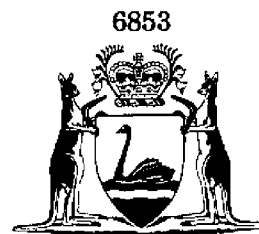


# WESTERN AUSTRALIAN GOVERNMENT **Gazette**



**PERTH, FRIDAY, 16 DECEMBER 1994 No. 177 SPECIAL**

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## **ENERGY CORPORATIONS (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) ACT 1994**

### **TRANSFER ORDER**

Made by the Minister under Section 44 (1)

I, Colin James Barnett, Minister for Energy, order that—

- (a) the assets, rights and liabilities of the State Energy Commission of Western Australia ("Commission") specified in Column 1 of Table A (other than the excluded assets, rights and liabilities specified in Schedule 1) are allocated to the Electricity Corporation and the Gas Corporation as specified in Column 2 of Table A;
- (b) the proceedings in which the Electricity Corporation or the Gas Corporation is to be, or both of these corporations are to be, substituted for the Commission as a party or parties are specified in Table B; and
- (c) Table C has effect for the purposes of section 49(1) of the Act.

Nothing in this Order operates to allocate the excluded assets, rights and liabilities specified in Schedule 1 nor any assets, rights or liabilities specified in this Order as to be allocated in accordance with section 44(5) of the Act.

The Schedules referred to above and in Table A of the Order have been signed by the Minister for identification and may be inspected during normal office hours at 363-365 Wellington Street, Perth.



**Table A**  
**Allocation of Assets, Rights and Liabilities**

<p style="text-align: center;"><b>Column 1</b> <b>Assets, Rights and Liabilities</b></p>	<p style="text-align: center;"><b>Column 2</b> <b>Allocation</b></p>
<p><b>1. Offshore loans.</b></p> <p>All assets, rights and liabilities of the Commission arising from or in connection with:</p> <p>1.1 All short term borrowings by the Commission in connection with funding from the Western Australian Treasury Corporation - Euro Commercial Paper.</p> <p>1.2 The following Stock created pursuant to an instrument ("the Instrument") dated 3 February 1984:  Pounds Sterling 20,000,000.00 12¼%. Loan stock 2018.  Pounds Sterling 20,000,000.00 12¼%. Loan stock 2023.</p> <p>1.3 All long term Japanese Yen borrowings made by the Commission in connection with funding from the Western Australian Treasury Corporation.</p> <p>1.4 Loan Agreement dated 2 March 1982 and a Supplemental Agreement dated 17 February 1987 entered into by the Commission as a borrower, the Manager as therein defined and the Banks and other Financial Institutions named therein as Lenders and The Bank of Tokyo, Ltd as Agent for the Lenders.</p> <p>1.5 The following Notes created and issued pursuant to an instrument ("the Instrument") dated 17 April 1984:  United States Dollars 63,000,000.00 12¼%. Notes 1995/1999.</p>	<p>To be allocated in accordance with section 44(5) of the Act.</p> <p>Electricity Corporation.</p> <p>Electricity Corporation.</p> <p>Gas Corporation.</p> <p>Gas Corporation.</p>

## 2. Offshore sinking fund investments.

All assets, rights and liabilities of the Commission arising from or in connection with the following denomination sinking fund investments (principal plus accrued interest as at the Commencement Date) made on behalf of the Commission in connection with the repayment of long term off-shore borrowing commitments:

2.1 Pounds Sterling

2.2 United States Dollars

2.3 Japanese Yen

Electricity Corporation.

Gas Corporation.

Gas Corporation.

## 3. Hedging arrangements.

All assets, rights and liabilities of the Commission arising from or in connection with the following hedging arrangements including, without limitation, all transactions and confirmations pursuant thereto:

3.1 ISDA Interest Rate and Currency Exchange Agreement dated as of 1 March 1990 entered into with Bankers Trust Australia Limited.

Electricity Corporation and Gas Corporation, jointly.

3.2 ISDA Interest Rate and Currency Exchange Agreement dated as of 6 September 1993 entered into with Commonwealth Bank of Australia.

Electricity Corporation and Gas Corporation, jointly.

3.3 ISDA Interest Rate and Currency Exchange Agreement dated as of 20 December 1988 entered into with Westpac Banking Corporation.

Electricity Corporation and Gas Corporation, jointly.

3.4 ISDA Interest Rate and Currency Exchange Agreement dated as of 7 February 1991 entered into with Barclays Bank Australia Limited.

Electricity Corporation.

3.5 ISDA Interest Rate and Currency Exchange Agreement dated as of 4 December 1991 entered into with County NatWest Australia Limited.

Electricity Corporation.

3.6	ISDA Interest Rate and Currency Exchange Agreement dated as of 18 December 1992 entered into with Credit Suisse Financial Products.	Electricity Corporation.
3.7	ISDA Interest Rate and Currency Exchange Agreement dated as of 22 June 1992 entered into with IBJ Australia Bank Limited.	Electricity Corporation.
3.8	ISDA Interest Rate and Currency Exchange Agreement dated as of 29 May 1992 entered into with Merrill Lynch Derivative Products Inc.	Electricity Corporation.
3.9	ISDA Interest Rate and Currency Exchange Agreement dated as of 8 May 1987 entered into with Deutsche Bank AG.	Gas Corporation.
3.10	ISDA Interest Rate and Currency Exchange Agreement dated as of 16 September 1991 entered into with National Australia Bank Limited.	Gas Corporation.
<b>4.</b>	<b>On-shore loans.</b>	
	All assets, rights and liabilities of the Commission arising from or in connection with the following on-shore borrowings:	
4.1	Short term borrowings made by the Commission in connection with funding from the Western Australian Treasury Corporation - Promissory Note Facility and Short Term Liquidity Facility.	To be allocated in accordance with section 44(5) of the Act.
4.2	Long term borrowings made by the Commission in connection with funding from the Western Australian Treasury Corporation - MCAS Borrowing System.	To be allocated in accordance with section 44(5) of the Act.
4.3	Long term borrowings in connection with inscribed stock issued by the Commission before 1 October 1988.	Electricity Corporation or Gas Corporation as specified in Schedule 2.

<p><b>5. On-shore sinking fund investments.</b></p> <p>All assets, rights and liabilities of the Commission arising from or in connection with the sinking fund investments denominated in Australian dollars (principal plus accrued interest as at the Commencement Date) made on behalf of the Commission in connection with the repayment of long term on-shore borrowing commitments.</p>	Electricity Corporation.
<p><b>6. Short term investments.</b></p> <p>6.1 To the extent not allocated elsewhere in this Order, all assets, rights and liabilities of the Commission arising from or in connection with cash, cash at bank and other funds on deposit.</p> <p>6.2 The rights of the Commission to operate by withdrawal or deposit or otherwise any bank or other account in the name of the Commission established before the Commencement Date.</p>	Electricity Corporation.
<p><b>7. Lease liabilities - Finance leases.</b></p> <p>All assets, rights and liabilities of the Commission arising from or in connection with the Kalgoorlie Eastern Goldfields Transmission Line including, without limitation, the finance lease commencing in August 1983 and managed by Australia &amp; New Zealand Banking Group Limited for the lease by the Commission of the equipment as defined in the lease agreements associated with the Kalgoorlie Eastern Goldfields Transmission Line.</p>	Electricity Corporation.
<p><b>8. Lease liabilities - Operating leases.</b></p> <p>8.1 All assets, rights and liabilities of the Commission arising from or in connection with the following gas turbines including, without limitation, the operating leases evidenced by a Master Lease Agreement dated 18 June 1991 entered into with Bank of Western Australia Limited (formerly R&amp;I Bank of Western Australia Limited) for the lease by the Commission of the following gas turbines:</p> <p style="padding-left: 40px;">GT670 (Pinjar 7) GT671 (Mungarra 3)</p>	Electricity Corporation.

8.2	<p>All assets, rights and liabilities of the Commission arising from or in connection with the following gas turbines including, without limitation, the operating leases evidenced by a Master Lease Agreement dated 3 January 1990 with State Bank of South Australia (as assigned to South Australian Asset Management Corporation) for the lease by the Commission of the following gas turbines:</p> <p>GT374 (Mungarra 1) GT375 (Mungarra 2) GT382 (Pinjar 1) GT383 (Kalgoorlie) GT384 (Pinjar 2)</p>	Electricity Corporation.
<b>9.</b>	<b>Motor vehicles.</b>	
9.1	<p>All assets, rights and liabilities of the Commission arising from or in connection with, the motor vehicles and other plant and equipment specified in Schedule 3.</p>	Electricity Corporation.
9.2	<p>All assets, rights and liabilities of the Commission arising from or in connection with, the motor vehicles and other plant and equipment specified in Schedule 4.</p>	Gas Corporation.
<b>10.</b>	<b>Land interests.</b>	
10.1	<p>All assets, rights and liabilities of the Commission arising from or in connection with the land the subject of the Certificate of Titles and Reserves specified in the following Schedules (including, without limitation, all buildings and chattels on the land but excluding all assets, rights and liabilities allocated elsewhere in this Order):</p> <p>(a) Schedule 5. (b) Schedule 6.</p>	Electricity Corporation. Gas Corporation.

10.2	<p>All assets, rights and liabilities of the Commission arising from or in connection with the following land (including, without limitation, all buildings and chattels on the land but excluding all assets, rights and liabilities allocated elsewhere in this Order):</p> <p>(a) outlined in green on the sketch in Schedule 7 being part of the land comprised in Reserve 29320 (Mt Claremont);</p> <p>(b) the balance of the land comprised in Reserve 29320 (Mt Claremont);</p> <p>(c) outlined in yellow on the sketch in Schedule 8 being part of the land comprised in Reserve 34621 (Mullaloo);</p> <p>(d) outlined in green on the sketch in Schedule 8 being part of the land comprised in Reserve 34621 (Mullaloo);</p> <p>(e) outlined in yellow on the sketch in Schedule 9 being part of the land comprised in Lot 57 of Plantagenet Location 64, Volume 1532 Folio 409 (Albany);</p> <p>(f) outlined in pink on the sketch in Schedule 9 being part of the land comprised in Lot 57 of Plantagenet Location 64, Volume 1532 Folio 409 (Albany);</p> <p>(g) outlined in yellow on the sketch in Schedule 10 being part of the land comprised in Lot 10 the subject of Diagram 63466, Volume 1658 Folio 091 (Jandakot); and</p> <p>(h) outlined in pink on the sketch in Schedule 10 being part of the land comprised in Lot 10 the subject of Diagram 63466, Volume 1658 Folio 091 (Jandakot).</p>	<p>Gas Corporation.</p> <p>Electricity Corporation.</p> <p>Gas Corporation.</p> <p>Electricity Corporation.</p> <p>Electricity Corporation.</p> <p>Gas Corporation.</p> <p>Electricity Corporation.</p> <p>Gas Corporation.</p>
10.3	<p>All assets, rights and liabilities of the Commission as lessee arising from or in connection with the leases specified in the following Schedules (including, without limitation, all fixtures and chattels associated with the leases but excluding all assets, rights and liabilities allocated elsewhere in this Order):</p> <p>(a) Schedule 11.</p> <p>(b) Schedule 12.</p>	<p>Electricity Corporation.</p> <p>Gas Corporation.</p>



<p>10.4 All assets, rights and liabilities of the Commission arising from or in connection with all easements, access ways, restrictive covenants, electrical padmounts, caveats, land on which low voltage ringmain switch gear is located and all licence agreements entered into by the Commission with the Water Authority of Western Australia to the extent that they were entered into, acquired, support or are currently used for:</p> <p>(a) electricity generation, transmission or distribution functions;</p> <p>(b) gas distribution or transmission functions; or</p> <p>(c) both or neither functions.</p>	<p>Electricity Corporation.</p> <p>Gas Corporation.</p> <p>Electricity Corporation and Gas Corporation, jointly.</p>
<p><b>11. Funding schemes.</b></p> <p>All assets, rights and liabilities of the Commission arising from or in connection with:</p> <p>11.1 The scheme or schemes established to facilitate the supply and transmission of electricity comprising what is known as the contributory extension scheme.</p> <p>11.2 Non-refundable capital contributions.</p> <p>11.3 Loan redemption and interest fund and related investments held in relation to inscribed stock and debentures issued by the Commission up to and including 1 October 1988.</p> <p>11.4 Loans (Acquired Undertakings) being loans incurred by the Commission in respect of the acquisition of electricity and gas systems.</p> <p>11.5 Commonwealth Government financial assistance receivable by the Commission in respect of North West Shelf Gas in accordance with the Agreed Statement of Principles (ASOP Agreement) dated 10 March 1985.</p>	<p>Electricity Corporation.</p> <p>Electricity Corporation.</p> <p>Electricity Corporation.</p> <p>Electricity Corporation.</p> <p>To be allocated in accordance with section 44(5) of the Act.</p>

<p>11.6 The scheme known as the Aboriginal Village Scheme under which various parties provide moneys to be applied in the construction of facilities in isolated communities.</p>	<p>Electricity Corporation.</p>
<p>11.7 Any statutory contribution levy moneys paid by the Commission to the Consolidated Fund before the Commencement Date in respect of any period after the Commencement Date pursuant to the <i>Public Authorities (Contributions) Act 1974</i> as amended.</p>	<p>Electricity Corporation and Gas Corporation as tenants in common in the following proportions:</p> <p>Electricity Corporation: a proportion equivalent to the proportion that leviable electricity sales revenues bear to total leviable electricity and gas sale revenues of the Commission for the relevant period; and Gas Corporation: a proportion equivalent to the proportion that leviable gas sales revenues bear to total leviable electricity and gas sale revenues of the Commission for the relevant period.</p>
<p><b>12. Fixed assets, plant and equipment</b></p>	
<p>12.1 All assets, rights and liabilities of the Commission (excluding all assets, rights and liabilities allocated elsewhere in this Order) arising from or in connection with all plant, equipment, works in progress or under construction, stock, stores or other property in which the Commission has an interest at, on or used in connection with:</p> <p>(a) the South - West Interconnected Power System including, without limitation, the power stations located at:</p> <p style="padding-left: 40px;">Bunbury; Muja; Kwinana; Geraldton; Kalgoorlie; Mungarra; and Pinjar,</p> <p>and all associated substations and transmission and distribution lines;</p>	<p>Electricity Corporation.</p>

<p>(b) the North - West Interconnected Power System including, without limitation, the power stations located at:</p> <p style="padding-left: 40px;">Redbank; and Dampier,</p> <p>and all associated substations and transmission and distribution lines; and</p> <p>(c) all remote (non - interconnected) power facilities in Western Australia including, without limitation, all associated substations and transmission and distribution lines.</p>	
<p>12.2 All other electricity generation, transmission and distribution assets, rights and liabilities of the Commission (excluding all assets, rights and liabilities allocated elsewhere in this Order) including, without limitation, all gas turbines, transmission lines, sub-stations and distribution lines, electricity meters and measuring devices.</p>	<p>Electricity Corporation.</p>
<p>12.3 All assets, rights and liabilities of the Commission (excluding all assets, rights and liabilities allocated elsewhere in this Order) arising from or in connection with all plant, equipment, works in progress or under construction, stock, stores or other property in which the Commission has an interest at, on or used in connection with the Dampier - Bunbury Natural Gas Pipeline including, without limitation, all gas compressor stations and laterals.</p>	<p>Gas Corporation.</p>
<p>12.4 All other gas transmission and distribution assets, rights and liabilities of the Commission (excluding all assets, rights and liabilities allocated elsewhere in this Order) including, without limitation, all gas meters and measuring devices not otherwise referred to in this Order.</p>	<p>Gas Corporation.</p>

<b>13. Communications equipment.</b>	
All assets, rights and liabilities of the Commission arising from or in connection with:	
13.1 The power system SCADA at East Perth Control Centre.	Electricity Corporation.
13.2 The Dampier - Bunbury Natural Gas Pipeline SCADA system.	Gas Corporation.
13.3 All mobile radio systems associated with the Dampier - Bunbury Natural Gas Pipeline.	Gas Corporation.
13.4 All mobile radio systems except those radio systems associated with the Dampier - Bunbury Natural Gas Pipeline.	Electricity Corporation.
13.5 The telephone PABX/PAX systems specified in Schedule 13 and all attached ancillary equipment.	Gas Corporation.
13.6 All other telephone PABX/PAX systems.	Electricity Corporation.
13.7 All pilot cable and optical fibre systems, except the Brown Range - Carnarvon Gate Station pilot cable and optical fibre system.	Electricity Corporation.
13.8 The Brown Range - Carnarvon Gate Station pilot cable and optical fibre system.	Gas Corporation.
13.9 Dampier - Bunbury Microwave Radio System.	Electricity Corporation and Gas Corporation, jointly.
13.10 Karratha (RO) - Karratha Gas Depot Radio System.	Gas Corporation.
13.11 All other communications Bearer Systems.	Electricity Corporation.

<b>14. Pending or granted patents and copyright.</b>	
<b>14.1</b> All assets, rights and liabilities of the Commission arising from or in connection with the following pending or granted patents: (a) Patent No. 566873 entitled "Liquid Level Observation Gauge"; (b) Application No. 20576/92 entitled "Terminal Cover"; and (c) Patent No. 656038 entitled "Retractable Coupon".	Electricity Corporation and Gas Corporation, jointly.  Electricity Corporation and Gas Corporation, jointly.  Electricity Corporation and Gas Corporation, jointly.
<b>14.2</b> All assets, rights and liabilities of the Commission arising from or in connection with any copyright (except as otherwise allocated by virtue of the allocation of assets in this Order) relating principally to: (a) an electricity generation, transmission or distribution function; (b) a gas transmission or distribution function; or (c) both or neither functions.	Electricity Corporation.  Gas Corporation.  Electricity Corporation and Gas Corporation, jointly.
<b>15. Names and logos and trademark and design applications and registrations.</b>	
<b>15.1</b> All assets, rights and liabilities of the Commission arising from or in connection with the following names and logos and trademark applications and registrations : (a) the name "SECWA"; trademark No. A303656, class 16, SECWA logo; and, the "Dial before you dig" name and logo; (b) the names "SECWA Solar Model Car Challenge" and "Western Power Solar Model Car Challenge" and their respective logos;	Electricity Corporation and Gas Corporation, jointly.  Electricity Corporation.

<p>(c) the name "Western Power"; trademark No. A646281, class 39, Western Power plus logo; trademark No. A646285, class 42, Western Power plus logo; trademark No. A646286, class 39, Western Power logo; trademark No. A646287, class 42, Western Power logo; trademark No. A646288, class 39, Western Power; and, trademark No. A646289, class 42, Western Power; and</p>	Electricity Corporation.
<p>(d) the names "Alinta Gas" and "AlintaGas"; trademark No. A646373, class 4, Alinta flame logo; trademark No. A646375, class 11, Alinta flame logo; trademark No. A646380, class 39, Alinta flame logo; trademark No. A646383, class 42, Alinta flame logo; trademark No. A646384, class 42, Alinta Gas plus logo; trademark No. A646385, class 39, Alinta Gas plus logo; trademark No. A646386, class 11, Alinta Gas plus logo; trademark No. A646389, class 4, Alinta Gas plus logo; trademark No. A646390, class 4, Alinta Gas; trademark No. A646391, class 11, Alinta Gas; trademark No. A646392, class 39, Alinta Gas; trademark No. A646393, class 42, Alinta Gas;</p>	Gas Corporation.
<p><b>16. Computer hardware and software.</b></p>	
<p>All assets, rights and liabilities of the Commission arising from or in connection with:</p>	
<p>16.1 the computer hardware specified in Schedule 14 and all installed software in respect of that hardware (including, without limitation, licences, associated databases and technical/user manuals);</p>	Gas Corporation.
<p>16.2 all computer software specified in Schedule 15 (including, without limitation, licences, source codes, object codes, job control languages, associated databases and technical/user manuals); and</p>	Gas Corporation.
<p>16.3 all other computer hardware and software (including, without limitation, licences, source codes, object codes, job control languages, associated databases and technical/user manuals).</p>	Electricity Corporation.

<b>17. Employee liabilities.</b>	
<p>17.1 All assets, rights and liabilities of the Commission relating to employees of the Commission (including, without limitation, all superannuation and workers' compensation and related common law assets, rights and liabilities) transferring to:</p> <p>(a) Electricity Corporation.</p> <p>(b) Gas Corporation.</p>	<p>Electricity Corporation</p> <p>Gas Corporation.</p>
<p>17.2 All assets, rights and liabilities of the Commission arising from or in connection with the Government Employees Superannuation Fund and the State Superannuation Pension Fund in respect of former employees of the Commission:</p> <p>(a) if the relevant employee's last day of service with the Commission was principally in an electricity function.</p> <p>(b) if the relevant employee's last day of service with the Commission was principally in a gas function.</p> <p>(c) if the relevant employee's last day of service with the Commission cannot be identified as principally in service of either of the electricity or gas functions.</p>	<p>Electricity Corporation</p> <p>Gas Corporation.</p> <p>Electricity Corporation.</p>
<b>18. Contracts.</b>	
<p>All assets, rights and liabilities of the Commission arising from or in connection with:</p>	
<p>18.1 the contracts specified in:</p> <p>(a) Part A of Schedule 16;</p> <p>(b) Part B of Schedule 16;</p> <p>(c) Part C of Schedule 16;</p>	<p>Electricity Corporation.</p> <p>Gas Corporation.</p> <p>Electricity Corporation and Gas Corporation, jointly.</p>
<p>18.2 the contracts specified in Schedule 17;</p>	<p>To be allocated in accordance with section 44(5) of the Act.</p>

<p>18.3 subject to any other allocation in this Order, all other contracts entered into before the Commencement Date principally in the performance of:</p> <p>(a) an electricity generation, transmission or distribution function;</p> <p>(b) a gas transmission or distribution function; or</p> <p>(c) both or neither functions.</p>	<p>Electricity Corporation.</p> <p>Gas Corporation.</p> <p>Electricity Corporation and Gas Corporation, as tenants in common in equal shares.</p>
<p><b>19. Debtors and creditors.</b></p> <p>All assets, rights and liabilities of the Commission arising from or in connection with debtors and creditors of the Commission including, without limitation, customer and contractor deposits, to the extent not allocated by virtue of the allocation of assets, rights and liabilities elsewhere in this Order, that were acquired or incurred before the Commencement Date principally in the performance of:</p> <p>19.1. an electricity generation, transmission or distribution function including, without limitation, electricity tariff and contract debtors;</p> <p>19.2. a gas transmission or distribution function including, without limitation, gas tariff and contract debtors; or</p> <p>19.3. both or neither functions.</p>	<p>Electricity Corporation.</p> <p>Gas Corporation.</p> <p>Electricity Corporation and Gas Corporation, jointly.</p>
<p><b>20. Insurance policies.</b></p> <p>All assets, rights and liabilities of the Commission arising from or in connection with:</p> <p>20.1 the insurance policies described in Schedule 18;</p> <p>20.2 to the extent not allocated elsewhere in this Order, insurance policies entered into by the Commission which have lapsed prior to the Commencement Date including, without limitation, any workers' compensation policies and claims.</p>	<p>As per the allocation specified in Schedule 18.</p> <p>Electricity Corporation and Gas Corporation, jointly.</p>



**21. Ceramic Fuel Cells Limited**

All assets, rights and liabilities of the Commission arising from or in connection with Ceramic Fuel Cells Limited, including all associated agreements, arrangements and understandings.

Electricity Corporation.

**22. Inventories.**

22.1 All inventories of the following products to the extent not allocated by virtue of the allocation of assets, rights and liabilities elsewhere in this Order acquired by the Commission on or before the Commencement Date:

- (a) coal;
- (b) gas; and
- (c) fuel oil and distillate.

Electricity Corporation.

Gas Corporation.

Electricity Corporation.

22.2 All material stores, stock manufacture and major project works inventories, to the extent not allocated by virtue of the allocation of assets, rights and liabilities elsewhere in this Order, that were acquired by the Commission on or before the Commencement Date principally in the performance of:

- (a) an electricity generation, transmission or distribution function;
- (b) a gas transmission or distribution function; or
- (c) both or neither functions.

Electricity Corporation.

Gas Corporation.

Electricity Corporation and Gas Corporation, jointly.

**23. Litigation and other claims.**

Subject to Table B, all of the assets, rights and liabilities of the Commission arising from or in connection with litigation and other claims involving the Commission to the extent that they relate principally to:

23.1. an electricity generation, transmission or distribution function;

Electricity Corporation.

23.2 a gas transmission or distribution function; or

Gas Corporation.

23.3	both or neither functions.	Electricity Corporation and Gas Corporation, as tenants in common in equal shares.
<b>24.</b>	<b>Compliance.</b> All of the assets, rights and liabilities of the Commission arising from or in connection with all permits, consents and authorities granted in favour of the Commission to the extent that they relate principally to:	
24.1.	an electricity generation, transmission or distribution function;	Electricity Corporation.
24.2	a gas transmission or distribution function; or	Gas Corporation.
24.3	both or neither functions.	Electricity Corporation and Gas Corporation, jointly.
<b>25.</b>	<b>General.</b> Subject to the allocations in this Order, all other assets, rights and liabilities of the Commission that were acquired or incurred before the Commencement Date principally in the performance of:	
25.1.	an electricity generation, transmission or distribution function;	Electricity Corporation.
25.2	a gas transmission or distribution function; or	Gas Corporation.
25.3	both or neither functions.	Electricity Corporation and Gas Corporation, as tenants in common in equal shares.

**Table B**  
**Substitution of Corporations in Proceedings**

<b>Column 1 Proceedings</b>		<b>Column 2 Allocation</b>
Supreme Court	Action No 1223/1994	Gas Corporation
Supreme Court	Action No 1406/1994	Electricity Corporation
Supreme Court	Action No 288/1994	Electricity Corporation
District Court	Action No 7061/1991	Gas Corporation
District Court	Action No 2004/1993	Electricity Corporation
District Court	Action No 4325/1993	Electricity Corporation
District Court	Action No 5295/1991	Electricity Corporation
District Court	Action No 8217/1993	Electricity Corporation
District Court	Action No 1246/1987	Electricity Corporation
District Court	Action No 1248/1987	Electricity Corporation
District Court	Action No 1289/1987	Electricity Corporation
District Court	Action No 4943/1991	Electricity Corporation
District Court	Action No 7947/1990	Gas Corporation
District Court	Action No 41/1993	Electricity Corporation
District Court	Action No 3774/1993	Gas Corporation
District Court	Action No 2388/1993	Electricity Corporation
District Court	Action No 3769/1990	Electricity Corporation
District Court	Action No 4593/1993	Electricity Corporation
District Court	Action No 5388/1994	Electricity Corporation
District Court	Action No 6684/1993	Electricity Corporation
District Court	Action No 5937/1994	Electricity Corporation
District Court	Action No 4912/1993	Electricity Corporation
District Court	Action No 2028/1994	Electricity Corporation
District Court	Action No 7207/1993	Electricity Corporation
District Court	Action No 3484/1994	Electricity Corporation
District Court	Action No 2682/1994	Electricity Corporation
District Court	Action No 7407/1993	Gas Corporation
District Court	Action No 4674/1993	Electricity Corporation

District Court	Action No 3796/1994	Electricity Corporation
Australian Industrial Relations Commission	Application Number C No 21811 of 1991	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 22011 of 1991	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 31616 of 1991	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 20361 of 1992	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 31429 of 1990	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 22038 of 1993	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 33220 of 1993	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 30020 of 1994	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 20018 of 1994	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 60409 of 1994	Electricity Corporation
Australian Industrial Relations Commission	Application Number C No 60041 of 1994	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 60334 of 1993	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 60224 of 1994	Electricity Corporation and Gas Corporation, jointly
Australian Industrial Relations Commission	Application Number C No 60345 of 1994	Electricity Corporation and Gas Corporation, jointly
Western Australian Industrial Relations Commission	Action No 1114 of 1994	Electricity Corporation and Gas Corporation, jointly
Western Australian Industrial Relations Commission	Action No C 401 of 1994	Electricity Corporation
Western Australian Industrial Relations Commission	Action No 288 of 1990	Electricity Corporation
Western Australian Industrial Relations Commission	Action No 1158 of 1989	Electricity Corporation
Western Australian Industrial Relations Commission	Action No 1517 of 1993	Electricity Corporation and Gas Corporation, jointly

**Table C**  
**Change of References to Commission in Government Agreements**

- (1) The first column refers to the Government agreements in which there is a reference to the Commission identified by reference to the Act in respect of which the Government agreement:
  - (i) is set out in a schedule; or
  - (ii) is incorporated; or
  - (iii) appears,as the case may be.
- (2) The second column specifies each provision in the relevant Government agreement in which a reference to the Commission is to be read as a reference to the Electricity Corporation.
- (3) The third column specifies each provision in the relevant Government agreement in which a reference to the Commission is to be read as a reference to the Gas Corporation.
- (4) The fourth column specifies each provision in the relevant Government agreement in which a reference to the Commission is to be read as a reference to both the Electricity Corporation and the Gas Corporation, either jointly, or as tenants in common in equal or unequal shares.
- (5) The fifth column specifies each provision in the relevant Government agreement in which a reference to the Commission is to be read as a reference to the Co-ordinator of Energy.

Government Agreement		Provision in which the reference to Commission is to be read as a reference to:			
Electricity Corporation	Electricity Corporation and Gas Corporation	Gas Corporation		Clause 1, 8 and 9.	Alumina Refinery (Wagerup) Agreement and Acts Amendment Act 1978
				Clause 15(3).	Alumina Refinery (Worsley) Agreement Act 1973
				Clause 9(4)(b).	Casino (Burswood Island) Agreement Act 1985
					Cement Works (Cockburn Cement Limited) Agreement Act 1971
	Third Schedule paragraph (b).			Recitals (b) and (c), clauses 1, 5, 9(2), 19(1), 25(3), 36(5), 46 and schedules "B" and "C".	Collie Coal (Griffin) Agreement Act 1979
				Recital (b) and clauses 1, 6, 7(1)(c), 14, 18(2), 19(1), 25(2) and 25(3).	Collie Coal (Western Collieries) Agreement Act 1979
				Clauses 1, 15(1) and 15(2).	Dardanup Pine Log Sawmill Agreement Act 1992
				Clauses 1, 21(1)(a), (b), (c) and (d), 21(2)(a), 21(5), 21(6), 21(8), 21(9), 21(10) and 21(11).	Diamond (Argyle Diamond Mines Joint Venture) Agreement Act 1981
	Coordinator of Energy	Electricity Corporation and Gas Corporation	Gas Corporation	Clauses 18(3) and 18(4)	Goldfields Gas Pipeline Agreement Act 1994
				Clauses 17(1), 17(2) and 17(3)	
				Clause 1	
				Clause 21(3)(a), (b) and (c).	Iron Ore (Channar Joint Venture) Agreement Act 1987

Government Agreement	Provision in which the reference to Commission is to be read as a reference to:			
	Electricity Corporation	Gas Corporation	Electricity Corporation and Gas Corporation	Coordinator of Energy
Iron Ore (Hope Downs) Agreement Act 1992	Clauses 1, 20(1), 20(2) in line 4 and 20(4).			Clause 20(2)(a) and (b).
Iron Ore (Marillana Creek) Agreement Act 1991	Clauses 1, 18(1), 18(2) in line 3 and 18(4).			Clause 18(2)(a) and (b).
Iron Ore (McCamey's Monster) Agreement Authorisation Act 1972	Clauses 1, 22(1), 22(2), 22(4) and 22(5).			
Mineral Sands (Cooljarloo) Mining and Processing Agreement Act 1988			Clauses 1 and 15.	
Mineral Sands (Eneabba) Agreement Act 1975	Clauses 1 and 13(2).			
North West Gas Development (Woodside) Agreement Act 1979	Clauses 17(1), 17(2), 17(3), 17(4), 17(5), 17(6) and 17(7).		Clauses 26(3), 26(3)(a), 26(3)(b), 30(5), 37(1)(f), 42 in lines 3, 4 and 5, 42(a), 43, 44 and 44A.	
Onslow Solar Salt Agreement Act 1992	Clauses 1, 19(1)(a) and 19(1)(c) in line 7.			Clause 19(1)(c) in lines 3 and 4
Pigment Factory (Australind) Agreement Act 1986	Clauses 1, 15(1) and 15(2)			
Pilbara Energy Project Agreement Act 1994	Clauses 1, 17(1) and 17(2)			Clause 6(1)
Port Kennedy Development Agreement Act 1992	Clause 2.1			
Shark Bay Solar Salt Industry Agreement Act 1983				Clauses 1, 21(1)(a), (b) and (c)

Government Agreement	Provision in which the reference to Commission is to be read as a reference to:			
	Electricity Corporation	Gas Corporation	Electricity Corporation and Gas Corporation	Coordinator of Energy
Silicon (Kemerton) Agreement Act 1987 [formerly "(Picton)"]	Clauses 1, 15(1) and 15(2)			
Uranium (Yeelirrie) Agreement Act 1978	Clauses 1, 20(1), 20(2) in line 4, 20(5), 20(6) and 20(7).			Clauses 20(2)(a),(b) and (c).
Western Mining Corporation Limited (Throssell Range) Agreement Act 1985	Clauses 1, 14(1), 14(2) in line 4, 14(4), 14(5) and 14(7).			Clauses 14(2)(a),(b) and (c).

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Colin James Barnett  
Minister for Energy.

