



Western Australia

Electricity Industry (Caravan Park Operators) Exemption Order 2005

Compare between:

[09 May 2009, 00-b0-01] and [25 Sep 2018, 00-c0-00]

Western Australia

Electricity Industry Act 2004

Electricity Industry (Caravan Park Operators) Exemption Order 2005

1. Citation

This order is the *Electricity Industry (Caravan Park Operators) Exemption Order 2005*.

2. Commencement

This order comes into operation on the day on which it is published in the *Gazette*.

3. Terms used in this order

In this order —

caravan park has the meaning given to that term in the *Caravan Parks and Camping Grounds Act 1995* section 5(1);

caravan park operator means a person who owns or operates a caravan park;

electricity reticulation system means any apparatus, plant or equipment in a caravan park used for, or in connection with, the transportation of electricity to a site;

electricity services has the meaning given to that term in clause 4;

permanent park resident means a person who occupies a site in a caravan park as the person's principal place of residence;

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site has the meaning given to that term in the *Caravan Parks and Camping Grounds Act 1995* section 5(1).

4. Electricity services

- (1) Electricity services are services for, or in connection with, the supply of electricity.
- (2) Without limiting subclause (1), electricity services include —
 - (a) the provision and maintenance of an electricity reticulation system;
 - (b) the connection of a site to an electricity reticulation system;
 - (c) the provision, maintenance and reading of a meter to measure and record the quantity of electricity supplied to a site;
 - (d) the preparation and issue of accounts in relation to the supply of electricity to a site; and
 - (e) anything incidental to or associated with a matter referred to in paragraph (a), (b), (c) or (d).

5. Exemption

A caravan park operator is exempt from section 7(1), (3) and (4) of the *Electricity Industry Act 2004* in relation to the supply of electricity at the caravan park subject to the conditions described in clause 6.

6. Conditions of exemption

- (1) If the electricity supplied to a site occupied by a permanent park resident is supplied to the caravan park operator by the Electricity Retail Corporation, any charge imposed by the caravan park operator for the electricity must not exceed the charge for metered consumption —
 - (a) to be paid under the *Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006* by consumers for electricity supplied for residential use only; and

- (b) applying to electricity supplied by the Electricity Retail Corporation on the day of the supply.
- (2A) If the electricity supplied to a site occupied by a permanent park resident is supplied to the caravan park operator by the Regional Power Corporation, any charge imposed by the caravan park operator for that electricity must not exceed the charge for metered consumption —
 - (a) to be paid under the *Energy Operators (Regional Power Corporation) (Charges) By-laws 2006* by consumers for electricity supplied for residential use only; and
 - (b) applying to electricity supplied by the Regional Power Corporation on the day of the supply.
- (2) If the electricity supplied to a site occupied by a permanent park resident is generated using generating works that are owned or operated by the caravan park operator, any charge imposed by the caravan park operator for that electricity must not exceed the amount necessary for the caravan park operator to recover the costs of generation.
- (3) Any fees or charges imposed by the caravan park operator for the provision of electricity services in relation to a site occupied by a permanent park resident must not, in total —
 - (a) in a licence area in which the Electricity Retail Corporation sells electricity to customers, exceed the fixed charge —
 - (i) to be paid under the *Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006* by consumers for electricity supplied for residential use only; and
 - (ii) applying to electricity supplied by the Electricity Retail Corporation on the day of the supply;

or

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- (b) in a licence area in which the Regional Power Corporation sells electricity to customers, exceed the fixed charge —
 - (i) to be paid under the *Energy Operators (Regional Power Corporation) (Charges) By-laws 2006* by consumers for electricity supplied for residential use only; and
 - (ii) applying to electricity supplied by the Electricity Retail Corporation on the day of the supply.
- (4A) Subclause (3) applies even if the electricity supplied by the caravan park operator is generated using generating works that are owned or operated by the caravan park operator.
- (4) The caravan park operator must make available to each permanent park resident information that clearly sets out —
 - (a) the quantity of electricity supplied to the resident; and
 - (b) the fees and charges payable by the resident —
 - (i) for electricity supplied; and
 - (ii) for the provision of electricity services.
- (5) Information referred to in subclause (4) must be made available in a manner that is easily accessible.
- (6) If information referred to in subclause (4) is not included in an account issued to a permanent park resident, the caravan park operator must inform the resident how to gain access to the information.

[Clause 6 amended in Gazette 8 May 2009 p. 1500-1.]

Notes

- ¹ This is a compilation of the *Electricity Industry (Caravan Park Operators) Exemption Order 2005* and includes the amendments made by the other written laws referred to in the following table^{1a}.

Compilation table

Citation	Gazettal	Commencement
<i>Electricity Industry (Caravan Park Operators) Exemption Order 2005</i>	22 Apr 2005 p. 1339-41	22 Apr 2005 (see cl. 2)
<i>Electricity industryIndustry (Caravan Park Operators) Exemption Amendment Order 2009</i>	8 May 2009 p. 1499-501	cl. 1 and 2: 8 May 2009 (see cl. 2(a)); Clauses other than cl. 1 and 2: 9 May 2009 (see cl. 2(b))

- ^{1a} [On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.](#)

Provisions that have not come into operation

<u>Citation</u>	<u>Gazettal</u>	<u>Commencement</u>
Electricity Industry (Caravan Park Operators) Exemption Amendment Order 2018 cl. 3-5²	25 Sep 2018 p. 3560-2	23 Oct 2018 (see cl. 2(b))

- ² [On the date as at which this compilation was prepared, the *Electricity Industry \(Caravan Park Operators\) Exemption Amendment Order 2018* cl. 3-5 had not come into operation. They read as follows:](#)

3. Order amended

[This order amends the *Electricity Industry \(Caravan Park Operators\) Exemption Order 2005*.](#)

4. Clause 5 amended

[In clause 5 delete “clause 6.” and insert:](#)

[clauses 6 and 7.](#)

5. Clause 7 inserted

After clause 6 insert:

7. Conditions of exemption: life support equipment

(1) In this clause —

appropriately qualified medical practitioner has the meaning given in the *Code of Conduct for the Supply of Electricity to Small Use Customers 2016* clause 1.5;

commencement day means the day on which the *Electricity Industry (Caravan Park Operators) Exemption Amendment Order 2018* clause 5 comes into operation;

contact details, of a person, means the person's telephone number and email address, as nominated by the person;

life support equipment means equipment of a type specified for the purposes of the Life Support Equipment Electricity Subsidy Scheme, as administered by the Department of Finance immediately before commencement day;

registered site means a site included in the register kept by the caravan park operator in accordance with this clause;

retailer means a person who holds —

(a) a retail licence; or

(b) an integrated regional licence that authorises the licensee to sell electricity.

(2) The caravan park operator must, in accordance with this clause, keep a register of sites in the caravan park at which a person who requires life support equipment resides.

(3) If the caravan park operator is given written confirmation, by an appropriately qualified medical practitioner, that a person residing at a site in the caravan park requires life support equipment, the operator must —

(a) include the site in the register by including its address or site number, and the contact details of the occupier of the site, in the register; and

(b) keep a copy of the confirmation; and

(c) within 48 hours of being given the confirmation —

(i) notify the retailer (if any) who supplies electricity for the caravan park, that a person residing at the caravan park requires life support equipment; and

(ii) give a copy of the confirmation to the retailer.

- (4) If the caravan park operator is informed that there is no person or will, after a specified date, be no person residing at a registered site in the caravan park who requires life support equipment, the operator —
- (a) must, within 48 hours of being informed, pass on that information to the retailer (if any) who supplies electricity for the caravan park; and
 - (b) may remove the site from the register accordingly.
- (5) The caravan park operator, in relation to a registered site in the caravan park —
- (a) must not interrupt the supply of electricity to the site unless —
 - (i) 48 hours' notice has been given to the occupier of the site; or
 - (ii) an occupier of the site consents to the interruption;
 - and
 - (b) must not disconnect the site for a failure to pay a fee or charge in relation to the supply of electricity to the site; and
 - (c) must pass on to the occupier of the site any notice given to the operator of an interruption to the supply of electricity to the caravan park, within 48 hours of receiving the notice; and
 - (d) must pass on to the occupier of the site a request (if relevant) by a retailer for written confirmation by an appropriately qualified medical practitioner that a person residing at the caravan park requires or continues to require life support equipment.
- (6) If a person becomes a caravan park operator of the caravan park by replacing a previous caravan park operator, the person must, within 48 hours of becoming a caravan park operator of the caravan park —
- (a) notify the occupier of each site in the caravan park at which a person resides that they have become a caravan park operator of the caravan park; and
 - (b) request the occupier to inform them whether or not any person who resides at the site requires life support equipment.

Note: The heading to clause 6 is to read:

Conditions of exemption: fees and charges

