



Queensland

Energy Assets (Restructuring and Disposal) Act 2006

Current as at 12 September 2008

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This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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Queensland

Energy Assets (Restructuring and Disposal) Act 2006

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Energy Assets (Restructuring and Disposal) Act 2006

[as amended by all amendments that commenced on or before 12 September 2008]

An Act to facilitate the disposal of particular energy businesses, including by facilitating the restructure or sale of energy entities, and for other purposes

Part 1 Preliminary

1 Short title

This Act may be cited as the *Energy Assets (Restructuring and Disposal) Act 2006*.

2 Purpose of Act

The purpose of this Act is to facilitate the disposal of particular gas and electricity businesses of energy entities, including by facilitating the restructure or sale of the entities.

3 Extraterritorial application of Act

- (1) This Act applies both within and outside Queensland.
- (2) This Act applies outside Queensland to the full extent of the extraterritorial legislative power of the Parliament.

Part 2 Interpretation

4 Dictionary

The dictionary in the schedule defines particular words used in this Act.

4A Energy entities

(1) In this Act—

energy entity means a 2006 project energy entity or a 2007 project energy entity.

(2) However—

- (a) if a provision of this Act applies only to the 2006 project, a reference in the provision to an energy entity is a reference to a 2006 project energy entity; and
- (b) if a provision of this Act applies only to the 2007 project, a reference in the provision to an energy entity is a reference to a 2007 project energy entity.

5 2006 project energy entities

(1) Each of the following is a ***2006 project energy entity***—

- (a) Energex;
- (b) Ergon;
- (c) a company of which Energex or Ergon is the ultimate holding company;
- (d) a company owned jointly by Energex and Ergon;
- (e) a government company established for the 2006 project;
- (f) a company that was a 2006 project energy entity under paragraph (c), all of whose shares have been transferred to the State or to a government company mentioned in paragraph (e).

-
- (2) To remove any doubt, it is declared that a company is not a 2006 project energy entity if it is not—
- (a) a company ultimately owned by the State; or
 - (b) a company of which Energex or Ergon is the ultimate holding company.

5A 2007 project energy entities

- (1) Each of the following is a *2007 project energy entity*—
- (a) Queensland Power Trading Corporation (*QPTC*);
 - (b) Stanwell Corporation Limited ACN 078 848 674 (*Stanwell*);
 - (c) Tarong Energy Corporation Limited ACN 078 848 736 (*Tarong*);
 - (d) a company of which QPTC, Stanwell or Tarong is the ultimate holding company;
 - (e) a government company established for the 2007 project;
 - (f) a company that was a 2007 project energy entity under paragraph (d), all of whose shares have been transferred to the State or to a government company mentioned in paragraph (e).
- (2) To remove any doubt, it is declared that a company is not a 2007 project energy entity if it is not—
- (a) a company ultimately owned by the State; or
 - (b) a company of which QPTC, Stanwell or Tarong is the ultimate holding company.

5B Projects

- (1) In this Act—
- project* means the 2006 project or the 2007 project.
- (2) However, if a provision of this Act applies only to the 2006 project or only to the 2007 project, a reference in the

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provision to the project is a reference only to the project to which the provision applies.

6 The 2006 project

- (1) The *2006 project* is—
 - (a) the taking of steps, including establishing companies, restructuring businesses, assets and liabilities of energy entities, disposing of energy entities and issuing and dealing with gas and electricity authorities—
 - (i) to facilitate the disposal of particular gas and electricity businesses of energy entities; and
 - (ii) for associated purposes relating to the continuing operation of energy entities; and
 - (b) the disposal of the gas and electricity businesses, including by the disposal of energy entities.
- (2) The 2006 project also includes the taking of steps to facilitate an arrangement between Ergon Energy and another entity, or between a sale entity and another entity, after the disposal of an electricity business or energy entity mentioned in subsection (1), for the other entity to assume an obligation to provide customer retail services to non-contestable customers in Ergon Energy's or the sale entity's retail area.
- (3) Words defined in the Electricity Act and used in subsection (2) have the same meanings as they have in the Electricity Act.
- (4) A reference in this section to an energy entity is a reference to a 2006 project energy entity.

6A The 2007 project

- (1) The *2007 project* is—
 - (a) the taking of steps, including establishing companies, restructuring businesses, assets and liabilities of energy entities, disposing of energy entities and granting and dealing with authorities—

- (i) to facilitate the disposal of particular gas and electricity businesses of energy entities; and
 - (ii) for associated purposes relating to the continuing operation of energy entities; and
 - (b) the disposal of the gas and electricity businesses, including by the disposal of energy entities; and
 - (c) the taking of steps for purposes relating to the winding up of QPTC.
- (2) A reference in this section to an energy entity is a reference to a 2007 project energy entity.
- (3) In this section—
- authorities* includes—
- (a) licences, approvals, accreditations, registrations and exemptions; and
 - (b) applications for authorities.

7 References to functions

In this Act—

- (a) a reference to a function includes a power; and
- (b) a reference to performing a function includes exercising a power.

Part 3 Particular Ministerial powers and activities relating to the project

7A Application of pt 3

This part applies to the 2006 project and the 2007 project.

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Note—

Under section 52, the Minister may not perform a function under this part—

- for the 2006 project, on or after the FRC day (1 July 2007); or
- for the 2007 project, on or after 1 July 2008 (except as provided in section 52(3)).

8 Associated activities

For the purpose of the project, the Minister may do any of the following—

- (a) examine a business, asset or liability of an energy entity, including a record relating to a business, asset or liability;
- (b) decide the most appropriate way of restructuring a business, asset or liability of an energy entity, including by deciding whether or not a business, asset or liability of an energy entity is to be transferred to another energy entity;
- (c) decide the most appropriate way of disposing of an energy entity or of a business, asset or liability of an energy entity;
- (d) anything else necessary or incidental to facilitate the disposal of an energy entity or of a business, asset or liability of an energy entity or the continuing operation of an energy entity.

9 Transfer notice

- (1) For the purpose of the project, the Minister may, by gazette notice (a *transfer notice*), do any of the following—
 - (a) transfer shares in an energy entity to another energy entity or the State;
 - (b) transfer a business, asset or liability of an energy entity to another energy entity or the State;

- (c) make provision about the consideration for shares or a business, asset or liability transferred under paragraph (a) or (b);
- (d) grant a lease, easement or other right to an energy entity;
- (e) vary or extinguish a lease, easement or other right held by an energy entity;
- (f) provide whether and, if so, the extent to which an energy entity is the successor in law of another energy entity or the State is the successor in law of an energy entity;
- (g) make provision for a legal proceeding that is being, or may be, taken by or against an energy entity to be continued or taken by or against another energy entity or the State;
- (h) make provision about the application of instruments to an energy entity, including—
 - (i) whether an energy entity is a party to an instrument; and
 - (ii) whether an instrument is taken to have been given to, by or in favour of an energy entity; and
 - (iii) whether a reference to an entity in an instrument is a reference to an energy entity; and
 - (iv) whether, under an instrument, an amount is or may become payable to or by an energy entity or other property is, or may be, transferred to or by an energy entity;
- (i) transfer or second an employee of an energy entity to another energy entity;
- (j) make provision about the employees of an energy entity and their rights;
- (k) make provision about the records of an energy entity;
- (l) make provision about an incidental, consequential or supplemental matter the Minister considers necessary or convenient for effectively carrying out the project.

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- (2) A transfer notice may include conditions applying to something done under the notice.
- (3) If the Minister is satisfied it would be inappropriate for a particular matter to be stated in a transfer notice (for example, because of the size or nature of the matter), the Minister may provide for the matter by including a reference in the transfer notice to another document that is—
 - (a) signed by the Minister; and
 - (b) kept available, at a place stated in the transfer notice, for inspection by the persons to whom the matter relates.
- (4) The transfer of a liability of an energy entity under this section discharges the entity from the liability.
- (5) A transfer notice has effect despite any other law or instrument.
- (6) A transfer notice has effect on the day it is published in the gazette or a later day stated in it.
- (7) In this section—
employee, of an energy entity, does not include a director of the entity.

10 Limitation on power to second employees of an energy entity

- (1) The secondment of an employee under a transfer notice must not, without the employee's consent, involve—
 - (a) a reduction in the employee's status; or
 - (b) any change in the employee's duties that would be unreasonable having regard to the employee's skills, abilities and experience.
- (2) An employee's status is not reduced for the purposes of subsection (1)(a) by—
 - (a) a reduction in the scope of the business operations for which the employee is responsible; or

- (b) a reduction in the number of employees under the employee's supervision or management;

if the employee's functions in their general nature remain the same as, or similar to, the employee's functions before secondment.

11 Project direction

- (1) The Minister may give a direction (a *project direction*) to an energy entity or its board requiring the entity or board to do something the Minister considers necessary or convenient for effectively carrying out the project.
- (2) Without limiting subsection (1), a project direction may be about—
 - (a) forming a company for the purpose of transferring a business, asset or liability to the company; or
 - (b) winding up a company; or
 - (c) executing an instrument; or
 - (d) making a particular decision about disposing of shares in an energy entity other than Energex or Ergon; or
 - (e) making a particular decision for the purpose of returning the proceeds of the disposal of an energy entity, or of a gas or electricity business, to the State; or

Example—

a decision about a dividend or return of capital

 - (f) disclosing information.
- (3) A project direction must be in writing, signed by the Minister.
- (4) An energy entity must comply with a project direction given to it.
- (5) An energy entity's board must—
 - (a) if a project direction is given to the board—comply with the direction; or

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- (b) if a project direction is given to the entity—take the action necessary to ensure the entity complies with the direction.
- (6) An energy entity's employees must help the entity or board to comply with a project direction given to the entity or board.

Part 4 Gas authorities

Division 1 General

11A Application of pt 4

This part applies only to the 2006 project.

Note—

Under section 52, the Minister may not perform a function under this part on or after the FRC day (1 July 2007).

12 Definitions for pt 4

In this part—

authority means a distribution authority or retail authority.

Gas Act means the *Gas Supply Act 2003*.

13 Words have meanings given by Gas Act

Words defined in the Gas Act and used in this part have the same meanings as they have in the Gas Act.

14 Application of Gas Act

The Gas Act applies to an authority issued under this part as if the authority had been issued under the Gas Act by the regulator.

15 Performance of regulator's functions

- (1) Divisions 2 and 3 provide for the Minister to perform particular functions of the regulator in relation to energy entities.
- (2) The Minister may perform the functions for the purpose of the project.
- (3) A thing done by the Minister under division 2 or 3 has effect as if it had been done by the regulator under the Gas Act.
- (4) This part does not limit the functions of the regulator or energy Minister under the Gas Act, including the regulator's functions relating to an authority issued under division 2 or 3.

Example—

An authority issued by the Minister under division 2 or 3 may be amended by the regulator under the Gas Act.

16 Review of decisions

To remove any doubt, it is declared that a decision by the Minister under this part is not a decision that may be the subject of a review, stay or appeal under the Gas Act, chapter 6, part 1.

Division 2 Distribution authorities

17 Issue of authority

- (1) The Minister may issue a distribution authority to an energy entity.
- (2) The Minister may impose conditions on the authority the Minister considers appropriate.
- (3) The Minister may issue the authority for a stated term.
- (4) If the Minister does not decide a term for the authority, it continues in force unless cancelled or surrendered under the Gas Act, chapter 2, part 1 or this division.

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- (5) Except so far as this division otherwise provides, the Gas Act, chapter 2, part 1, division 1 does not apply to the issue of the authority by the Minister.

18 Limitation on issuing authority

The Minister may not issue to an energy entity a distribution authority to provide customer connection services relating to processed natural gas to be transported through a pipeline if the energy entity sells processed natural gas transported through a covered pipeline.

19 Public notice of issue of authority

- (1) As soon as practicable after issuing a distribution authority to an energy entity, the Minister must notify the regulator.
- (2) The regulator must publish a notice about the authority in a Statewide newspaper.
- (3) The Gas Act, section 37(3) applies to the notice as if the energy entity had applied for the authority.

20 Amendment of authority

- (1) This section applies to a distribution authority held by an energy entity.
- (2) The Minister may amend the authority at any time, by giving notice of the amendment to the energy entity, if the Minister considers the amendment necessary or desirable.
- (3) The Minister must immediately give notice of the amendment to the regulator.
- (4) The regulator must record particulars of the amendment in the register.
- (5) The Minister can not amend a condition of a distribution authority imposed under the Gas Act, chapter 2, part 1, division 2.

- (6) The Gas Act, chapter 2, part 1, division 3 does not apply to an amendment by the Minister.

21 Cancellation of authority

- (1) This section applies to a distribution authority held by an energy entity.
- (2) The Minister may cancel the authority at any time, by giving notice to the energy entity, if the Minister considers the cancellation necessary or desirable.
- (3) The Minister must immediately notify the regulator of the cancellation.
- (4) The regulator must record, in the register, the cancellation and when it took effect.
- (5) The Gas Act, chapter 2, part 1, division 3 does not apply to a cancellation by the Minister.

22 Transfer of authority

- (1) This section applies to a distribution authority held by an energy entity.
- (2) The Minister may transfer the authority to another energy entity, at any time, by giving notice of the transfer to the energy entities.
- (3) The Minister must immediately give notice of the transfer to the regulator.
- (4) The regulator must record particulars of the transfer in the register.
- (5) The Gas Act, chapter 2, part 1, division 4, subdivision 2 does not apply to a transfer by the Minister.
- (6) This section applies despite the Gas Act, section 67.

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23 Surrender of authority

- (1) This section applies to a distribution authority held by an energy entity.
- (2) The energy entity may surrender the authority with the approval of the Minister.
- (3) Immediately after approving the surrender, the Minister must notify the regulator.
- (4) The regulator must record, in the register, the surrender and when it took effect.
- (5) The Gas Act, section 73 does not apply to the surrender of an authority with the approval of the Minister under this section.

Division 3 Retail authorities

24 Issue of authority

- (1) The Minister may issue a retail authority to an energy entity.
- (2) The Minister may impose conditions on the authority the Minister considers appropriate.
- (3) The Minister may issue the authority for a stated term.
- (4) If the Minister does not decide a term for the authority, it continues in force unless cancelled or surrendered under the Gas Act, chapter 3, part 1 or this division.
- (5) Except so far as this division otherwise provides, the Gas Act, chapter 3, part 1, division 1 does not apply to the issue of the authority by the Minister.

25 Limitation on issuing authority

- (1) The Minister may not issue to an energy entity an area retail authority if the retail area for the proposed authority is or includes the retail area of an existing retail authority.
- (2) The Minister may not issue to an energy entity a retail authority to provide customer retail services relating to

processed natural gas to be transported through a pipeline if the energy entity provides customer connection services relating to processed natural gas transported through a covered pipeline.

26 Public notice of issue of authority

- (1) As soon as practicable after issuing a retail authority to an energy entity, the Minister must notify the regulator.
- (2) The regulator must publish a notice about the authority in a Statewide newspaper.
- (3) The Gas Act, section 157(3) applies to the notice as if the energy entity had applied for the authority.

27 Amendment of authority

- (1) This section applies to a retail authority held by an energy entity.
- (2) The Minister may amend the authority at any time, by giving notice of the amendment to the energy entity, if the Minister considers the amendment necessary or desirable.
- (3) The Minister must immediately give notice of the amendment to the regulator.
- (4) The regulator must record particulars of the amendment in the register.
- (5) The Minister can not amend a condition of a retail authority imposed under the Gas Act, chapter 3, part 1, division 2.
- (6) The Gas Act, chapter 3, part 1, division 3 does not apply to an amendment by the Minister.

28 Cancellation of authority

- (1) This section applies to a retail authority held by an energy entity.

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- (2) The Minister may cancel the authority at any time, by giving notice to the energy entity, if the Minister considers the cancellation necessary or desirable.
- (3) The Minister must immediately notify the regulator of the cancellation.
- (4) The regulator must record, in the register, the cancellation and when it took effect.
- (5) The Gas Act, chapter 3, part 1, division 3 does not apply to a cancellation by the Minister.

29 Transfer of authority

- (1) This section applies to a retail authority held by an energy entity.
- (2) The Minister may transfer the authority to another energy entity, at any time, by giving notice of the transfer to the energy entities.
- (3) The Minister must immediately give notice of the transfer to the regulator.
- (4) The regulator must record particulars of the transfer in the register.
- (5) The Gas Act, chapter 3, part 1, division 4, subdivision 2 does not apply to a transfer by the Minister.
- (6) This section applies despite the Gas Act, section 191.

30 Surrender of authority

- (1) This section applies to a retail authority held by an energy entity.
- (2) The energy entity may surrender the authority with the approval of the Minister.
- (3) Immediately after approving the surrender, the Minister must notify the regulator.

- (4) The regulator must record, in the register, the surrender and when it took effect.
- (5) The Gas Act, section 197 does not apply to the surrender of an authority with the approval of the Minister under this section.

Division 4 Other matters

31 Notified prices for customer retail services

- (1) This section applies if—
 - (a) under a gazette notice in force under the Gas Act, section 228, notified prices apply to the provision of services that are, or relate to, customer retail services for protected customers by particular retailers (the *stated retailers*); and
 - (b) the stated retailers do not include a particular energy entity.
- (2) This section also applies if—
 - (a) under a gazette notice in force under the Gas Act, section 228, notified prices apply to the provision of services by a particular energy entity that are, or relate to, customer retail services for protected customers in a particular area (the *stated area*); and
 - (b) the stated area no longer corresponds to the energy entity's retail area.
- (3) If subsection (1) applies, the Minister may, by gazette notice, apply the notified prices (the *applied prices*) to the energy entity in relation to its retail area.
- (4) If subsection (2) applies, the Minister may, by gazette notice, apply the notified prices (also the *applied prices*) to the energy entity's retail area.
- (5) For the Gas Act, sections 229 to 232, the applied prices are taken to be notified prices.

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- (6) The Minister's gazette notice applies to the energy entity even if the entity stops being an energy entity.
- (7) However, the Minister's gazette notice stops applying if the energy Minister issues a later gazette notice under the Gas Act, section 228, that applies to the energy entity or the entity after it stops being an energy entity.

Part 5 Electricity authorities (2006 project)

Division 1 Preliminary

31A Application of pt 5

This part applies only to the 2006 project.

Note—

Under section 52, the Minister may not perform a function under this part on or after the FRC day (1 July 2007).

32 Definitions for pt 5

In this part—

acquiring entity means a person who contracts with Ergon Energy or a sale entity, in relation to the provision of customer retail services by that person to non-contestable customers in Ergon Energy's or the sale entity's retail area, before the FRC day.

authority means a retail authority.

Electricity Act means the *Electricity Act 1994*.

market customer, of a retail entity, means a customer of the entity who has—

- (a) applied to the entity for the provision of customer retail services to the customer's premises; and
- (b) entered into a negotiated customer sale contract for the customer retail services.

non-market customer, of a retail entity, means a customer of the entity other than a market customer.

premises, of a customer, means premises owned or occupied by the customer.

prescribed entity means Ergon Energy, Sun Retail, an acquiring entity or a sale entity.

sale entity means a former energy entity, other than Ergon Energy or Sun Retail, that holds an authority.

Sun Retail means Sun Retail Pty Ltd ACN 078 848 549 as a former energy entity.

33 Words have meanings given by Electricity Act

Words defined in the Electricity Act and used in this part have the same meanings as they have in the Electricity Act.

Division 2 Issue of authorities and other dealings

34 Application of Electricity Act

The Electricity Act applies to an authority issued under this division as if the authority had been issued under the Electricity Act by the regulator.

35 Performance of regulator's functions

- (1) This division provides for the Minister to perform particular functions of the regulator in relation to energy entities or prescribed entities.

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- (2) The Minister may perform the functions for the purpose of the project.
- (3) A thing done by the Minister under this division has effect as if it had been done by the regulator under the Electricity Act.
- (4) This division does not limit the functions of the regulator or energy Minister under the Electricity Act, including the regulator's functions relating to an authority issued under this division.

Example—

An authority issued by the Minister under this division may be amended by the regulator under the Electricity Act.

36 Review or appeal of decisions

To remove any doubt, it is declared that a decision by the Minister under this division is not a decision that may be the subject of a review, stay or appeal under the Electricity Act, chapter 10.

37 Issue of authority

- (1) The Minister may issue an authority to an energy entity or a prescribed entity.
- (2) The Minister may impose conditions on the authority the Minister considers appropriate.
- (3) The authority may state the term of the authority.
- (4) If the authority states a retail area, the authority may state when the right to the retail area starts and ends.
- (5) As soon as practicable after issuing the authority, the Minister must notify the regulator.
- (6) Except so far as this division otherwise provides, the Electricity Act, chapter 9, part 4, division 1 does not apply to the issue of the authority by the Minister.

38 Limitations on issuing authority

- (1) The Minister must not issue an authority with a retail area if another authority with the same retail area is already in force.
- (2) The Minister must not issue an authority to a distribution entity.

39 Amendment or cancellation of authority

- (1) This section applies to an authority held by an energy entity or a prescribed entity.
- (2) The Minister may, by giving a written notice to the energy entity or prescribed entity, take any of the following actions under this section—
 - (a) amend the authority or the conditions of the authority;
 - (b) cancel the authority.
- (3) The Minister may take the action if—
 - (a) for an authority held by an energy entity—the Minister considers the action necessary or desirable; or
 - (b) for an authority held by a prescribed entity—the prescribed entity agrees to the action.
- (4) As soon as practicable after taking the action, the Minister must notify the regulator.
- (5) The Electricity Act, chapter 5, part 4 and chapter 9, part 4, division 2 do not apply to the taking of the action by the Minister.

40 Surrender of authority

- (1) An energy entity or prescribed entity that holds an authority may surrender the authority with the Minister's agreement.
- (2) As soon as practicable after agreeing to the surrender, the Minister must notify the regulator.

[s 41]

- (3) The Electricity Act, section 207C, does not apply to the surrender of an authority with the Minister's agreement under this section.

Division 3 Matters associated with dealings with authorities

41 Existing standard contracts and meter readings

- (1) This section applies if—
- (a) an energy entity or a prescribed entity (the *first entity*) holds an authority that states a retail area; and
 - (b) under the Electricity Act, section 49, 49A or 310, or under this section, a customer is taken to have entered into a standard contract with the first entity for the provision of customer retail services to the customer's premises in the retail area (the *existing standard contract*); and
 - (c) on a day (the *transfer day*) before the FRC day—
 - (i) the first entity stops holding an authority stating a retail area that includes the customer's premises; and
 - (ii) another entity (the *second entity*) starts holding an authority stating a retail area that includes the customer's premises.
- (2) On the transfer day—
- (a) the existing standard contract ends; and
 - (b) the customer is taken to have entered into a standard contract with the second entity for the provision of customer retail services to the customer's premises.
- (3) The ending of the existing standard contract does not affect rights or obligations that accrued under the contract before the transfer day.

-
- (4) The first entity must base the customer's bill, for electricity usage up to the end of the transfer day, on—
- (a) an actual reading of the relevant meters at the customer's premises made during the transition period; or
 - (b) if, despite using its best endeavours, it is unable to obtain an actual reading made during the transition period—an estimate, made during the transition period, of the customer's electricity usage up to the end of the transfer day.
- (5) For the purpose of a provision of an approved industry code about meter reading, an actual reading or estimate under subsection (4) is taken to be an actual reading of the relevant meters at the customer's premises at the end of the transfer day.
- (6) A decision made, or purportedly made, under subsection (4) is not a decision under this Act for section 50.
- (7) In this section—

standard contract, in relation to an entity, means a contract on the terms of the entity's standard customer sale contract.

transition period means the period consisting of the 3 days before the transfer day, the transfer day, and the 3 days after the transfer day.

42 Amendment of provision of standard customer sales contract in approved industry code

- (1) This section applies if—
- (a) an approved industry code sets out a standard customer sale contract; and
 - (b) the Minister considers it necessary or convenient, for the purpose of a relevant dealing, to amend a provision of the standard customer sale contract about the parties to the contract (a ***parties provision***) because of the operation of section 41.

[s 43]

- (2) The Minister, by gazette notice, may amend the parties provision.
- (3) Despite its amendment under this section, the approved industry code continues to be an approved industry code.
- (4) The amendment under this section does not affect the power to further amend or repeal the code under the Electricity Act.
- (5) In this section—
relevant dealing means a dealing under this part involving the issue, amendment, surrender or cancellation of an authority.

43 Notified prices for customer retail services

- (1) This section applies if—
 - (a) under a gazette notice in force under the Electricity Act, section 90, notified prices apply to the provision of customer retail services or other goods or services by particular retail entities (the *stated retail entities*); and
 - (b) the stated retail entities do not include a particular energy entity or prescribed entity.
- (2) The Minister may, by gazette notice, apply the notified prices (the *applied prices*) to the energy entity or prescribed entity in relation to the entity's non-contestable customers.
- (3) For the Electricity Act, sections 91 and 91A, the applied prices are taken to be notified prices.
- (4) The Minister's gazette notice applies to the energy entity even if the entity stops being an energy entity.
- (5) However, the Minister's gazette notice stops applying to the energy entity or prescribed entity if the pricing entity issues a later gazette notice under the Electricity Act, section 90, that applies to the energy entity or prescribed entity.
- (6) A reference in subsection (5) to the energy entity includes that entity if it stops being an energy entity.

Division 4 Operation of authorities and related matters

44 Provision for particular contracts on FRC day

- (1) This section applies on the FRC day if immediately before that day a contract (the *existing contract*) was, under any of the following, taken to be in force between a customer and a FRC entity for the provision of customer retail services to premises—
 - (a) former section 49 or 49A of the Electricity Act;
 - (b) former section 310 of the Electricity Act;
 - (c) section 41 of this Act.
- (2) The existing contract ends.
- (3) The ending of the existing contract does not affect rights or obligations accrued under it before the FRC day.
- (4) The customer and the entity are taken to have entered into a retail contract of the following type under the Electricity Act, section 51, for the provision of the services—
 - (a) if, under that Act, the customer is a small customer for the premises—a standard retail contract;
 - (b) if, under that Act, the customer is a large customer for the premises—a standard large customer retail contract.
- (5) The Electricity Act, section 52(3) and (4), applies to the retail contract as if it were a contract taken to have been entered into under that section.
- (6) This section applies despite the FRC entity not holding an authority with a stated retail area.
- (7) This section is subject to the retailer of last resort scheme under the Electricity Act.
- (8) In this section—

FRC entity means Ergon Energy, an acquiring entity or a sale entity.

[s 45]

45 Effect on customers

To remove any doubt, it is declared that a customer's status as a non-market customer is not affected by section 44.

Part 5A Electricity authorities (2007 project)

Division 1 Preliminary

45A Application of pt 5A

This part applies only to the 2007 project.

Note—

Under section 52, the Minister may not perform a function under this part on or after 1 July 2008.

45B Definition for pt 5A

In this part—

Electricity Act means the *Electricity Act 1994*.

45C Words have meanings given by Electricity Act

Words defined in the Electricity Act and used in this part have the same meanings as they have in the Electricity Act.

45D Performance of regulator's functions

- (1) This part provides for the Minister to perform particular functions of the regulator in relation to energy entities.
- (2) The Minister may perform the functions for the purpose of the project.

- (3) A thing done by the Minister under this part has effect as if it had been done by the regulator under the Electricity Act.
- (4) This part does not limit the functions of the regulator or energy Minister under the Electricity Act, including the regulator's functions relating to a special approval given under division 2.

Example—

A special approval given by the Minister under division 2 may be amended by the regulator under the Electricity Act.

45E Review or appeal of decisions

To remove any doubt, it is declared that a decision by the Minister under this part is not a decision that may be the subject of a review, stay or appeal under the Electricity Act, chapter 10.

Division 2 Special approvals

45F Giving of special approval

- (1) The Minister may give a special approval to an energy entity.
- (2) The Minister may impose conditions on the special approval the Minister considers appropriate.
- (3) The special approval may state the term of the special approval.
- (4) As soon as practicable after giving the special approval, the Minister must notify the regulator.
- (5) The Electricity Act, chapter 9, part 5, division 1 does not apply to the giving of a special approval by the Minister under this section.
- (6) However, the Electricity Act applies to a special approval given under this section as if the special approval had been given by the regulator under the Electricity Act, chapter 9, part 5, division 1.

[s 45G]

45G Amendment, cancellation or transfer of special approval

- (1) This section applies to a special approval held by an energy entity.
- (2) The Minister may, by giving a written notice to the energy entity, take any of the following actions under this section—
 - (a) amend the special approval or the conditions stated in the special approval;
 - (b) cancel the special approval;
 - (c) transfer the special approval to another energy entity.
- (3) As soon as practicable after taking the action, the Minister must notify the regulator.
- (4) The Electricity Act, chapter 5, part 4 and chapter 9, part 5, divisions 2 and 3 do not apply to the taking of the action by the Minister.

45H Surrender of special approval

- (1) An energy entity that holds a special approval may surrender it by giving written notice to the Minister and, for that purpose, the Electricity Act, section 213 applies as if a reference to the regulator were a reference to the Minister.
- (2) As soon as practicable after a special approval is surrendered under subsection (1), the Minister must notify the regulator.

Division 3 Accreditations

45I Transfer of accreditation

- (1) This section applies to an accreditation held by an energy entity.
- (2) The Minister may, by giving written notice to the regulator, transfer the accreditation to another energy entity.
- (3) The Electricity Act, chapter 5A, part 2, division 4, subdivision 1 does not apply to a transfer under this section.

- (4) However, the transfer has effect as if it had been done under the Electricity Act, chapter 5A, part 2, division 4, subdivision 1.

Division 4 Scheme participants

45J Registration as scheme participant

- (1) The Minister may give a written notice to the regulator asking the regulator to register an energy entity as a scheme participant.
- (2) On receiving the notice, the regulator must, by complying with the Electricity Act, section 135JH, register the energy entity as a scheme participant in the scheme participant register.
- (3) The Electricity Act, sections 135I and 135IA do not apply to registration under this section.
- (4) However, the registration has effect as if it had been effected under the Electricity Act, chapter 5A, part 6.

Division 5 Liable load exemptions

45K Application of Electricity Act

The Electricity Act applies to a liable load exemption granted under this division as if the exemption had been granted under the Electricity Act by the regulator.

45L Grant of renewable energy exemption

- (1) The Minister may grant a renewable energy exemption to an energy entity.
- (2) The Electricity Act, sections 135GS to 135GU and 135GV(4) do not apply to the granting of the exemption.

[s 45M]

- (3) The Electricity Act, sections 135GV(1) to (3) and 135GW apply to the granting of the exemption as if—
 - (a) a reference to the regulator were a reference to the Minister; and
 - (b) a reference to the applicant were a reference to the energy entity.
- (4) As soon as practicable after granting the exemption, the Minister must notify the regulator.
- (5) In this section—

renewable energy exemption means a liable load exemption under the Electricity Act, chapter 5A, part 5, division 6, subdivision 3.

45M Grant of power station auxiliary load exemption

- (1) The Minister may grant a power station auxiliary load exemption to an energy entity.
- (2) The Electricity Act, sections 135H to 135HB and 135HC(3) do not apply to the granting of the exemption.
- (3) The Electricity Act, section 135HC(1) and (2) apply to the granting of the exemption as if—
 - (a) a reference to the regulator were a reference to the Minister; and
 - (b) a reference to the applicant were a reference to the energy entity.
- (4) As soon as practicable after granting the exemption, the Minister must notify the regulator.
- (5) In this section—

power station auxiliary load exemption means a liable load exemption under the Electricity Act, chapter 5A, part 5, division 6, subdivision 4.

45N Amendment of liable load exemption

- (1) The Minister may amend a liable load exemption in force for an energy entity by giving the energy entity an amended certificate of exemption that reflects the amendment.
- (2) As soon as practicable after making the amendment, the Minister must give copies of the amended certificate to the regulator and any interested person.
- (3) The Electricity Act, chapter 5A, part 5, division 6, subdivision 6 does not apply to the making of the amendment by the Minister.
- (4) However, the amendment has effect as if it had been made by the regulator under the Electricity Act, chapter 5A, part 5, division 6, subdivision 6.

Part 5B Environmental authorities

45O Application of pt 5B

This part applies only to the 2007 project.

Note—

Under section 52, the Minister may not perform a function under this part on or after 1 July 2008.

45P Definitions for pt 5B

In this part—

administering authority see the Environmental Act, schedule 3.

Environmental Act means the *Environmental Protection Act 1994*.

environmental authority (petroleum activities) see the Environmental Act, section 74(2).

[s 45Q]

45Q Transfer of environmental authority or application

- (1) This section applies to—
 - (a) an environmental authority (petroleum activities) held by an energy entity; or
 - (b) an application made by an energy entity for an environmental authority (petroleum activities).
- (2) For the purpose of the project, the Minister may, by giving written notice to the administering authority, transfer the authority or application to another energy entity.
- (3) Subject to subsection (5), the Environmental Act, chapter 4A, part 4 does not apply to a transfer under this section.
- (4) However, the transfer has effect as if it had been done under the Environmental Act, chapter 4A, part 4.
- (5) The Environmental Act, section 136 applies to the administering authority as if a reference in that section to deciding to approve a transfer were a reference to receiving a notice from the Minister under this section.

Part 5C Petroleum authorities

45R Application of pt 5C

This part applies only to the 2007 project.

Note—

Under section 52, the Minister may not perform a function under this part on or after 1 July 2008.

45S Definitions for pt 5C

In this part—

Petroleum Act means the *Petroleum and Gas (Production and Safety) Act 2004*.

petroleum Minister means the Minister administering the Petroleum Act.

pipeline licence see the Petroleum Act, section 18(1)(f).

45T Transfer of pipeline licence

- (1) This section applies to a pipeline licence held by an energy entity.
- (2) For the purpose of the project, the Minister may, by giving written notice to the petroleum Minister, transfer the licence to another energy entity.
- (3) The Petroleum Act, chapter 5, part 10 does not apply to a transfer under this section.
- (4) However, the transfer has effect as if it were a permitted dealing carried out under the Petroleum Act, chapter 5, part 10.

45U Transfer of application for pipeline licence

- (1) This section applies to an application for a pipeline licence made by an energy entity under the Petroleum Act.
- (2) For the purpose of the project, the Minister may, by giving written notice to the petroleum Minister, transfer the application to another energy entity.
- (3) The Petroleum Act, section 844(1) does not apply to a transfer under this section.
- (4) However, the transfer has effect as if it had been done by amending the application under the Petroleum Act, section 844.

[s 46]

Part 6

Application of other laws and instruments

46 Act applies despite other laws and instruments

A thing may be done under this Act despite any other law or instrument.

Example—

In accordance with a project direction given to its board, a GOC may form a company that will become a subsidiary without obtaining the approval that would otherwise be required under the *Government Owned Corporations Act 1993*, section 163.

47 Excluded matter for Corporations Act

Anything done by the Minister under this Act is an excluded matter for the Corporations Act, section 5F, in relation to the Corporations Act, chapter 2D.

48 Non-liability for duty

No duty under the *Duties Act 2001* is payable in relation to anything done under a transfer notice.

49 Disposal of public records

(1) This section applies if—

- (a) a thing is done under a transfer notice or project direction; and
- (b) the thing is, or involves, a disposal of a public record under the *Public Records Act 2002*.

(2) To remove any doubt, it is declared that, for the purpose of section 13 of that Act, the public record is disposed of under legal authority, justification or excuse.

50 Decisions not reviewable

- (1) A decision under this Act—
 - (a) is final and conclusive; and
 - (b) can not be challenged, appealed against, reviewed, quashed, set aside or called in question in any other way, under the *Judicial Review Act 1991* or otherwise (whether by the Supreme Court, another court, a tribunal or another entity); and
 - (c) is not subject to any writ or order of the Supreme Court, another court, a tribunal or another entity on any ground.
- (2) In this section—

decision includes a decision or conduct leading up to or forming part of the process of making a decision.

Part 7 Miscellaneous

52 Time within which Minister may act

- (1) The Minister may not perform a function under part 3 for the 2006 project, or under part 4 or 5, on or after the FRC day.
- (2) Subject to subsections (3) and (3A), the Minister may not perform a function under part 3 for the 2007 project on or after 1 July 2008.
- (3) The Minister may perform a function under part 3 on or after 1 July 2008 to the extent the Minister considers necessary or convenient for a purpose relating to the winding up of QPTC, including—
 - (a) providing for the State to be the successor in law of QPTC; and
 - (b) transferring assets or liabilities of QPTC to the State; and

[s 53]

- (c) making provision for legal proceedings that are being, or may be, taken by or against QPTC to be continued or taken by or against the State.
- (3A) The Minister may perform a function under part 3 for the 2007 project on or after the commencement of the *Airport Assets (Restructuring and Disposal) Act 2008*, chapter 1, and before 1 July 2009.
- (4) The Minister may not perform a function under part 5A, 5B or 5C on or after 1 July 2008.

53 Notice to be given to regulator or energy Minister about notified prices

- (1) As soon as practicable after publishing a gazette notice under section 31, the Minister must notify the regulator under the Gas Act.
- (2) As soon as practicable after publishing a gazette notice under section 43, the Minister must notify the energy Minister.

54 Registering authority to note transfer

- (1) The registrar of titles or other person required or authorised by law to register or record transactions affecting assets or liabilities—
 - (a) may, without formal application, register or record in the appropriate way the transfer of an asset or liability under a transfer notice; and
 - (b) must, on written application by a transferee entity, register or record in the appropriate way the transfer of an asset or liability under a transfer notice to the transferee entity.
- (2) A transaction, related to an asset or liability transferred to a transferee entity, entered into by the transferee entity in the relevant transferor entity's name or the name of a predecessor in title to the relevant transferor entity, if effected by an instrument otherwise in registrable form, must be registered

even though the transferee entity has not been registered as proprietor of the asset or liability.

- (3) If an asset or liability is registered in the name of a transferor entity, the registrar of titles or other registering authority may register a dealing for a transaction about the asset or liability without being concerned to enquire whether it is, or is not, an asset or liability transferred under a transfer notice.

- (4) In this section—

transferee entity means the entity to which an asset or liability is transferred under a transfer notice.

transferor entity means the entity from which an asset or liability is transferred under a transfer notice.

55 Confidentiality agreement with prospective purchasers

- (1) A prospective purchaser may enter into a confidentiality agreement with the State for the purpose of obtaining access to information in the possession or control of an energy entity.

- (2) The agreement must state—

- (a) the information to which access may be given; and
- (b) the employees or agents of the prospective purchaser to whom the access may be given; and
- (c) any conditions of the agreement.

- (3) Information mentioned in subsection (2)(a) may be identified by description including by a stated category.

- (4) The persons mentioned in subsection (2)(b) may be identified by name or by a stated class.

- (5) In this section—

- (a) a reference to an agreement includes a deed; and
- (b) a reference to entering into an agreement with the State includes executing a deed in favour of the State.

- (6) In this section—

agent includes a financier or insurer.

[s 56]

prospective purchaser means a person who has expressed to the State an interest in purchasing an energy entity or part or all of a gas or electricity business of an energy entity.

56 Disclosure and use of information for the project

- (1) A person may disclose information in the possession or control of an energy entity, for the purpose of the project, to—
 - (a) a person involved in the project; or
 - (b) a person to whom the information may be given under a confidentiality agreement; or
 - (c) an energy entity, or employee or agent of an energy entity.
- (2) An energy entity or its board must comply with a request by the Minister for the disclosure of information under subsection (1) to a person.
- (3) A person may use information in the possession or control of an energy entity for the purpose of the project.
- (4) Also, to remove any doubt, it is declared that a person may disclose or use information in compliance with a transfer notice or project direction.
- (5) A person who, acting honestly, discloses or uses information under this section is not liable, civilly, criminally or under an administrative process, for the disclosure or use.
- (6) In this section—

confidentiality agreement means an agreement mentioned in section 55, whether entered into or executed before or after the commencement of this Act.

57 Effect on legal relationships

- (1) Nothing done under this Act (including a thing done by, or in compliance with, a transfer notice or project direction)—

-
- (a) makes a relevant entity liable for a civil wrong or a contravention of a law or for a breach of a contract or confidence; or
 - (b) makes a relevant entity in breach of any instrument, including an instrument prohibiting, restricting or regulating the assignment, novation or transfer of a right or liability or the disclosure of information; or
 - (c) is taken to fulfil a condition that—
 - (i) allows a person to terminate an instrument or obligation or modify the operation or effect of an instrument or obligation; or
 - (ii) allows a person to enforce an obligation contained in an instrument or requires a person to perform an obligation contained in an instrument; or
 - (iii) requires any money to be paid before its stated maturity; or
 - (d) releases a surety or other obligee, wholly or partly, from an obligation.
- (2) If, apart from this subsection, the advice, consent or approval of a person would be necessary to do something under this Act, the advice is taken to have been obtained or the consent or approval is taken to have been given unconditionally.

Example—

A contract entered into by an energy entity provides that the entity agrees not to transfer a particular asset without a particular person's consent and that, if the consent is given, it may be subject to particular conditions.

If the asset is transferred to another energy entity under a transfer notice, the consent required under the contract is taken to have been given unconditionally.

- (3) If, apart from this subsection, giving notice to a person would be necessary to do something under this Act, the notice is taken to have been given.
- (4) In this section—

relevant entity means—

[s 58]

- (a) the State or an employee or agent of the State; or
- (b) an energy entity or an employee or agent of an energy entity.

58 Preservation of rights of seconded employees

- (1) This section applies if an employee of an energy entity (the *employer*) is seconded to another energy entity under a transfer notice.
- (2) The employee is taken to continue to be employed by the employer on the same terms and conditions as applied before the secondment, subject to any subsequent variation of those terms and conditions under any applicable law or contract.
- (3) The secondment does not—
 - (a) affect the employee's benefits, entitlements or remuneration; or
 - (b) prejudice the employee's existing or accruing rights to superannuation or recreation, sick, long service or other leave; or
 - (c) interrupt continuity of service; or
 - (d) constitute a retrenchment or redundancy.
- (4) The secondment continues, even if the other energy entity stops being an energy entity, until the secondment is ended by the employer or the employee's employment with the employer ends.
- (5) In this section—
employee, of an energy entity, does not include a director of the entity.

59 Preservation of rights of transferred employees

- (1) This section applies to the transfer of an employee of an energy entity to another energy entity as part of the project.
- (2) The transfer does not—

- (a) affect the employee's benefits, entitlements or remuneration; or
 - (b) prejudice the employee's existing or accruing rights to superannuation or recreation, sick, long service or other leave; or
 - (c) interrupt continuity of service; or
 - (d) constitute a retrenchment or redundancy; or
 - (e) entitle the employee to a payment or other benefit merely because he or she is no longer employed by the first energy entity.
- (3) In this section—
employee, of an energy entity, does not include a director of the entity.

60 Delegations

The Minister may delegate the Minister's functions under this Act, except section 9, to the chief executive.

61 Evidentiary aids

- (1) This section applies to a proceeding under this Act.
- (2) A certificate signed by the Minister stating any of the following matters is conclusive evidence of the matter—
 - (a) that a stated thing was, or is being, done for the purpose of the project;
 - (b) that a stated person is, or was at a stated time, involved in the project;
 - (c) that a stated company was established for the project;
 - (d) that a stated direction given by the Minister related to the project.
- (3) A document certified by the Minister to be a copy of a project direction is conclusive evidence of the direction.

[s 62]

62 Regulations

The Governor in Council may make regulations under this Act.

63 Transitional—amendment of regulation

The amendment of the *Government Owned Corporations Regulation 2004* by this Act does not affect the power of the Governor in Council to further amend the regulation or to repeal it.

Schedule Dictionary

section 4

2006 project see section 6.

2006 project energy entity see section 5.

2007 project see section 6A.

2007 project energy entity see section 5A.

acquiring entity, for part 5, see section 32.

administering authority, for part 5B, see section 45P.

agent, of an entity, includes a person engaged by the entity.

asset includes a right.

authority—

(a) for part 4—see section 12; or

(b) for part 5—see section 32.

disposal includes divestment.

Electricity Act see sections 32 and 45B.

employee includes officer.

Energex means Energex Limited ACN 078 849 055.

energy entity see section 4A.

energy Minister means the Minister administering the Electricity Act or the Gas Act.

Environmental Act, for part 5B, see section 45P.

environmental authority (petroleum activities), for part 5B, see section 45P.

Ergon means Ergon Energy Corporation Limited ACN 087 646 062.

Ergon Energy means Ergon Energy Pty Ltd ACN 078 875 902 as a former energy entity.

former energy entity means an entity that is no longer an energy entity.

FRC day means the FRC day under the *Electricity Act 1994*, section 310.

Gas Act see section 12.

government company means a corporation incorporated under the Corporations Act all the stock or shares in the capital of which is or are beneficially owned by the State.

information includes a document.

instrument includes an oral agreement.

market customer, for part 5, see section 32.

non-market customer, for part 5, see section 32.

officer includes a director.

person involved in the project means an employee or agent of the State who is involved in carrying out the project in the course of the employment or agency.

Petroleum Act, for part 5C, see section 45S.

petroleum Minister, for part 5C, see section 45S.

pipeline licence, for part 5C, see section 45S.

premises, for part 5, see section 32.

prescribed entity, for part 5, see section 32.

project see section 5B.

project direction see section 11(1).

QPTC see section 5A(1)(a).

record includes any document.

right includes power, privilege and immunity.

sale entity see section 32.

Stanwell see section 5A(1)(b).

Sun Retail, for part 5, see section 32.

Tarong see section 5A(1)(c).

transfer notice see section 9(1).

ultimate holding company see the Corporations Act, section 9.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 12 September 2008. Future amendments of the Energy Assets (Restructuring and Disposal) Act 2006 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	13 October 2006	
1A	2006 Act No. 60	1 July 2007	
1B	2007 Act No. 42	11 September 2007	
1C	2008 Act No. 46	12 September 2008	

5 List of legislation

Energy Assets (Restructuring and Disposal) Act 2006 No. 42

date of assent 13 October 2006

commenced on date of assent

amending legislation—

Electricity and Other Legislation Amendment Act 2006 No. 60 pts 1, 3

date of assent 7 December 2006

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2007 (2007 SL No. 15)

Revenue and Other Legislation Amendment Act (No. 2) 2007 No. 42 s 1, pt 3

date of assent 11 September 2007

commenced on date of assent

Airport Assets (Restructuring and Disposal) Act 2008 No. 46 ss 1, 115–116

date of assent 12 September 2008

commenced on date of assent

6 List of annotations

Energy entities

s 4A ins 2007 No. 42 s 15

2006 project energy entities

prov hdg sub 2007 No. 42 s 16(1)

s 5 amd 2007 No. 42 s 16(2)–(4)

2007 project energy entities

s 5A ins 2007 No. 42 s 17

Endnotes

Projects

s 5B ins 2007 No. 42 s 17

The 2006 project

prov hdg sub 2007 No. 42 s 18(1)

s 6 amd 2007 No. 42 s 18(2)–(4)

The 2007 project

s 6A ins 2007 No. 42 s 19

Application of pt 3

s 7A ins 2007 No. 42 s 20

Transfer notice

s 9 amd 2007 No. 42 s 21

Application of pt 4

s 11A ins 2007 No. 42 s 22

PART 5—ELECTRICITY AUTHORITIES (2006 PROJECT)

pt hdg amd 2007 No. 42 s 23

Application of pt 5

s 31A ins 2007 No. 42 s 24

Provision for particular contracts on FRC day

s 44 sub 2006 No. 60 s 55

PART 5A—ELECTRICITY AUTHORITIES (2007 PROJECT)

pt hdg ins 2007 No. 42 s 25

Division 1—Preliminary

div 1 (ss 45A–45E) ins 2007 No. 42 s 25

Division 2—Special approvals

div 2 (ss 45F–45H) ins 2007 No. 42 s 25

Division 3—Accreditations

div 3 (s 45I) ins 2007 No. 42 s 25

Division 4—Scheme participants

div 4 (s 45J) ins 2007 No. 42 s 25

Division 5—Liable load exemptions

div 5 (ss 45K–45N) ins 2007 No. 42 s 25

PART 5B—ENVIRONMENTAL AUTHORITIES

pt 5B (ss 45O–45Q) ins 2007 No. 42 s 25

PART 5C—PETROLEUM AUTHORITIES

pt 5C (ss 45R–45U) ins 2007 No. 42 s 25

FRC day

s 51 om 2006 No. 60 s 56

Time within which Minister may act

s 52 amd 2007 No. 42 s 26; 2008 No. 46 s 116

PART 8—AMENDMENT OF OTHER LAWS

pt hdg om R1 (see RA s 7(1)(k))

Division 1—Amendment of Community Ambulance Cover Act 2003

div 1 (ss 64–65) om R1 (see RA ss 7(1)(k) and 40)

Division 2—Amendment of Electricity Act 1994

div 2 (ss 66–69) om R1 (see RA ss 7(1)(k) and 40)

Division 3—Amendment of Government Owned Corporations Act 1993

div 3 (ss 70–72) om R1 (see RA ss 7(1)(k) and 40)

Division 4—Amendment of Government Owned Corporations Regulation 2004

div 4 (ss 73–75) om R1 (see RA ss 7(1)(k) and 40)

SCHEDULE—DICTIONARY

def “2006 project” ins 2007 No. 42 s 27(1)

def “2006 project energy entity” ins 2007 No. 42 s 27(1)

def “2007 project” ins 2007 No. 42 s 27(1)

def “2007 project energy entity” ins 2007 No. 42 s 27(1)

def “administering authority” ins 2007 No. 42 s 27(1)

def “Electricity Act” amd 2007 No. 42 s 27(2)

def “energy entity” amd 2007 No. 42 s 27(3)

def “Environmental Act” ins 2007 No. 42 s 27(1)

def “environmental authority (petroleum activities)” ins 2007 No. 42 s 27(1)

def “FRC day” sub 2006 No. 60 s 57

def “Petroleum Act” ins 2007 No. 42 s 27(1)

def “petroleum Minister” ins 2007 No. 42 s 27(1)

def “pipeline licence” ins 2007 No. 42 s 27(1)

def “project” amd 2007 No. 42 s 27(4)

def “QPTC” ins 2007 No. 42 s 27(1)

def “Stanwell” ins 2007 No. 42 s 27(1)

def “Tarong” ins 2007 No. 42 s 27(1)