

1990 - No. 620

GAS ACT 1986 - REGULATION

(Relating to prescribed fees, publishing
of notices and law revision)

NEW SOUTH WALES



[Published in Gazette No. 115 of 21 September 1990]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Gas Act 1986, has been pleased to make the Regulation set forth hereunder.

Neil Pickard
Minister for Minerals and Energy.

Commencement

1. This Regulation commences on 22 October 1990.

Amendments consequential on the enactment of the Gas (Amendment) Act 1990

2. The Gas and Electricity (Gas) Regulations 1936 are amended:
 - (a) by omitting from paragraph (a) of the definition of "work of advanced gasfitting" in Regulation 1 (1) the word "company" and by inserting instead the word "distributor";
 - (b) by omitting from paragraph (a) of the definition of "work of gasfitting" in Regulation 1 (1) the word "company" and by inserting instead the word "distributor";

- (c) by omitting Part 2 and by inserting instead the following Part:

PART 2 - AUTHORISATIONS

Prescribed fee for application to reticulate gas

4. For the purposes of section 11 (1) of the Act, the prescribed fee is \$100.

Publishing of notice of application to reticulate gas

5. For the purposes of section 11 (3) (b) of the Act, a copy of a notice of application must be published in at least one newspaper circulating generally throughout the area to which the application relates.

Publishing of Minister's notice of intention to grant application

6. For the purposes of section 11 (3) (b) of the Act, the prescribed manner is by publishing the notice of intention to grant an application:

- (a) in the Gazette; and
 - (b) in at least one newspaper circulating generally throughout the area to which the application relates.
- (d) by omitting from Regulations 134 13B, 13C, 13D, 13E, 13F, 14, 17, 194 19B, 20, 24, 25, 26, 26A, 27, 28, 29, 30, 32, 33, 34, 35 (1A), (2) and (3), 38, 41, 42, 43, 44 and 45 the word "company" wherever occurring and by inserting instead the word "distributor";
- (e) by omitting from Regulations 13C, 13D, 13E, 13F, 25, 26, 28, 29, 30, 34, 35 (1A) and (2) and 42 the word "consumer" wherever occurring and by inserting instead the words "gas user";
- (f) by omitting from Regulations 13C (1), 40 (2) and 44 the word "consumer's" wherever occurring and by inserting instead the words "gas user's";
- (g) by omitting from Regulations 14, 17, 24, 25, 40, 41 and 42 the words "his authorised officer" wherever occurring and by inserting instead the words "an officer authorised by the Principal Gas Engineer";

- (h) by omitting from Regulations 19A and 19B the words "domestic consumer" wherever occurring and by inserting instead the words "tariff customer";
- (i) by omitting from Regulation 26A the words "his authorised officer outside his" and by inserting instead the words "an officer authorised by the Principal Gas Engineer outside";
- (j) by omitting from Regulations 29 (1) and 31 (a) the words "gas consumed" wherever occurring and by inserting instead the words "gas used";
- (k) by omitting from Regulation 31 the words "consumer or his representative" and by inserting instead the words "gas user or the gas user's representative";
- (l) by omitting from Regulation 31 (d) the words "consumer or the company" and by inserting instead the words "gas user or the gas distributor";
- (m) by omitting Regulation 35 (1) and by inserting instead the following Regulation:
 - (1) If a gas user believes the supply of gas to be defective the gas user may notify the gas distributor giving the supply and (if the gas distributor does not adjust the supply to the gas user's satisfaction within 7 days of the receipt of the notice) the gas user may, on payment of the sum of \$30, request the Principal Gas Engineer to cause an investigation to be made.
- (n) by omitting Regulations 46 and 47;
- (o) by omitting from Schedule 1 the word "*Company*" and by inserting instead the words "*Gas Distributor*";
- (p) by omitting from Schedule 1 the word "Company" and by inserting instead the words "Gas Distributor";
- (q) by omitting from Schedule 1 the word "Consumer" and by inserting instead the words "Gas User";
- (r) by omitting Schedule 2;
- (s) by omitting from the heading to Column 1 of Part 1 of Schedule 3 the word "Company" and by inserting instead the word "Distributor";
- (t) by omitting from the heading to Column 2 of Part 2 of Schedule 3 the word "Company" and by inserting instead the word "Distributor".

Other amendments

3. The Gas and Electricity (Gas) Regulations 1936 are amended:

- (a) by omitting from Regulation 49 the matter "\$100" and by inserting instead the matter "\$2,000";
- (b) by omitting from Part 1 of Schedule 3 the matter relating to AGL Western Limited (Bathurst) and AGL Western Limited (Lithgow);
- (c) by omitting from Part 2 of Schedule 3 the matter relating to Gas derived wholly or substantially from the processing of Natural Gas;
- (d) by omitting from Part 2 of Schedule 3 the matter relating to Cootamundra Municipal Council where secondly occurring;
by inserting in Part 2 of Schedule 3 after the matter relating to Wollongong Gas Limited the following matter:

AGL Western Limited..... 35.6 - 41.0 47.4 - 51.1

Amendments by way of law revision

4. The Gas and Electricity (Gas) Regulations 1936 are amended:

- (a) by omitting from Regulation 1 (1) the definition of "the Act" and by inserting instead the following definition:
 "**the Act**" means the Gas Act 1986;
- (b) by omitting from Regulation 25 (1) the word "he" and by inserting instead the words "he or she";
- (c) by omitting from Regulation 25 (5) the word "he" and by inserting instead the words "the Principal Gas Engineer or authorised officer";
- (d) by omitting from Regulations 25 (6) and 35 (3) the word "his" wherever occurring;
- (e) by omitting from Regulation 29 (2) the word "he" and by inserting instead the words "the gas user";
- (f) by omitting from Regulation 29 (2) the word "his" and by inserting instead the words "the gas user's".

EXPLANATORY NOTE

The object of this Regulation is to amend the Gas and Electricity (Gas) Regulations 1936 so as:

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- (a) to make amendments consequential on the enactment of the Gas (Amendment) Act 1990. The major changes are:
 - to provide for a prescribed fee for an application for an authorisation to reticulate gas; and
 - to provide for the publishing of a notice in a newspaper by an applicant for an authorisation to reticulate gas; and
 - to provide for the publishing of a notice in the Government Gazette and a newspaper setting out the reasons why the Minister intends to grant an authorisation to reticulate gas; and
 - (b) to make amendments:
 - to increase the penalties which may be imposed under the Regulations; and
 - to provide for the standard of heating value of natural gas supplied by the gas distributor AGL Western Limited; and
 - (c) to effect law revision.
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