

1992—No. 571

ELECTRICITY ACT 1945—REGULATION

(Relating to interest on unpaid accounts)

NEW SOUTH WALES



[Published in Gazette No. 130 of 30 October 1992]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Electricity Act 1945, has been pleased to make the Regulation set forth hereunder.

GARRY WEST,
Minister for Energy.

Commencement

1. This Regulation commences on 30 October 1992.

Amendment

2. The Electricity (Accounts) Regulation 1983 is amended by omitting clause 8B and by inserting instead the following clause:

Interest on unpaid accounts

8B. (1) Interest on an unpaid amount due to an electricity council in respect of the period beginning on 1 May 1992 and ending on 30 October 1992 is payable at the rate of 8 per cent per year.

(2) Interest on an unpaid amount due to an electricity council in respect of any period beginning on or after 30 October 1992 is payable at such rate (not exceeding 8 per cent per year) as the electricity council determines. An electricity council is taken to have determined a rate of 8 per cent per year for the purposes of this clause, but nothing prevents such an electricity council from determining a lower rate.

(3) An electricity council may determine different rates for different classes of customers.

(4) However, the electricity council may not determine a rate that exceeds the rate prescribed (as at 31 October of the year preceding the year in which the amounts were payable) for the purposes of section 95 (1) of the Supreme Court Act 1970.

(5) Interest is not payable on interest under this clause.

EXPLANATORY NOTE

The object of this Regulation is to fix the maximum rate of interest payable on unpaid amounts due to an electricity council at 8% per year. The Regulation allows electricity councils to charge less than the maximum. It supersedes an existing Regulation that imposes a fixed rate of interest of 8% per year up to 30 October 1992.

The restriction in subclause (4) on the rate that an electricity council may determine is to be found in section 37 (2) (e2) of the Electricity Act 1945.
