



Gas Pipelines Access (Western Australia) Act 1998

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

Made under Schedule 3 clause 9(2) by the Governor in Executive Council.

### 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 Modification of repealed access scheme

- (1) For the purposes of the application under Schedule 3 clause 9(1) of the repealed access scheme during the transitional period, regulation 35 of the *Dampier to Bunbury Pipeline Regulations 1998* (which relates to prices in a post-transfer access contract) is 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“**repealed access scheme**” has the meaning given to that term by Schedule 3 clause 9(3);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.

## Schedule 1 — Amendments to regulation 35

[r. 3]

### 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;

**“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 ”.

By Command of the Governor,

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

