

48. Progressive introduction of access to gas transmission capacity

- (1) The Minister, by order or orders published in the *Gazette*, is to prescribe the manner and timing of the progressive application of subclause (1) of clause 2 of Schedule 1 and that subclause has effect accordingly.
- (2) An order under subsection (1) may be amended by a further order made by the Minister and published in the *Gazette*.
- (3) Despite anything prescribed by an order under subsection (1), subclause (1) of clause 2 of Schedule 1 applies without limitation to access to spare capacity or developable capacity for the Gas Corporation established by the *Gas Corporation Act 1994*.
- (4) If the Minister thinks that the public interest requires it, an order under subsection (1) may provide that subclause (1) of clause 2 of Schedule 1 applies without limitation to access to spare capacity or developable capacity for the Electricity Corporation established by the *Electricity Corporation Act 1994*.
- (5) If the DBNGP owner makes access to spare capacity or developable capacity available contrary to the prohibition in subclause (1) of clause 2 of Schedule 1, the DBNGP owner commits an offence and is liable to a fine of \$100 000 and a further fine of \$10 000 for each day or part of a day during which the offence has continued after notice of the offence was given by the Coordinator to the DBNGP owner.