

Competition and Consumer Amendment (National Energy Laws) Regulation 2015

Select Legislative Instrument No. 106, 2015

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 25 June 2015

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Bruce Billson

Minister for Small Business

Contents

1 Name 1

2 Commencement 1

3 Authority 3

4 Schedules 3

Schedule 1—Amendments 4

Competition and Consumer Regulations 2010 4

1 Name

This is the *Competition and Consumer Amendment (National Energy Laws) Regulation 2015*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table | The day after this instrument is registered. | 30 June 2015 |
| 2. Schedule 1, items 1 and 2 | The later of:  (a) the start of the day after this instrument is registered; and  (b) immediately after the commencement of Part 5 of the *National Electricity (Northern Territory) (National Uniform Legislation) Act 2015* (NT).  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | 1 July 2015 |
| 3. Schedule 1, item 3 | The later of:  (a) the start of the day after this instrument is registered; and  (b) immediately after the commencement of Part 6 of the *National Energy Retail Law (Queensland) Act 2014* (Qld).  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | 1 July 2015 |
| 4. Schedule 1, item 4 | The later of:  (a) the start of the day after this instrument is registered; and  (b) immediately after the commencement of Part 2 of the *National Energy Retail Law (Queensland) Act 2014* (Qld).  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | 1 July 2015 |
| 5. Schedule 1, item 5 | The later of:  (a) the start of the day after this instrument is registered; and  (b) immediately after the commencement of Part 6 of the *National Energy Retail Law (Queensland) Act 2014* (Qld).  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | 1 July 2015 |
| 6. Schedule 1, item 6 | The later of:  (a) the start of the day after this instrument is registered; and  (b) immediately after the commencement of Part 5 of the *National Electricity (Northern Territory) (National Uniform Legislation) Act 2015* (NT).  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | 1 July 2015 |
| 7. Schedule 1, item 7 | The later of:  (a) the start of the day after this instrument is registered; and  (b) immediately after the commencement of Part 2 of the *National Electricity (Northern Territory) (National Uniform Legislation) Act 2015* (NT).  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | 1 July 2016 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Competition and Consumer Act 2010.*

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Competition and Consumer Regulations 2010

1 Subregulation 7(1) (after table item 8.2)

Insert:

|  |  |
| --- | --- |
| Northern Territory | |
| 8A.1 | Utilities Commission of the Northern Territory established by subsection 5(1) of the *Utilities Commission Act* (NT) |

2 After subregulation 7(1)

Insert:

(1A) A staff member or consultant assisting a person or body mentioned in items 1.1 to 8A.1 of the table in subregulation (1) in the performance of a function, or the exercise of a power, of the person or body is also a prescribed person for paragraph 44AAF(3)(e) of the Act.

3 Regulation 7A (before table item 4.1)

Insert:

|  |  |
| --- | --- |
| 4.1A | Parts 2, 3 and 4 of the *Electricity—National Scheme (Queensland) Act 1997* (Qld) and regulations made under Part 4 of that Act |

4 Regulation 7A (table item 4.1)

Repeal the item, substitute:

|  |  |
| --- | --- |
| 4.1 | Parts 2, 3, 4 and 5 of, and the Schedule to, the *National Energy Retail Law (Queensland) Act 2014* (Qld), and regulations made under Parts 3, 4 and 5 of that Act |

5 Regulation 7A (after table item 4.1)

Insert:

|  |  |
| --- | --- |
| 4.2 | Parts 2, 3 and 4 of the *National Gas (Queensland) Act 2008* (Qld) and regulations made under Parts 2 and 4 of that Act |

6 Regulation 7A (at the end of the table)

Add:

|  |  |
| --- | --- |
| Northern Territory | |
| 9.1 | *Electricity Networks (Third Party Access) Act* (NT) and any instruments made under that Act |

7 Regulation 7A (after table item 9.1)

Insert:

|  |  |
| --- | --- |
| 9.2 | Parts 2, 3 and 4 of, and Schedule 1 to, the *National Electricity (Northern Territory) (National Uniform Legislation) Act 2015* (NT) and regulations made under Part 3 of that Act |