



New South Wales

Gas Supply Amendment (Definitions and Transitional Provisions) Regulation 1996

under the

Gas Supply Act 1996

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gas Supply Act 1996*.

MICHAEL EGAN, M.L.C.
Minister for Energy

Explanatory note

The object of this Regulation is to amend the *Gas Supply Regulation 1991*:

- (a) to declare certain persons to be *system users* for the purposes of the *Gas Supply Act 1996*, according to a timetable whose first stage begins on 30 August 1996, whose second stage begins on 1 July 1997 and whose third (and final) stage begins on 1 July 1998, and
- (b) to declare certain pipelines that are licensed under the *Pipelines Act 1967* to form part of a distribution system for the purposes of the *Gas Supply Act 1996*.

This Regulation is made under the *Gas Supply Act 1996*, including section 83 (the general regulation making power) and the definitions of *distribution system* and *system user* in the Dictionary to that Act.

1996 No 413

Clause 1 Gas Supply Amendment (Definitions and Transitional Provisions) Regulation 1996

Gas Supply Amendment (Definitions and Transitional Provisions) Regulation 1996

1 Name of Regulation

This Regulation is the *Gas Supply Amendment (Definitions and Transitional Provisions) Regulation 1996*.

2 Commencement

This Regulation commences on 30 August 1996.

3 Amendment of Gas Supply Regulation 1991

The *Gas Supply Regulation 1991* is amended as set out in Schedule 1.

4 Explanatory note

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

Clauses 5, 6

Insert after clause 4:

5 Definition of distribution system

The following pipelines (each being a pipeline that, as at 30 August 1996, was the subject of a licence in force under the *Pipelines Act 1967*) are declared to form part of AGL Gas Company (New South Wales) Limited's distribution system for the purposes of paragraph (a) of the definition of **distribution system** in the Dictionary to the Act:

- (a) the pipeline from Wilton to Horsley Park (Pipeline Licence No 1),
- (b) the pipeline from Wilton to Wollongong (Pipeline Licence No 2),
- (c) the pipeline from Horsley Park to Plumpton (Pipeline Licence No 3),
- (d) the pipeline from Plumpton to Killingworth (Pipeline Licence No 7),
- (e) the pipeline from Killingworth to Koorangang Island (Pipeline Licence No 8).

6 Definition of system user

- (1) On and from 30 August 1996, the following persons are declared to be system users for the purposes of the definition of **system user** in the Dictionary to the Act:
 - (a) any single person to whom at least 500 terajoules of natural gas has been supplied for consumption by that person, at any one site in New South Wales, during the period of 12 months ending on 30 August 1996,

- (b) any single person:
 - (i) to whom natural gas was being supplied for consumption by that person, at any one site in New South Wales, at a rate of 500 terajoules or more per year immediately before 30 August 1996, and
 - (ii) to whom at least 500 terajoules of natural gas is contracted to be supplied for consumption by that person, at that site, over the period of 12 months beginning on 30 August 1996,
- (c) any single person to whom any quantity of natural gas is supplied for consumption by that person, at a site to which the natural gas is supplied by means of gas works:
 - (i) that are completed on or after 30 August 1996, and
 - (ii) that, in the opinion of the Tribunal, form a new distribution system or a significant extension to an existing distribution system, but in respect only of the supply of natural gas to that site,
- (d) any authorised supplier to whom any quantity of natural gas is supplied, but in respect only of the resupply of the natural gas by that authorised supplier to other system users who are not themselves authorised suppliers.

(2) On and from 1 July 1997, the following persons are declared to be system users for the purposes of the definition of **system user** in the Dictionary to the Act in addition to the persons referred to in subclause (1):

- (a) any single person (or any single group of related corporations) to whom at least 100 terajoules of natural gas has been supplied for consumption by that person (or by the members of that group) during the period of 12 months ending on 1 July 1997, disregarding (in the case of a group of

related corporations) any related corporation to which less than 10 terajoules of natural gas has been supplied during that period,

(b) any single person (or any single group of related corporations):

- (i) to whom natural gas was being supplied for consumption by that person (or by the members of that group) at a rate of 100 terajoules or more per year immediately before 1 July 1997, and
- (ii) to whom at least 100 terajoules of natural gas is contracted to be supplied for consumption by that person (or by the members of that group) over the period of 12 months beginning on 1 July 1997, disregarding (in the case of a group of related corporations) any related corporation to which natural gas has been or is contracted to be supplied at a rate of less than 10 terajoules per year.

(3) On and from 1 July 1998, the following persons are declared to be system users for the purposes of the definition of **system user** in the Dictionary to the Act in addition to the persons referred to in subclauses (1) and (2):

- (a) any single person to whom at least 10 terajoules of natural gas has been supplied for consumption by that person during the period of 12 months ending on 1 July 1998,
- (b) any single person:
 - (i) to whom natural gas was being supplied for consumption by that person at a rate of 10 terajoules or more per year immediately before 1 July 1998, and
 - (ii) to whom at least 10 terajoules of natural gas is contracted to be supplied for consumption by that person over the period of 12 months beginning on 1 July 1998.

(4) In this clause, **related corporation** has the same meaning as it has in the *Corporations Law*.