

LEGISLATIVE COUNCIL

ENERGY LEGISLATION AMENDMENT (LICENCE CONDITIONS) BILL 2020

(Amendments and New Clauses to be proposed in Committee by Mr RICH-PHILLIPS)

1. Clause 1, line 4, after "to" insert "temporarily".
2. Clause 2, lines 2 and 3, omit all words and expressions on these lines and insert—
 - "(1) This Act (except Part 4A) comes into operation on the day after the day on which it receives the Royal Assent.
 - (2) Part 4A comes into operation on the second anniversary of the day on which Part 1 comes into operation."
3. Page 25, after line 25, insert the following heading—

"Part 4A—Sunsetting of amendments made by this Act".

NEW CLAUSES

4. Insert the following New Clauses and Division headings to follow clause 20 and the heading proposed by amendment number 3—

'Division 1—Amendment of Electricity Act 2000

20A Definitions

In section 3 of the **Electricity Industry Act 2000**, the definitions of *affected licensee*, *deemed Ministerial licence condition*, *Ministerial licence condition* and *negotiated connection contract* are **repealed**.

20B Provisions relating to licences

In section 20(2) of the **Electricity Industry Act 2000**, the note at the foot of that subsection is **repealed**.

20C Specific licence conditions

Sections 21(v) and (w) of the **Electricity Industry Act 2000** are **repealed**.

20D Variation or revocation of licence

- (1) In section 29(1) of the **Electricity Industry Act 2000** omit "Commission" (where first and secondly occurring).
- (2) In section 29(1A) of the **Electricity Industry Act 2000** omit "Commission licence".
- (3) In section 29(2) of the **Electricity Industry Act 2000** omit "Commission".

- (4) Sections 29(2A) and (2B) of the **Electricity Industry Act 2000** are **repealed**.
- (5) In section 29(3) of the **Electricity Industry Act 2000**, for "Commission licence conditions" **substitute** "the licence conditions".
- (6) Section 29(6) of the **Electricity Industry Act 2000** is **repealed**.

20E Sections 33AB to 33AJ repealed

Sections 33AB to 33AJ of the **Electricity Industry Act 2000** are **repealed**.

20F Terms and conditions of contracts for sale of electricity to certain customers

- (1) In section 36(1) of the **Electricity Industry Act 2000**, for "Subject to subsection (1B), a" **substitute** "A".
- (2) Section 36(1B) of the **Electricity Industry Act 2000** is **repealed**.

20G Deemed distribution contracts

- (1) For section 40A(3) and (3AA) of the **Electricity Industry Act 2000** **substitute**—
 - "(3) Unless the Commission approves otherwise in a particular case, the terms and conditions must not be inconsistent with the Electricity Distribution Code published by the Commission in April 2020, as amended or remade from time to time."
- (2) For section 40A(11) of the **Electricity Industry Act 2000** **substitute**—
 - "(11) In this section—
 - retail customer*, in relation to a distribution company, means a customer of a retailer to which the distribution company distributes or supplies electricity."

20H Content of financial hardship policies

In section 43C of the **Electricity Industry Act 2000**—

- (a) in paragraph (d), for "difficulties; and" **substitute** "difficulties.";
- (b) paragraph (e) is **repealed**.

20I Commission approval

- (1) In section 45(1) of the **Electricity Industry Act 2000**, for "Subject to this section, the" **substitute** "The".
- (2) Section 45(4) of the **Electricity Industry Act 2000** is **repealed**.

Division 2—Amendment of Gas Industry Act 2001

20J Definitions

In section 3 of the **Gas Industry Act 2001**, the definitions of *affected licensee*, *deemed Ministerial licence condition* and *Ministerial licence condition* are **repealed**.

20K Provisions relating to licences

In section 28(2) of the **Gas Industry Act 2001**, the note at the foot of that subsection is **repealed**.

20L Variation or revocation of licence

- (1) In section 38(1) of the **Gas Industry Act 2001** omit "Commission" (where first and secondly occurring).
- (2) In section 38(2) of the **Gas Industry Act 2001** omit "Commission".
- (3) Sections 38(2A) and (2B) of the **Gas Industry Act 2001** are **repealed**.
- (4) In section 38(3) of the **Gas Industry Act 2001**, for "Commission licence conditions" **substitute** "the licence conditions".
- (5) Section 38(6) of the **Gas Industry Act 2001** is **repealed**.

20M Sections 40A to 40I repealed

Sections 40A to 40I of the **Gas Industry Act 2001** are **repealed**.

20N Terms and conditions of contracts for sale of electricity to certain customers

- (1) In section 43(1) of the **Gas Industry Act 2001**, for "Subject to subsection (1B), a" **substitute** "A".
- (2) Section 43(1B) of the **Gas Industry Act 2001** is **repealed**.

20O Deemed distribution contracts

- (1) For section 48(3) and (3A) of the **Gas Industry Act 2001** **substitute**—
 "(3) Unless the Commission approves otherwise in a particular case, the terms and conditions must not be inconsistent with the Gas Distribution System Code published by the Commission effective 2 January 2020, as amended or remade from time to time."
- (2) For section 48(12) of the **Gas Industry Act 2001** **substitute**—
 "(12) In this section—
retail customer, in relation to a gas distribution company, means a customer of a retailer to which the gas distribution company distributes or supplies gas."

20P Content of financial hardship policies

In section 48GC of the **Gas Industry Act 2001**—

- (a) in paragraph (d), for "difficulties; and" **substitute** "difficulties.";
- (b) paragraph (e) is **repealed**.

20Q Commission approval

- (1) In section 48I(1) of the **Gas Industry Act 2001**, for "Subject to this section, the" **substitute** "The".
- (2) Section 48I(4) of the **Gas Industry Act 2001** is **repealed**.

Division 3—Amendment of National Electricity (Victoria) Act 2005

20R Section 16SA repealed

Section 16SA of the **National Electricity (Victoria) Act 2005** is **repealed**.'

5. Clause 21, lines 3 and 4, omit "its commencement" and insert "the first day on which all of its provisions are in operation".

AMENDMENT OF LONG TITLE

6. Long title, after "to" (where first occurring) insert "temporarily".