

EN302\*

## Gas Services Information Act 2012

## Gas Services Information Amendment Regulations (No. 3) 2015

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Gas Services Information Amendment Regulations (No. 3) 2015*.

### 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* (*gazettal day*);
- (b) regulations 4 and 6 — on the day after gazettal day;
- (c) the rest of the regulations — at 8.00 am on 30 November 2015.

### 3. Regulations amended

These regulations amend the *Gas Services Information Regulations 2012*.

### 4. Regulation 3 amended

- (1) In regulation 3(1) insert in alphabetical order:

*amend* means replace, in whole or in part, add to or vary, and the doing of any 2 or more of such things simultaneously or by the same instrument;

- (2) In regulation 3(1) in the definition of *AEMO* after “Operator” insert:

Limited

### 5. Regulation 4 amended

- (1) In regulation 4(1) delete “IMO — ” and insert:

AEMO —

- (2) In regulation 4(2) delete “IMO” and insert:

AEMO

Note: The heading to amended regulation 4 is to read:

**Functions of operator — AEMO**

**6. Regulation 7 amended**

After regulation 7(4) insert:

- (5) Despite anything in this regulation or the GSI rules, the Minister may make amending rules during the period beginning on the day on which the *Gas Services Information Amendment Regulations (No. 3) 2015* regulation 6 comes into operation and ending on 1 July 2017.

**7. Regulation 8 amended**

In regulation 8(1) after “operator,” insert:

the IMO,

**8. Regulation 11 amended**

- (1) Delete regulation 11(1) and insert:

- (1) The operator is responsible for the development, in accordance with the GSI rules, of amendments of and replacements for the GSI procedures, to the extent to which the procedures relate to its functions.

- (2) After regulation 11(2) insert:

- (3) The IMO is responsible for the development, in accordance with the GSI rules, of amendments of and replacements for the GSI procedures, to the extent to which the procedures relate to its functions, and the GSI rules.

**9. Regulation 13 amended**

- (1) After regulation 13(1) insert:

- (2A) The IMO may, for the purposes of the performance of its function, request a gas market participant to give specified information to the IMO.

(2) After regulation 13(3) insert:

- (4) Subregulation (5) has effect in relation to a request, in effect immediately before the time at which the *Gas Services Information Amendment Regulations (No. 3) 2015* regulation 9(2) comes into operation (**commencement time**), that was made by the IMO for the purposes of the performance of a function under these regulations or the GSI rules that, at commencement time, becomes a function of the AEMO.
- (5) The request becomes, at commencement time, a request made by the AEMO (as the operator) and has effect after commencement time according to its terms.

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

**Operator and IMO may request information**

**10. Regulation 38A inserted**

At the beginning of Part 7 insert:

**38A. References to operator to include IMO**

In this Part, a reference to the operator includes a reference to the IMO.

**11. Regulation 46 amended**

In regulation 46(6):

- (a) delete “operator” (1<sup>st</sup> occurrence) and insert:

IMO

- (b) delete “operator,” and insert:

IMO,

- (c) after “operator” (3<sup>rd</sup> occurrence) insert:

or the IMO

**12. Regulation 48A inserted**

After regulation 47 insert:

**48A. Provision of information and advice to Minister:  
operator's functions**

- (1) The Minister may request the operator to —
  - (a) provide information about the performance of its functions; or
  - (b) provide advice, including advice in the nature of feasibility studies and consultancy services.
- (2) The operator must comply with a request.
- (3) Protected information provided in response to a request under subregulation (1) must be identified as such by the operator at the time of providing the information.
- (4) The costs of the operator in complying with a request under subregulation (1)(a) are not recoverable by way of fees and charges to be paid by registered gas market participants under the GSI rules.

**13. Various references to “IMO” inserted**

In the provisions listed in the Table after “operator” (each occurrence) insert:

or the IMO

**Table**

r. 3(2)	r. 8(2)(c), (d)(i), (e) and (l)
r. 12(1) and (2)	r. 30(5)
r. 49(1)(b)	

**14. Various references to “operator” amended**

In the provisions listed in the Table:

- (a) delete “operator” (each occurrence) and insert:

IMO

- (b) delete “operator’s” (each occurrence) and insert:

IMO’s

**Table**

r. 3(1) def. of <i>warning notice</i>	r. 8(2)(j)
r. 9(1) and (2)	r. 14 def. of <i>civil penalty</i>
r. 16(1) to (8)	r. 17(1), (2) and (4)
r. 18(1) and (3)	r. 19(1)
r. 22	r. 23(1)
r. 24	r. 43(1)
r. 44(1) and (2)	r. 45
r. 46(1) def. of <i>information</i> , (2), (3) and (5)	r. 47(1), (2), (4) and (5)

Note: The heading to amended regulation 16 is to read:

**Contravention of category A civil penalty provision: IMO may demand civil penalty**

Note: The heading to amended regulation 22 is to read:

**Application of civil penalties received by IMO**

Note: The heading to amended regulation 23 is to read:

**IMO to inform certain persons of decisions not to take action**

N. HAGLEY, Clerk of the Executive Council.