



**WESTERN
AUSTRALIAN
GOVERNMENT**
Gazette
ISSN 1448-949X PRINT POST APPROVED PP665002/00041

6463



PERTH, FRIDAY, 27 DECEMBER 2013 No. 241 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12:30 PM

© STATE OF WESTERN AUSTRALIA

SPECIAL GAZETTE

PROCLAMATION

Electricity Corporations Amendment Act 2013 (No. 25 of 2013)	6465
--	------



SUBSIDIARY LEGISLATION

Electricity Corporations (Competition Laws Authorisation) Repeal Regulations 2013	6467
Electricity Corporations (Consequential Amendments) Regulations 2013	6469
Electricity Corporations Revocation Order 2013	6485
Electricity Corporations (Transitional) Regulations 2013	6481



Electricity Corporations Amendment Act 2013

**Electricity Corporations Amendment Act 2013
Commencement Proclamation 2013**

Made under the *Electricity Corporations Amendment Act 2013*
section 2(c) by the Governor in Executive Council.

1. Citation

This proclamation is the *Electricity Corporations Amendment Act 2013 Commencement Proclamation 2013*.

2. Commencement

The *Electricity Corporations Amendment Act 2013*, other than Part 1, the heading to Part 2 and sections 3, 32, 33, 34 and 35, comes into operation on 1 January 2014.

M. J. McCUSKER, Governor.

L.S.

M. NAHAN, Minister for Energy.

Notes: Under the *Electricity Corporations (Competition Laws Authorisation) Repeal Regulations 2013* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Electricity Corporations Amendment Act 2013* section 6 comes into operation.

Under the *Electricity Corporations (Consequential Amendments) Regulations 2013* regulation 2(c), the provisions of those regulations, other than regulations 1, 2 and 4(3), come into operation on the day on which the *Electricity Corporations Amendment Act 2013* section 6 comes into operation.

Under the *Electricity Corporations (Electricity Generation and Retail Corporation) Regulations 2013* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Electricity Corporations Amendment Act 2013* section 6 comes into operation.

***Electricity Corporations Amendment Act 2013 Commencement
Proclamation 2013***

Under the *Electricity Corporations (Transitional) Regulations 2013* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Electricity Corporations Amendment Act 2013* section 6 comes into operation.

Under the *Electricity Corporations Revocation Order 2013* clause 2(b), the provisions of that order, other than clauses 1 and 2, come into operation on the day on which the *Electricity Corporations Amendment Act 2013* section 6 comes into operation.

Electricity Corporations Act 2005

Electricity Corporations (Competition Laws Authorisation) Repeal Regulations 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electricity Corporations (Competition Laws Authorisation) Repeal Regulations 2013*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Electricity Corporations Amendment Act 2013* section 6 comes into operation.

3. Regulations repealed

The *Electricity Corporations (Competition Laws Authorisation) Regulations 2013* are repealed.

G. MOORE, Clerk of the Executive Council.

Western Australia

Electricity Corporations (Consequential Amendments) Regulations 2013

Contents

1. Citation
2. Commencement
3. *Daylight Saving Regulations 2006* amended
4. *Disability Services Regulations 2004* amended
5. *Electricity Corporations (Transactions Exempt from Ministerial Approval) Order 2007* amended
6. *Electricity Corporations (Transactions Exempt from Ministerial Approval) Order 2008* amended
7. *Electricity Distribution Regulations 1997* amended
8. *Electricity Industry (Customer Contracts) Regulations 2005* amended
9. *Electricity Industry (Wholesale Electricity Market) Regulations 2004* amended
10. *Electricity Industry Exemption Order 2005* amended
11. *Electricity Transmission Regulations 1996* amended
12. *Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006* amended
13. *Land Tax Assessment Regulations 2003* amended
14. *Residential Tenancies Regulations 1989* amended
15. *State Enterprises (Commonwealth Tax Equivalents) (Application) Regulations 1997* amended
16. *State Superannuation Regulations 2001* amended
17. *Water Agencies (Charges) By-laws 1987* amended

Electricity Corporations Act 2005

Electricity Corporations (Consequential Amendments) Regulations 2013

Made by the Governor in Executive Council, on the recommendation of the Minister, under section 140(1) of the Act.

1. Citation

These regulations are the *Electricity Corporations (Consequential Amendments) Regulations 2013*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) regulation 4(3) — on the day on which the *Disability Services Amendment Regulations 2013* regulation 7 comes into operation;
- (c) the rest of the regulations — on the day on which the *Electricity Corporations Amendment Act 2013* section 6 comes into operation.

3. Daylight Saving Regulations 2006 amended

- (1) This regulation amends the *Daylight Saving Regulations 2006*.
- (2) In regulation 2 in the definition of **electricity retailer** delete paragraph (a) and insert:
 - (a) the Electricity Generation and Retail Corporation established by the *Electricity Corporations Act 2005* section 4(1)(a); or

Electricity Corporations (Consequential Amendments) Regulations 2013**r. 4**

4. *Disability Services Regulations 2004* amended

- (1) This regulation amends the *Disability Services Regulations 2004*.
- (2) In Schedule 1:
 - (a) in item 5A after “Generation” insert:

and Retail
 - (b) delete item 5C.
- (3) In Schedule 1:
 - (a) in item 7 after “Generation” insert:

and Retail
 - (b) delete item 9.

5. *Electricity Corporations (Transactions Exempt from Ministerial Approval) Order 2007* amended

- (1) This regulation amends the *Electricity Corporations (Transactions Exempt from Ministerial Approval) Order 2007*.
- (2) In clause 3(a) and (b) after “Generation” (each occurrence) insert:

and Retail

6. *Electricity Corporations (Transactions Exempt from Ministerial Approval) Order 2008* amended

- (1) This regulation amends the *Electricity Corporations (Transactions Exempt from Ministerial Approval) Order 2008*.

Electricity Corporations (Consequential Amendments) Regulations 2013

r. 7

- (2) In clause 4(a) after “Electricity” insert:

Generation and

7. Electricity Distribution Regulations 1997 amended

- (1) This regulation amends the *Electricity Distribution Regulations 1997*.
- (2) In regulation 3(1) delete the definitions of:
Electricity Generation Corporation
Electricity Retail Corporation
- (3) In regulation 3(1) insert in alphabetical order:

Electricity Generation and Retail Corporation means
the body established by the *Electricity Corporations
Act 2005* section 4(1)(a);

- (4) In regulation 3(1) in the definition of ***distribution access agreement*** paragraph (b) delete “Corporation or the Electricity” and insert:

and

- (5) In regulation 24(1), (4), (5), (8) and (9) delete “Corporation, the Electricity” and insert:

and

Electricity Corporations (Consequential Amendments) Regulations 2013

r. 8

- (6) In regulation 27(2)(a) delete “Corporation, the Electricity” and insert:

and

- (7) In regulation 44(1) delete “Corporation or the Electricity” and insert:

and

- (8) In regulation 51(1) insert in alphabetical order:

EGRC Retail means the Electricity Generation and Retail Corporation in its role as a retailer of electricity;

- (9) In regulation 54(1) delete “the Electricity Retail Corporation” and insert:

EGRC Retail

Note: The heading to amended clause 54 is to read:

EGRC Retail, RPC Retail and non-eligible premises

8. *Electricity Industry (Customer Contracts) Regulations 2005* amended

- (1) This regulation amends the *Electricity Industry (Customer Contracts) Regulations 2005*.
- (2) In regulation 3 in the definition of ***relevant corporation*** after “Electricity” insert:

Generation and

Electricity Corporations (Consequential Amendments) Regulations 2013

r. 9

- 9. *Electricity Industry (Wholesale Electricity Market) Regulations 2004* amended**
- (1) This regulation amends the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*.
 - (2) In regulation 12A after “Generation” insert:

and Retail
- 10. *Electricity Industry Exemption Order 2005* amended**
- (1) This regulation amends the *Electricity Industry Exemption Order 2005*.
 - (2) In clause 6(4) and (6):
 - (a) after “Electricity” (each occurrence) insert:

Generation and
 - (b) after “(*Electricity*)” insert:

Generation and
 - (3) In clause 7(4) after “Electricity” (2nd occurrence) insert:

Generation and
 - (4) In clause 13(1), (2) and (3) after “Generation” insert:

and Retail

Electricity Corporations (Consequential Amendments) Regulations 2013**r. 11**

- (5) Delete clause 13A.

Note: The heading to amended clause 13 is to read:

Exemptions for Electricity Generation and Retail Corporation

11. *Electricity Transmission Regulations 1996* amended

- (1) This regulation amends the *Electricity Transmission Regulations 1996*.
- (2) In regulation 3(1) delete the definitions of:
Electricity Generation Corporation
Electricity Retail Corporation
- (3) In regulation 3(1) insert in alphabetical order:

Electricity Generation and Retail Corporation means
the body established by the *Electricity Corporations
Act 2005* section 4(1)(a);

- (4) In regulation 3(1) in the definition of ***access agreement***
paragraph (b) delete “Corporation or the Electricity” and insert:

and

- (5) In regulation 21(b) after “Generation” insert:

and Retail

- (6) In regulation 22(4), (5), (8) and (9) delete “Corporation, the
Electricity” and insert:

and

Electricity Corporations (Consequential Amendments) Regulations 2013

r. 12

- (7) In regulation 23(1)(c) after “Generation” insert:

and Retail

- (8) In regulation 43(1) delete “Corporation or the Electricity” and insert:

and

12. *Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006 amended*

- (1) This regulation amends the *Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006*.
- (2) In by-law 1 after “(*Electricity*)” insert:

Generation and

- (3) In by-law 3 in the definition of *corporation* delete “4(1)(c);” and insert:

4(1)(a);

13. *Land Tax Assessment Regulations 2003 amended*

- (1) This regulation amends the *Land Tax Assessment Regulations 2003*.

Electricity Corporations (Consequential Amendments) Regulations 2013**r. 14**

- (2) In regulation 12(2):
 - (a) in paragraph (a) after “Generation” insert:

and Retail
 - (b) delete paragraph (ab).

14. *Residential Tenancies Regulations 1989* amended

- (1) This regulation amends the *Residential Tenancies Regulations 1989*.
- (2) In regulation 5B(2A) in the Table:
 - (a) after “Generation” insert:

and Retail
 - (b) delete “The Electricity Retail Corporation”.

15. *State Enterprises (Commonwealth Tax Equivalent) (Application) Regulations 1997* amended

- (1) This regulation amends the *State Enterprises (Commonwealth Tax Equivalent) (Application) Regulations 1997*.
- (2) In regulation 3 in the Table:
 - (a) after “Electricity Generation” insert:

and Retail
 - (b) delete:

Electricity Retail Corporation established
by the *Electricity Corporations Act 2005*,
s. 4

1 April 2006

Electricity Corporations (Consequential Amendments) Regulations 2013

r. 16**16. *State Superannuation Regulations 2001* amended**

- (1) This regulation amends the *State Superannuation Regulations 2001*.
- (2) In Schedule 1 Division 2:
 - (a) in item 17A after “**Generation**” insert:

and Retail

- (b) delete item 17C.

17. *Water Agencies (Charges) By-laws 1987* amended

- (1) This regulation amends the *Water Agencies (Charges) By-laws 1987*.
- (2) In by-law 2(1) in the definition of ***Government trading organisation***:
 - (a) after “Electricity Generation” insert:

and Retail

- (b) delete “Electricity Retail Corporation — established by section 4(1)(c) of the *Electricity Corporations Act 2005*”.

G. MOORE, Clerk of the Executive Council.

Electricity Corporations Act 2005

Electricity Corporations (Transitional) Regulations 2013

Made by the Governor in Executive Council under section 221 of the Act.

1. Citation

These regulations are the *Electricity Corporations (Transitional) Regulations 2013*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Electricity Corporations Amendment Act 2013* section 6 comes into operation.

3. Term used: annual reporting provisions

In these regulations —

annual reporting provisions has the meaning given in section 210(1) of the Act.

4. Objective

The objective of these regulations is to prescribe modifications to the annual reporting provisions for the purposes of section 211(3) of the Act.

Electricity Corporations (Transitional) Regulations 2013**r. 5**

5. Modified annual reporting provisions apply in relation to requirement in section 211(2) of Act

- (1) The annual reporting provisions apply as if amended as set out in this regulation in relation to the requirement in section 211(2) of the Act that the EGRC comply with those provisions as if each of the periods referred to in section 211(2) of the Act were a financial year.
- (2) Delete Schedule 4 Division 3 Subdivision 1 of the Act and insert:

Subdivision 1 — Financial reports**6. Preparation of financial reports**

- (1) The EGRC must prepare —
 - (a) a financial report for the period referred to in section 211(2)(a); and
 - (b) a financial report for the period referred to in section 211(2)(b).
- (2) Each financial report must be prepared —
 - (a) before 30 September 2014; and
 - (b) in accordance with Accounting Standard AASB 134 *Interim Financial Reporting* made under the Corporations Act section 334.

7. No requirement for audit

The EGRC is not required to have either financial report audited by the Auditor General.

Electricity Corporations (Transitional) Regulations 2013

r. 5

(3) Delete Schedule 4 clause 32 of the Act and insert:

32. Deadline for reporting to Minister

(1) In subclause (2) —

annual report means —

- (a) the annual report required by section 107 for the period referred to in section 211(2)(a); or
- (b) the annual report required by section 107 for the period referred to in section 211(2)(b);

prescribed day, in relation to an annual report, means the tenth working day after the day on which the report is completed.

(2) The EGRC must, as soon as practicable but not later than the close of business on the prescribed day, send to the Minister a copy of an annual report.

(4) Delete Schedule 4 clause 33(b) and (c) of the Act.

G. MOORE, Clerk of the Executive Council.

Electricity Corporations Act 2005

Electricity Corporations Revocation Order 2013

Made by the Minister.

1. Citation

This order is the *Electricity Corporations Revocation Order 2013*.

2. Commencement

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day on which the *Electricity Corporations Amendment Act 2013* section 6 comes into operation.

3. Orders revoked

These orders are revoked:

- (a) the *Electricity Corporations (Prescribed Form of Contract) Order (No. 1) 2006*;
- (b) the *Electricity Corporations (Sale of Electricity) Order 2006*;
- (c) the *Electricity Corporations (Sale of Electricity) Order 2007*;
- (d) the *Electricity Corporations (Authorised Supply of Electricity) Order 2011*;
- (e) the *Electricity Corporations (Designated Periods) Order 2013*.

Date: 19 December 2013.

M. NAHAN, Minister for Energy.