



Western Australia

Gas Pipelines Access (Western Australia) Act 1998

Gas Pipelines Access (Privatized DBNGP System) (Transitional) Regulations 1999

These regulations were repealed by the *Statute (Repeals and Minor Amendments) Act 2009* s. 3(2)(b) (No. 46 of 2009) as at 4 Dec 2009 (see s. 2(b)).

Gas Pipelines Access (Privatized DBNGP System) (Transitional) Regulations 1999

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Gas Pipelines Access (Privatized DBNGP System) (Transitional) Regulations 1999

1. Citation

These regulations may be cited as the *Gas Pipelines Access (Privatized DBNGP System) (Transitional) Regulations 1999*.

2. Commencement

These regulations come into operation on 1 January 2000.

3. Modification of repealed access scheme

- (1) For the purposes of the application under Schedule 3 clause 9(1) of the repealed access scheme during the transitional period, the *Dampier to Bunbury Pipeline Regulations 1998* are to be regarded as including the amendments set out in Schedule 1.

- (2) In this regulation —

repealed access scheme has the meaning given to that term by Schedule 3 clause 9(3);

Schedule 3 means Schedule 3 to the Act;

transitional period means the period that commences on 1 January 2000 and continues until an Access Arrangement is approved under the Gas Pipelines Access (Western Australia) Law in relation to the privatized DBNGP system.

[Regulation 3 amended in Gazette 23 June 2000 p.3192.]

Schedule 1 — Amendments to regulation 35

[r. 3]

1A. Modified regulations 35(1)(a) and (b)

Regulations 35(1)(a) and (b) are amended by adding at the end of each of them —

“

, unless the excess is justifiable under subregulation (1a)

”.

1B. Additional subregulation (1a)

After regulation 35(1) the following subregulation is inserted —

“

- (1a) If the price, or a component of the price, exceeds the amount to which it would be limited because of subregulation (1), the excess is justifiable if it is no more than is necessary to offset the consequences of the New Tax System changes (and no other changes) in relation to that contract.

”.

1. Additional subregulations (3a) and (3b)

After regulation 35(3), the following subregulations are inserted —

“

- (3a) For T1 capacity or T2 capacity available after the year 1999, if the service is a full-haul service —
- (a) the maximum capacity reservation charge that applies per gigajoule per gas day of reserved capacity —
 - (i) for T1 capacity, is \$0.728029;
 - (ii) for T2 capacity, is \$0.691628;
 - (b) the maximum commodity charge that applies per gigajoule delivered is \$0.271971 or, where

applicable, that amount adjusted as described in subregulation (3b);

- (3b) The maximum commodity charge applying under subregulation (3a)(b) per gigajoule delivered, for T1 capacity or T2 capacity available after the year 2000, is adjusted, for a year for which the DBNGP owner could have adjusted the charge if the service were being provided under a contract to which clause 95 applied, to the maximum amount to which the charge could have been adjusted under clause 95 if it had applied.

”.

2. Definitions inserted

- (1) In regulation 35(7):

- (a) at the end of the definition of “year 1999”, the full stop is deleted and a semicolon is inserted instead;
- (b) the following definitions are inserted in their appropriate alphabetical positions —

“

clause 95 means clause 95 of the standard contract set out in the Schedule to the DBNGP access manual;

New Tax System changes has the same meaning as it has in the New Tax System Price Exploitation Code text applying as a law of this State under the *New Tax System Price Exploitation Code (Western Australia) Act 1999*.

year 2000 means the year ending on 1 January 2001 at 08:00 hours.

”.

3. Certain references extended to new provisions

- (1) In regulation 35(1)(a), after “(3),”, the following is inserted —

“ (3a), ”.

- (2) In regulation 35(4), before “the year 1999”, the following is inserted —

“ in or after ”.

**Gas Pipelines Access (Privatized DBNGP System) (Transitional)
Regulations 1999**

Schedule 1 Amendments to regulation 35

cl. 3

[Schedule 1 amended in Gazette 23 June 2000 p.3192.]

Notes

- ¹ This is a compilation of the *Gas Pipelines Access (Privatized DBNGP System) (Transitional) Regulations 1999* and includes the amendments referred to in the following Table.

Compilation table

| Citation | Gazettal | Commencement |
|---|--------------------------|-----------------------|
| <i>Gas Pipelines Access (Privatized DBNGP System) (Transitional) Regulations 1999</i> | 31 Dec 1999 p. 7093-4 | 1 Jan 2000 (see r. 2) |
| <i>Gas Pipelines Access (Privatised DBNGP System) (Transitional) Amendment Regulations 2000</i> | 23 Jun 2000 p. 3191-2 | 1 Jul 2000 (see r. 2) |

These regulations were repealed by the *Statute (Repeals and Minor Amendments) Act 2009* s. 3(2)(b) (No. 46 of 2009) as at 4 Dec 2009 (see s. 2(b))

Defined terms

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) |
|-----------------------------|---------------------|
| repealed access scheme..... | 3(2) |
| Schedule 3..... | 3(2) |
| transitional period | 3(2) |