



Western Australia

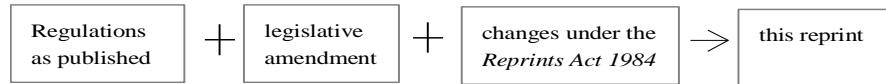
Energy Coordination Act 1994

# **Energy Coordination (Licensing Fees) Regulations 1999**

**Reprint 1: The regulations as at 2 July 2004**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.





Reprinted under the  
*Reprints Act 1984* as  
at 2 July 2004

Western Australia

## **Energy Coordination (Licensing Fees) Regulations 1999**

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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*<sup>1</sup>.

### 2. Commencement

These regulations come into operation on the day on which the *Energy Coordination Amendment Act 1999* comes into operation<sup>1</sup>.

### 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

**r. 5**

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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)]

| <b>Length of distribution network</b>                               | <b>Licence fee</b> |
|---|--------------------|
| 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)]

| <b>Number of small use customers</b> | <b>Licence fee</b> |
|--------------------------------------|--------------------|
| 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.]*

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### **Notes**

- <sup>1</sup> This reprint is a compilation as at 2 July 2004 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**

| <b>Citation</b>  | <b>Gazettal</b>           | <b>Commencement</b>  |
|--|---------------------------|--|
| <i>Energy Coordination (Licensing Fees) Regulations 1999</i>   | 15 Oct 1999<br>p. 4867-9  | 16 Oct 1999 (see r. 2 and <i>Gazette</i><br>15 Oct 1999 p. 4865) |
| <i>Energy Coordination (Licensing Fees) Amendment Regulations 2002</i>   | 19 Jul 2002<br>p. 3413-14 | 19 Jul 2002  |
| <i>Energy Coordination (Licensing Fees) Amendment Regulations 2004</i>   | 19 Mar 2004<br>p. 914-15  | 19 Mar 2004 (see r. 2)   |
| <b>Reprint 1: The <i>Energy Coordination (Licensing Fees) Regulations 1999</i> as at 2 Jul 2004</b> (includes amendments listed above) |                           |  |