

# Energy Legislation Amendment (Retail Electricity and Gas Pricing) Act 2015 No 36

[2015-36]



New South Wales

## Status Information

### Currency of version

Repealed version for 3 November 2015 to 1 July 2017 (accessed 22 December 2024 at 15:00)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

This Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 2.7.2017.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 2 July 2017

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# Energy Legislation Amendment (Retail Electricity and Gas Pricing) Act 2015 No 36



New South Wales

An Act to amend energy legislation with respect to retail energy pricing; and for other purposes.

## 1 Name of Act

This Act is the *Energy Legislation Amendment (Retail Electricity and Gas Pricing) Act 2015*.

## 2 Commencement

- (1) This Act commences on the date of assent to this Act, except as provided by subsection (2).
- (2) Schedule 6 commences on a day or days to be appointed by proclamation.

## Schedules 1-5 (Repealed)

## Schedule 6 Amendments relating to retail gas price deregulation

### 6.1 Gas Supply Act 1996 No 38

#### [1] Section 11A Authorisation conditions relating to energy ombudsman scheme

Omit “or a regulated offer customer” from section 11A (1) (b).

#### [2] Part 2, Division 3 Gas pricing orders

Omit the Division.

#### [3] Section 75A Regulatory functions of Tribunal

Omit section 75A (3A)–(3C). Insert instead:

- (3C) As soon as practicable after 30 June (but on or before 31 October) in each year, the Tribunal must prepare and forward to the Minister a report on the extent to which holders of authorisations or licences have complied, or failed to comply, with

the conditions imposed on the authorisations or licences held by them during the 12 months ending on 30 June in that year.

**[4] Section 83 Regulations**

Omit “(other than fees, charges and payments of the kind for which orders may be made under section 27)” from section 83 (2) (l).

**[5] Schedule 2 Savings, transitional and other provisions**

Insert at the end of the Schedule with appropriate Part and clause numbering:

**Part Further provisions consequent on enactment of [Energy Legislation Amendment \(Retail Electricity and Gas Pricing\) Act 2015](#)**

**Definition**

In this Part:

**amending Act** means the [Energy Legislation Amendment \(Retail Electricity and Gas Pricing\) Act 2015](#).

**Licence auditing**

The Tribunal is to continue to carry out its functions under section 75A (3A), as in force before the repeal of that subsection by the amending Act, in respect of any period before that repeal and this Act applies to those functions as if the amending Act had not commenced.

**Review of decisions**

- (1) A person who was a regulated offer customer for the supply of gas immediately before the repeal of Division 3 of Part 2 of this Act by the amending Act may make an application under section 96A of the [Electricity Supply Act 1995](#) in respect of any decision made before that repeal for which an application could have been made under an energy ombudsman scheme before that repeal. Section 96A of that Act continues to apply to any such application.
- (2) The provisions of an energy ombudsman scheme approved under section 96B of the [Electricity Supply Act 1995](#) and applicable to regulated offer customers for the supply of gas immediately before that repeal continue to apply to a dispute or complaint between the regulated offer customer and a retailer about a matter that occurred before that repeal.

**[6] Dictionary**

Omit the definition of *gas pricing order*.

**6.2 Electricity Supply Act 1995 No 94**

**[1] Section 96A Review of certain decisions under energy ombudsman scheme**

Omit “or regulated offer customer” from section 96A (1).

**[2] Section 96A (3)**

Omit “or regulated offer customers”.

**[3] Section 96A (7)**

Omit the definition of *regulated offer customer*.

**[4] Section 96B Energy ombudsman scheme**

Omit “or regulated offer customers” from section 96B (1A) (d).

**[5] Section 96B (1A) (e)**

Omit the paragraph.

**[6] Section 96B (2) (d) and (g)**

Omit “, regulated offer customers” wherever occurring.

**[7] Section 96B (2) (f)**

Omit “and regulated offer customers”.

**[8] Section 96B (8)**

Omit the definition of *regulated offer customer*.

**[9] Section 96B (8)**

Omit “a regulated offer retailer or” from the definition of *retailer*.

**[10] Section 96D Obligations of retailers under energy ombudsman scheme**

Omit “or regulated offer customer” from section 96D (1) (b).