



New South Wales

Electricity Supply Amendment (Transition to Metering Competition) Regulation 2017

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*.

DON HARWIN, MLC
Minister for Energy and Utilities

Explanatory note

On 1 December 2017, national electricity rules relating to the responsibilities for metering installations will commence and all new meters will be required to be digital or “smart” meters.

The object of this Regulation is to modify certain savings and transitional arrangements about the transition to smart electricity meters, which would otherwise expire on 1 December 2017, and make additional transitional arrangements, as follows:

- (a) by continuing the operation of Division 4 of Part 3 of the *Electricity Supply Act 1995* (about customer connection services) in relation to the installation of a basic meter after 1 December 2017 if the installation was requested, but not completed, before 1 December 2017,
- (b) by providing for such installations not to be treated as electrical installations for the purposes of the *Electricity (Consumer Safety) Act 2004*,
- (c) by extending the obligation on metering providers to have a safety management system in place before installing a meter for a further 18 months after 1 December 2017,
- (d) by prohibiting the remote de-energisation and re-energisation using a digital meter of a small customer’s premises for a period of 18 months beginning on 1 December 2017.

This Regulation is made under the *Electricity Supply Act 1995*, including section 191 (the general regulation-making power) and clauses 1 and 74 of Schedule 6 (which enable savings and transitional regulations to be made consequent on the enactment of the *Electricity Supply Amendment (Advanced Meters) Act 2016*).

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1 Name of Regulation

This Regulation is the *Electricity Supply Amendment (Transition to Metering Competition) Regulation 2017*.

2 Commencement

This Regulation commences on 1 December 2017 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Electricity Supply Act 1995 No 94

[1] Schedule 6 Savings, transitional and other provisions

Insert after clause 70 (1):

- (1A) Division 4 of Part 3 of this Act, as in force before the repeal of section 29 by the amending Act, continues to apply after the end of the interim period in relation to the installation of a basic meter if:
 - (a) the request for its installation was made before the expiry of that period, and
 - (b) the installation was completed after that expiry.
- (1B) The installation of a basic meter to which subclause (1A) applies is not to be treated as being an electrical installation for the purposes of the *Electricity (Consumer Safety) Act 2004* despite the amendments made by the amending Act to the definition of ***electrical installation*** in section 3 (1) of the *Electricity (Consumer Safety) Act 2004*.

[2] Schedule 6, clause 71A

Omit “interim period” wherever occurring in clause 71A (1), (2) and (5).

Insert instead “extended interim period”.

[3] Schedule 6, clause 71A (7)

Insert in alphabetical order:

extended interim period means the period commencing on the amendment of section 31 by the amending Act and ending at the end of 31 May 2019.

Schedule 2 Amendment of Electricity Supply (General) Regulation 2014

Clause 8A

Insert after clause 8:

8A Prohibition on remote de-energisation and re-energisation by certain persons

- (1) A relevant person must not do any of the following using a meter:
- (a) remotely de-energise or remotely re-energise the premises of a small customer,
 - (b) arrange for the premises of a small customer to be remotely de-energised or remotely re-energised.

Maximum penalty: 100 penalty units (in the case of a corporation) or 25 penalty units (in any other case).

- (2) This clause is repealed on 1 June 2019.

- (3) In this clause:

relevant person means any of the following:

- (a) a distributor,
- (b) a Metering Coordinator (within the meaning of the *National Electricity Rules*),
- (c) a Metering Data Provider (within the meaning of the *National Electricity Rules*),
- (d) a Metering Provider (within the meaning of the *National Electricity Rules*),
- (e) a retailer (within the meaning of the *National Electricity (NSW) Law*).