

EN301*

Electricity Act 1945

Electricity Amendment Regulations (No. 2) 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electricity Amendment Regulations (No. 2) 2006*.

2. The regulations amended

The amendments in these regulations are to the *Electricity Regulations 1947**.

[* Reprinted as at 3 October 2000.

For amendments to 26 July 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, p. 99-100 and Gazette 31 March 2006*.]

3. Regulations 238, 239, 240 and 241 replaced by regulation 241

Regulations 238, 239, 240 and 241 are repealed and the following regulation is inserted instead —

“

241. Interpretation

(1) In this Part —

“**network operator**” means a supply authority and any person lawfully operating transmission or distribution works, and service apparatus.

(2) To avoid doubt, it is declared that the word “network” does include service apparatus, but does not include a line, pole, switch, transformer, or apparatus on or part of premises to which electricity is supplied by a

network operator that is situated beyond the point at which electricity is so supplied to the premises.

- (3) To avoid doubt, it is declared that the term “network operator” does not include the owner of premises to which electricity is supplied who distributes the electricity to a person who occupies a part or all of the premises.

”.

4. Regulation 242 amended

- (1) Regulation 242(1) is amended as follows:
- (a) by deleting “supply authority shall” and inserting instead —
“ network operator shall ”;
 - (b) by deleting paragraph (a) and “and” after it;
 - (c) in paragraph (b) by deleting “supply authority a” and inserting instead —
“ network operator a ”.
- (2) Regulation 242(2) is amended by deleting “supply authority” and inserting instead —
“ network operator ”.

5. Regulation 243 repealed

Regulation 243 is repealed.

6. Regulation 244 replaced

Regulation 244 is repealed and the following regulation is inserted instead —

“

244. Damage by overloading to network operator’s apparatus

The consumer shall be responsible for any damage caused to meters or other property of the network operator caused through overloading, of which the network operator has not had previous notification, and such consumer shall be liable to disconnection.

”.

7. Regulation 249 amended

Regulation 249 is amended by deleting “supply authority” in the 2 places where it occurs and inserting instead in both places —

“ network operator ”.

8. Regulations 250 and 252 repealed

Regulation 250 and 252 are repealed.

9. Regulation 253 amended

- (1) Regulation 253(1) is amended by deleting “shall establish and maintain an effective system of inspection.” and inserting instead —

“

shall —

- (a) establish and maintain an effective system of inspection in accordance with this regulation;
or
(b) ensure that any consumers’ electric installation is individually inspected in accordance with regulation 254.

”.

- (2) Regulation 253(2)(c)(ii) is amended by deleting “normally be one year and not exceed 2” and inserting instead —

“ not exceed 4 ”.

- (3) Regulation 253(6) is amended after “approval of the Minister” by inserting —

“

, who may rely on the advice of an independent expert technical panel to give or refuse that approval,

”.

- (4) Each provision of regulation 253 listed in the Table to this regulation is amended by deleting “supply authority” in each place it occurs and inserting instead —

“ network operator ”.

Table

r. 253(1)	r. 253(6) (3 places)
r. 253(2) (4 places)	r. 253(7) (6 places)
r. 253(3)	r. 253(8) (2 places)
r. 253(5) (3 places)	r. 253(9) (2 places)

10. Regulation 254 replaced

Regulation 254 is repealed and the following regulation is inserted instead —

“

254. Individual inspection and reporting for electric installation

- (1) If a network operator does not have an inspection plan or policy statement that either complies with regulation 253, or is approved by the Director under regulation 253, the network operator must not —
- (a) supply electricity to a newly installed consumer’s electric installation; or

- (b) supply electricity to a consumer's electric installation that has been altered or expanded (if the network operator has been notified of that alteration or expansion in a manner, if any, set out in the *Electricity (Licensing) Regulations 1991*),

unless the installation has been inspected by an inspector and complies with the requirements, if any, prescribed in respect of that installation.

- (2) If, on an inspection under subregulation (1), the inspector makes an order under section 18(2)(a) of the *Energy Coordination Act 1994*, the network operator must send a copy of the order to the Director within 28 days of the completion of the inspection.
- (3) If an accident of the type referred to in regulation 63 of the *Electricity (Licensing) Regulations 1991* occurs at an installation referred to in subregulation (1), the network operator who supplies electricity to the installation must give the Director a report, in a form approved by the Director, on the accident —
 - (a) within 3 days of the accident; or
 - (b) within any longer period approved, in writing and on a case-by-case basis, by the Director.
- (4) A network operator that fails to comply with subregulation (1), (2) or (3) commits an offence.
- (5) In proceedings for an offence against subregulation (1) it is a defence for the accused to show that the Director had given prior written approval to a network operator or a class of network operator to supply electricity to certain types of alterations or expansions to consumers' installations without prior inspection.

”.

11. Regulation 255 repealed

Regulation 255 is repealed.

12. Regulation 257 amended

Regulation 257 is amended as follows:

- (a) by deleting “supply authority” in the first 3 places where it occurs and inserting instead in each place —
 - “ network operator ”;
- (b) by deleting “supply is charged for” and inserting instead —
 - “ electricity is to be supplied to ”;

- (c) by deleting “adequate making and rupturing capacity to the satisfaction of the supply authority.” and inserting instead —

“

a fault rating to the satisfaction of the network operator.

”.

13. Regulation 265 amended

- (1) Regulation 265(1) and (2) are repealed.
- (2) Regulation 265(3) is amended as follows:
- (a) by deleting “such apparatus aforesaid, or any lift or motor,” and inserting instead —
“ electrical equipment ”;
- (b) by deleting “supply authority” in the 5 places where it occurs and inserting instead in each place —
“ network operator ”.

14. Regulation 268 repealed

Regulation 268 is repealed.

15. Regulation 271 amended

Regulation 271(c) is amended as follows:

- (a) by deleting “lamps or apparatus,” and inserting instead —
“ electrical equipment, ”;
- (b) by deleting “majeure.” and inserting instead —
“

majeure, unless it can be shown that negligence on the part of the supply authority was the reason for, or part of the reason for, the injury, loss or damage.

”.

16. Regulation 272 replaced

Regulation 272 is repealed and the following regulation is inserted instead —

“

272. Disconnections

The supply authority shall have the right to disconnect a consumer’s installation without notice if the consumer —

- (a) has an installation that is faulty or unsafe; or
- (b) uses the service in a way that interferes with the general supply to other consumers; or

- (c) connects substantial increased load without first obtaining the consent of the supply authority.

”.

17. Regulation 273 repealed

Regulation 273 is repealed.

18. Regulation 274 amended

Regulation 274 is amended as follows:

- (a) by deleting “supply authority” and inserting instead —
“ network operator ”;
- (b) by deleting “current” and inserting instead —
“ electricity ”.

19. Regulation 275 repealed

Regulation 275 is repealed.

20. Regulation 276 amended

Regulation 276 is amended before “alteration” by inserting —
“ material ”.

21. Regulations 277 and 279 repealed

Regulations 277 and 279 are repealed.

22. Regulation 280 replaced

Regulation 280 is repealed and the following regulation is inserted instead —

“

280. Charges for services

For any service rendered by the Director to a network operator, the Director may impose a reasonable charge (sufficient to cover labour, travelling and other expenses including overheads) for the service rendered.

”.

23. Regulation 326 amended

Regulation 326(4)(b) is amended by deleting “supply authority” and inserting instead —

“ network operator ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.