



New South Wales

Electricity Supply (General) Amendment (Non-franchise Customers) Regulation 1996

under the

Electricity Supply Act 1995

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Supply Act 1995*.

MICHAEL EGAN, M.L.C.

Minister for Energy

Explanatory note

Section 92 of the *Electricity Supply Act 1995* empowers the Minister, by order published in the Gazette, to declare any specified persons or class of persons to be non-franchise customers for the purposes of the Act. (The main consequence of being a non-franchise customer is that the customer can negotiate a customer supply contract, which may contain such terms as the relevant retail supplier and customer may agree: see section 43. A franchise customer is compelled by the Act to enter into a standard form customer supply contract in order to be supplied with electricity: see sections 39 and 40)

The object of this Regulation is to make it clear that a Ministerial order under section 92 that is expressed to apply to a person only in respect of the consumption of electricity at certain premises has the effect that the person becomes a non-franchise customer in respect of electricity consumed at those premises (but remains a franchise customer in respect of electricity consumed at other premises).

This Regulation is made under the *Electricity Supply Act 1995*, including sections 92 (Non-franchise customers) and 106 (the general regulation making power).

1996 No 483

Clause 1 Electricity Supply (General) Amendment (Non-franchise Customers) Regulation 1996

Electricity Supply (General) Amendment (Non-franchise Customers) Regulation 1996

1 Name of Regulation

This Regulation is the *Electricity Supply (General) Amendment (Non-franchise Customers) Regulation 1994*.

2 Commencement

This Regulation commences on 1 October 1996.

3 Amendment of Electricity Supply (General) Regulation 6996

The *Electricity Supply (General) Regulation 1994* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Part 2A

Insert after clause 6:

Part 2A Declaration of non-franchise customers

6A Orders declaring persons or classes of persons to be non-franchise customers

If an order made under section 92 of the Act is expressed to apply to a person only in respect of the consumption of electricity at certain premises, then that order does not apply to that person in respect of the person's consumption of electricity at other premises.