



GAS (MISCELLANEOUS) AMENDMENT ACT 1997

No. 73 of 1997

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ELIZABETHAE II REGINAE

A.D. 1997

No. 73 of 1997

An Act to amend the Gas Act 1997.

[Assented to 18 December 1997]

The Parliament of South Australia enacts as follows:

Short title

- 1. (1) This Act may be cited as the *Gas (Miscellaneous) Amendment Act 1997*.
- (2) The *Gas Act 1997* is referred to in this Act as "the principal Act".

Commencement

- 2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of s. 4—Interpretation

3. Section 4 of the principal Act is amended—

- (a) by striking out the definition of "distribution system" and substituting the following definition:

"distribution system" means the whole or a part of a system of pipes and equipment for use for, or in connection with, the distribution and supply of gas to persons for consumption, but does not include—

- (a) a pipeline in respect of which a licence has been granted or is required under Part 2B of the *Petroleum Act 1940* (other than a pipeline declared by the regulations to be, or form part of, a distribution system; or
- (b) a system of pipes and equipment—
 - (i) installed in a place for the conveyance and use of gas from a pressurised vessel situated in the place; and
 - (ii) not extending to, or connected to pipes in, some other place in separate occupation; or

- (c) pipes or equipment declared by the regulations not to be, or form part of, a distribution system;;
- (b) by striking out from the definition of "gas infrastructure" "the distribution system of" and substituting "a distribution system owned or operated by";
- (c) by striking out the definition of "non-contestable consumer" and substituting the following definition:

"non-contestable consumer" means a consumer other than—

- (a) consumers classified by regulation as contestable consumers; or
- (b) consumers classified by the Minister under subsection (2) as contestable consumers;;
- (d) by striking out the definitions of "retailing" and "supply" and substituting the following definition:

"retailing" of gas means the sale and supply of gas to a person for consumption (and not for resale) where the gas is to be conveyed (whether or not by the seller) to the person by a distribution system, but does not include an activity declared by regulation not to be retailing of gas;;

- (e) by inserting after its present contents as amended (now to be designated as subsection (1)) the following subsection:
- (2) The Minister may classify a consumer or consumers as contestable consumers if satisfied that such action is consistent with the orderly introduction of a fully competitive gas market.

Amendment of s. 21—Consideration of application for issue of licence

4. Section 21 of the principal Act is amended by inserting after subsection (3) the following subsection:

(4) A licence may not be issued by the Technical Regulator on or after the commencement of this subsection authorising the retailing of gas to a non-contestable consumer.

Amendment of s. 25—Licence conditions

5. Section 25 of the principal Act is amended by striking out from subsection (1) "on the issue or renewal of the licence" wherever occurring.

Amendment of s. 66—Power of entry

6. Section 66 of the principal Act is amended by striking out from subsection (4) "A gas" and substituting "An authorised".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

E. J. NEAL Governor