



New South Wales

Gas Supply Amendment (Definition of System User) 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 1931* so as:

- (a) to modify the description of persons who are declared by clause 6 to be *system users* for the purposes of the *Gas Supply Act 1996*, and
- (b) to make a consequential amendment to the definition of *traffic customer* in clause 4.

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

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Clause 4 Gas Supply Amendment (Definition of System User) Regulation 1996

Gas Supply Amendment (Definition of System User) Regulation 1996

1 Name of Regulation

This Regulation is the *Gas Supply Amendment (Definition of System User) Regulation 1996*.

2 Commencement

This Regulation commences on 20 December, 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)

[1] Clause 4 Definition of “tariff customer”

Omit “10 terajoules per year or less”.

Insert instead “less than 10 terajoules per year”.

[2] Clause 6 Definition of “system user”

Insert after clause 6 (1):

- (IA) However, a person to whom natural gas has been, is being or is contracted to be supplied at any one site in New South Wales, as referred to in subclause (1), is declared to be a system user in respect only of natural gas supplied to that site.

[3] Clause 6(2A)

Insert after clause 6 (2):

(2A) However:

- (a) in calculating the amount of natural gas supplied or contracted to be supplied to a person or group of related corporations:
- (i) for the purposes of subclause (2) (a), natural gas supplied to a site to which less than 10 terajoules of natural gas has been supplied during the period of 12 months ending on 1 July 1997, and
 - (ii) for the purposes of subclause (2) (b) (i), natural gas supplied to a site to which natural gas was being supplied at a rate of less than 10 terajoules per year immediately before 1 July 1997. and

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Schedule 4 Amendments

- (iii) for the purposes of subclause (2) (b) (ii), natural gas contracted to be supplied to a site to which less than 10 terajoules of natural gas is contracted to be supplied over the period of 12 months beginning on 1 July 1997, and
 - (iv) in any case, natural gas supplied or contracted to be supplied to a site outside New South Wales,
- is not to be taken into account,
- (b) a person or group of related corporations that is declared to be a system user by operation of subclause (2) is declared to be a system user in respect only of natural gas supplied to a site to which at least 10 terajoules of natural gas is contracted to be supplied over the period of 12 months beginning on 1 July 1997.

[4] Clause 6 (3A)

Insert after clause 6 (3):

(3A) However:

- (a) in calculating the amount of natural gas supplied or contracted to be supplied to a person:
 - (i) for the purposes of subclause (3) (a), natural gas supplied to a site to which less than 10 terajoules of natural gas has been supplied during the period of 12 months ending on 1 July 1998, and
 - (ii) for the purposes of subclause (3) (b) (i), natural gas supplied to a site to which natural gas was being supplied at a rate of less than 10 terajoules per year immediately before 1 July 1998, and
 - (iii) for the purposes of subclause (3) (b) (ii) natural gas contracted to be supplied to a site to which less than 10 terajoules of

natural gas is contracted to be supplied over the period of 12 months beginning on 1 July 1998, and

- (iv) in any case, natural gas supplied or contracted to be supplied to a site outside New South Wales,

is not to be taken into account,

- (b) a person that is declared to be a system user by operation of subclause (3) is declared to be a system user in respect only of natural gas supplied to a site to which at least 10 terajoules of natural gas is contracted to be supplied over the period of 12 months beginning on 1 July 1998.