

1994—No. 413

ELECTRICITY ACT 1945—REGULATION

(Electricity (Accounts) Regulation 1994)

NEW SOUTH WALES



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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.

Ted Pickering
Minister for Energy.

PART 1—PRELIMINARY

Citation

1. This Regulation may be cited as the Electricity (Accounts) Regulation 1994.

Commencement

2. This Regulation commences on 1 September 1994.

Definitions

3. In this Regulation:

“**accounting period**”, in relation to an account, means the period of electricity supply to which the account relates;

“**the Act**” means the Electricity Act 1945.

PART 2—CALCULATION OF CHARGES FOR ELECTRICITY**Categories of electricity**

4. (1) An electricity supply authority may establish different categories of electricity supply according to such criteria as it may determine.

(2) An electricity supply authority may charge a customer different rates for different categories of electricity supplied, but only if each category of electricity supplied is measured separately from any other category.

Basis for calculating charges

5. (1) The amount that an electricity supply authority may charge for electricity measured by an electricity meter is to be calculated on the basis that electricity between 2 consecutive readings of the meter is consumed at a uniform rate throughout the period between the meter readings.

(2) This clause is subject to any direction referred to in section 14M (2) of the Act.

Calculation of charges if variation in rates of charges occurs

6. (1) Application of clause. This clause applies to an account rendered for an accounting period in which a variation within the meaning of Part 3B of the Act occurs.

(2) Calculation of charges. The charge for electricity supplied during the accounting period is to be calculated as follows:

- (a) the electricity supplied for the whole of the period is to be charged for at the rate applicable at the end of the period;
- (b) for each variation that occurred during the period, an adjustment component (calculated for that part of the period occurring prior to the variation) is to be deducted from the charge calculated in accordance with paragraph (a).

(3) Calculation of adjustment component. An adjustment component is to be calculated in accordance with the following formula:

$$A = \frac{d}{n} (N-C)$$

where:

A is the adjustment component;

d is the number of days in the accounting period during which electricity was supplied:

(a) in the case of the first or only variation, before the variation took effect; or

(b) in the case of a second or subsequent variation, after the previous variation took effect and before the second or subsequent variation took effect;

n is the number of days in the accounting period during which electricity was supplied;

N is the amount of the charge for the whole of the accounting period, calculated at the rate applicable at the end of the period;

C is the amount of the charge for the whole of the accounting period, calculated:

(a) in the case of the first or only variation, at the rate applicable immediately before the variation took effect; or

(b) in the case of a second or subsequent variation, at the rate applicable immediately before the second or subsequent variation took effect.

Pensioner rebates

7. For the purposes of section 14C (1) of the Act, the sum of \$18 is prescribed.

Interest on unpaid accounts

8. (1) An electricity supply authority may, but is not required to, charge interest on any unpaid amount due to the electricity supply authority.

(2) The rate at which interest (if any) is charged must not exceed the rate for the time being prescribed under section 95 (1) of the Supreme Court Act 1970 for payment of interest on a judgment debt.

(3) An electricity supply authority may determine different rates of interest for different classes of customers.

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

**PART 3—INFORMATION TO BE INCLUDED IN
ELECTRICITY ACCOUNTS**

Information to be included in accounts

9. (1) Particulars to be included. An electricity supply authority must include the following particulars on each account rendered by it:

- (a) the dates on which the accounting period for the account began and ended;
- (b) if a meter reading was recorded on either of those dates, particulars of the meter reading or readings;
- (c) if a meter reading was not recorded on either of those dates, information to that effect;
- (d) particulars of the tariff codes and rates of charges applicable to the supply of electricity of each category supplied;
- (e) particulars of the quantity of electricity of each category supplied during the accounting period, or estimated to have been supplied during the accounting period, and of the rates of charges for electricity supplied or estimated to have been supplied;
- (f) the total charges to be paid in respect of the account and the particulars necessary to enable those charges to be calculated;
- (g) a statement promoting efficient energy use and energy conservation.

(2) Additional information to be included. An electricity supply authority must also include the following information on each account rendered by it:

- (a) particulars of the average daily consumption of all electricity supplied during the accounting period in respect of that account;
- (b) if an account was rendered for the corresponding accounting period during the previous year, particulars of the average daily consumption of all electricity supplied during that previous accounting period in respect of that account.

PART 4—MISCELLANEOUS

Repeal

- 10.** The Electricity (Accounts) Regulation 1983 is repealed.

Savings and transitional provisions

11. (1) The provisions of the Electricity (Accounts) Regulation 1983 relating to:

(a) the calculation of charges for electricity supplied during an accounting period ending before the commencement of this Regulation; and

(b) the rendering of an account for electricity so supplied, continue to have effect as if this Regulation had not been made.

(2) The provisions of this Regulation relating to matters other than those referred to in subclause (1) extend to accounts rendered in respect of an accounting period ending before the commencement of this Regulation.

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EXPLANATORY NOTE

The object of this Regulation is to repeal and remake the provisions of the Electricity (Accounts) Regulation 1983. The new Regulation applies to all electricity supply authorities. It includes changes consequential on the dissolution of county councils that previously had electricity functions and the constitution, in their place, of electricity distributors. The Regulation contains provisions with respect to the following matters:

- (a) matters relating to the calculation of electricity charges (Part 2);
- (b) matters relating to electricity accounts (Part 3);
- (c) other matters of a minor, consequential or ancillary nature (Pans 1 and 4).

This Regulation is made under the Electricity Act 1945, including section 37 (the general regulation making power) and section 14C.

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.
