause 70 Conditions applying to exemptions in relation to residential premises

Omit “clause 68 (2) (e) or (f)” from clause 70 (1).
Insert instead “clause 68 (2) (e), (f) or (g)”.

[35] Clause 71 Conditions on exemptions for certain residential premises relating to disconnection from distribution system

Omit “clause 68 (2) (e) or (f)” from clause 71 (1).
Insert instead “clause 68 (2) (e), (f) or (g)”.

2001 No 1008

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

[36] Clause 71 (3)

Insert “(under an agreement with the person in respect of whom the connection services are provided, or electricity is supplied)” after “authorised”.

[37] Clause 72 Conditions for exemptions relating to new occupants of premises

Omit “the person who owns or occupies the premises” from clause 72 (2). Insert instead “the person to whom electricity is supplied under the arrangement (the *new occupant*)”.

[38] Clause 72 (3)

Omit “person” where thirdly occurring. Insert instead “new occupant”.

[39] Clause 72 (3)

Omit “customer”. Insert instead “new occupant”.

[40] Clause 72 (4)

Omit “person” where thirdly and fourthly occurring. Insert instead “new occupant”.

[41] Clauses 113A and 113B

Insert after clause 113:

113A Application of amending Regulation

- (1) Nothing in the *Electricity Supply (General) Amendment Regulation 2001* requires a licence holder to amend a customer contract, or to provide information relating to interpreter services, despite any amendment made by that Regulation.
- (2) Any customer contract that is entered into, or renewed or extended, by a licence holder is, if it complied with the requirements applicable to it on the commencement of this clause, taken to comply with the requirements of this Regulation as amended by the *Electricity Supply (General) Amendment Regulation 2001*.

- (3) This clause ceases to have effect 3 months after the commencement of this clause.

113B Estimation of consumption

Clause 36, as amended by the *Electricity Supply (General) Amendment Regulation 2001*, does not apply in respect of any period before the commencement of this clause.

[42] Clause 118 Market operations rules

Insert after clause 118 (b):

- (c) obligations and procedures relating to the implementation of systems relating to the transfer of information between licence holders, that is required to be made under any Act or other law relating to the supply of electricity related services.

[43] Schedule 1 Requirements applicable to both customer supply and customer connection contracts

Insert after clause 1 (3) (o):

- (p) in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the licence holder after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[44] Schedule 2 Customer Supply Contracts

Omit “during a billing period” from clause 2 (4).

[45] Schedule 2, clause 3 (2) (b)

Omit “the supplier”. Insert instead “a supplier”.

[46] Schedule 2, clause 3 (3)

Omit “the supplier” where firstly occurring. Insert instead “a supplier”.

2001 No 1008

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

[47] Schedule 2, clause 5 (2)

Omit “must”. Insert instead “may”.

[48] Schedule 2, clause 5 (2)

Omit “72 hours”.

Insert instead “the end of a specified period (not exceeding 72 hours)”.

[49] Schedule 2, clause 5 (3)

Omit “The”. Insert instead “A”.

[50] Schedule 2, clause 5 (4)

Insert after clause 5 (3):

- (4) Nothing in this clause prevents the contract from requiring the payment of additional charges by the customer on discontinuance, being charges otherwise permitted under the Act, this Regulation or the contract.

[51] Schedule 2, clause 10

Insert “not more than” after “connected for” wherever occurring.

[52] Schedule 3 Customer connection contracts

Omit “negotiated” from clause 1 (2).

[53] Schedule 3, clause 11

Insert “not more than” after “connected for” wherever occurring.

BY AUTHORITY