



New South Wales

Gas Supply Amendment (Ombudsman Scheme) Act 2009 No 18

Contents

	Page
1 Name of Act	2
2 Commencement	2
Schedule 1 Amendment of Gas Supply Act 1996 No 38	3



New South Wales

Gas Supply Amendment (Ombudsman Scheme) Act 2009 No 18

Act No 18, 2009

An Act to require gas reticulators to join the gas industry ombudsman scheme.
[Assented to 15 May 2009]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Gas Supply Amendment (Ombudsman Scheme) Act 2009*.

2 Commencement

This Act commences on a day to be appointed by proclamation.

Schedule 1 Amendment of Gas Supply Act 1996 No 38

[1] Section 33G Gas industry ombudsman scheme

Insert after section 33G (1) (b):

- (b1) disputes between small retail customers and reticulators and complaints by small retail customers about reticulators, and

[2] Section 33G (2) (a) and (c)

Insert “and reticulators” after “suppliers”, wherever occurring.

[3] Section 33G (5)

Insert “or reticulator” after “supplier”.

[4] Section 33H

Omit the section. Insert instead:

33H Authorisation conditions relating to approved gas industry ombudsman schemes (cf section 96C of Electricity Supply Act 1995)

- (1) It is a condition of a reticulator’s authorisation and of any supplier’s authorisation under which a supplier supplies natural gas to small retail customers that:
 - (a) the authorisation holder must be a member of an approved gas industry ombudsman scheme, and
 - (b) the authorisation holder is bound by, and must comply with, any decision of the gas industry ombudsman under the scheme relating to a dispute or complaint involving the authorisation holder and a small retail customer.
- (2) This section does not apply in respect of an authorised reticulator if the authorised reticulator is exempt from the requirement to be a member of an approved gas industry ombudsman scheme.
- (3) The Minister may, by order in writing, exempt an authorised reticulator from the requirement to be a member of an approved gas industry ombudsman scheme if of the opinion that the authorised reticulator is not currently engaging in any activities for which an authorisation is required.

[5] Schedule 2 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

Gas Supply Amendment (Ombudsman Scheme) Act 2009

[6] Schedule 2, Part 6

Insert after clause 22:

**Part 6 Provision consequent on enactment of
Gas Supply Amendment (Ombudsman
Scheme) Act 2009**

**23 Extension of gas industry ombudsman scheme to authorised
reticulators**

- (1) A gas industry ombudsman scheme approved by the Minister under section 33G for which approval was in force immediately before the commencement of the *Gas Supply Amendment (Ombudsman Scheme) Act 2009*:
 - (a) is taken, on that commencement, to extend to authorised reticulators (despite the requirements of section 33G (2) (a)), and
 - (b) so extends to disputes or complaints dealt with by the gas industry ombudsman on or after that commencement (whether or not relating to conduct that occurred before that commencement).
- (2) This clause does not prevent the Minister from approving any changes to the gas industry ombudsman scheme in connection with its extension to authorised reticulators.

[Agreement in principle speech made in Legislative Assembly on 1 April 2009
Second reading speech made in Legislative Council on 12 May 2009]

BY AUTHORITY