



Western Australia

Energy Coordination Act 1994

Energy Coordination (Licensing Fees) Regulations 1999

These regulations were repealed by the *Energy Coordination (Licensing Fees) Repeal Regulations 2014* r. 3 as at 1 Jan 2015 (see r. 2(b) and Gazette 30 Dec 2014 p. 5500).

Western Australia

Energy Coordination (Licensing Fees) Regulations 1999

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Defined terms

Western Australia

Energy Coordination Act 1994

Energy Coordination (Licensing Fees) Regulations 1999

1. Citation

These regulations may be cited as the *Energy Coordination (Licensing Fees) Regulations 1999*¹.

2. Commencement

These regulations come into operation on the day on which the *Energy Coordination Amendment Act 1999* comes into operation¹.

3. Application fees

For the purposes of each of sections 11L(1)(b), 11P(b) and 11R(3)(b) of the Act the application fee is \$375.

[Regulation 3 amended in Gazette 19 Jul 2002 p. 3413.]

4. Licence fees

(1) In this regulation —

distribution network means the pipelines, mains and gas service pipes, referred to in paragraph (a) of the definition of “distribution system” in section 3 of the Act, to which the distribution licence relates;

licence application means an application for a licence or the renewal of a licence;

relevant licence year means the year of the period referred to in section 11O of the Act to which the licence fee relates.

- (2) For the purposes of section 11Q(1) of the Act —
 - (a) the licence fee payable for a distribution licence is the appropriate fee specified in Schedule 1 based on —
 - (i) the length of the distribution network; and
 - (ii) if that length is less than 5 km, the kind of customers to whom the distribution network transports or is intended to transport gas, in the relevant licence year as determined by the Coordinator; and
 - (b) the licence fee payable for a trading licence is the appropriate fee specified in Schedule 2 based on the number of small use customers to whom gas is, or is likely, to be sold under the licence in the relevant licence year as determined by the Coordinator.
- (3) A determination by the Coordinator under subregulation (2)(a) or (b) is to be made —
 - (a) at the beginning of the licence year; and
 - (b) on the basis of information contained in the licence application or such other information as is provided by the licensee to the Coordinator.

5. Fees for amendment of licence (s. 11VA)

- (1) The fee payable for an application under section 11VA of the Act for an amendment of a licence is \$500 or 10% of the annual licence fee, whichever is greater.
- (2) If —
 - (a) the licensee applies for an amendment of each of 2 or more licences at the same time; and
 - (b) the proposed amendments are substantially similar,

then the application fee is payable only in relation to whichever of the licences attracts the highest annual licence fee.

- (3) However, if the amount paid under subsection (1) or (2) exceeds the administrative costs of dealing with the application, the Authority must refund the difference.
- (4) The Authority may waive payment of the application fee in a particular case if it considers it appropriate to do so in the circumstances of the case.

[Regulation 5 inserted in Gazette 19 Mar 2004 p. 915.]

Schedule 1 — Licence fees: distribution licence

[r. 4(2)(a)]

| Length of distribution network | Licence fee |
|---|--------------------|
| Less than 5 km | |
| • distribution network transporting gas to small use customers only | \$150 |
| • in any other case | \$1 500 |
| 5 km or more but less than 20 km | \$2 250 |
| 20 km or more but less than 100 km | \$3 750 |
| 100 km or more | \$7 500 |

[Schedule 1 amended in Gazette 19 Jul 2002 p. 3413-14.]

Schedule 2 — Licence fees: trading licence

[r. 4(2)(b)]

| Number of small use customers | Licence fee |
|--------------------------------------|--------------------|
| Less than 100 | \$150 |
| 100 or more but less than 500 | \$1 500 |
| 500 or more but less than 2 000 | \$3 000 |
| 2 000 or more | \$4 500 |

[Schedule 2 amended in Gazette 19 Jul 2002 p. 3414.]

Notes

- ¹ This is a compilation of the *Energy Coordination (Licensing Fees) Regulations 1999* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

| Citation | Gazettal | Commencement |
|--|---------------------------|--|
| <i>Energy Coordination (Licensing Fees) Regulations 1999</i> | 15 Oct 1999 p. 4867-9 | 16 Oct 1999 (see r. 2 and <i>Gazette</i> 15 Oct 1999 p. 4865) |
| <i>Energy Coordination (Licensing Fees) Amendment Regulations 2002</i> | 19 Jul 2002 p. 3413-14 | 19 Jul 2002 |
| <i>Energy Coordination (Licensing Fees) Amendment Regulations 2004</i> | 19 Mar 2004 p. 914-15 | 19 Mar 2004 (see r. 2) |
| Reprint 1: The <i>Energy Coordination (Licensing Fees) Regulations 1999</i> as at 2 Jul 2004 (includes amendments listed above) | | |
| These regulations were repealed by the <i>Energy Coordination (Licensing Fees) Repeal Regulations 2014</i> r. 3 as at 1 Jan 2015 (see r. 2(b) and <i>Gazette</i> 30 Dec 2014 p. 5500) | | |

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

| Defined term | Provision(s) |
|-----------------------------|---------------------|
| distribution network | 4(1) |
| licence application | 4(1) |
| relevant licence year | 4(1) |