



Queensland

# National Gas (Queensland) Regulation 2014

## Subordinate Legislation 2014 No. 340

made under the

*National Gas (Queensland) Act 2008*

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## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *National Gas (Queensland) Regulation 2014*.

### 2 Commencement

This regulation commences on 1 July 2015.

### 3 Definitions

In this regulation—

***distributor*** means a distributor under the National Gas Law.

***Envestra*** means Envestra Limited ACN 078 551 685.

***National Gas Law*** means the National Gas Law set out in the Schedule to the *National Gas (South Australia) Act 2008* (SA).

***National Gas Rules or Rules*** has the meaning given in the National Gas Law.

## Part 2 Nominated distributors

### 4 Nomination of Envestra for National Gas Law, s 8A

- (1) Envestra is nominated as an entity to which the National Gas Law, section 8A, applies for the prescribed distribution system.

- (2) In this section—

***prescribed distribution system*** means each of the following distribution networks as described in distribution authority no. DA-A-007, schedule 1—

[s 5]

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- (a) the Envestra Maryborough–Hervey Bay Distribution Network;
- (b) the Envestra Bundaberg Distribution Network.

*Notes—*

- 1 The holder of distribution authority no. DA-A-007 is Envestra.
- 2 A copy of the distribution authority may be inspected at the department's office at 41 George Street, Brisbane or on the department's website at <[www.business.qld.gov.au](http://www.business.qld.gov.au)>.

## **Part 3                      Modification of application of National Gas Rules**

### **5                      Modification of National Gas Rules applying to Envestra**

The National Gas Rules, part 12A, applies to Envestra in its capacity as a nominated entity, subject to the modifications set out in schedule 1.

### **6                      Transitional arrangements for particular distributors**

Until 1 July 2016, the National Gas Rules, part 12A, applies to a distributor, other than Envestra in its capacity as a nominated entity, subject to the modifications set out in schedule 2.

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## Part 4                      Transitional provision for particular distributors

### 7                      **Connection contracts between customers and distributors entered into before 1 July 2016**

- (1) This section applies if, immediately before 1 July 2016, a customer and a distributor are parties to a connection contract.
- (2) On and from 1 July 2016, the connection contract continues as a contract for the provision of the relevant service on the same terms and conditions applying to the parties immediately before 1 July 2016.

- (3) In this section—

***connection contract*** means a connection contract under the National Gas Rules, section 119A.

## **Schedule 1      Modification of application of National Gas Rules, part 12A to Envestra**

section 5

### **1      Rule 119A**

- (1) Rule 119A, definition *basic connection service*, paragraph (b)—

*omit, insert—*

- (b) a model standing offer has been published by the distributor.

- (2) Rule 119A, definition *model standing offer*—

*omit, insert—*

***model standing offer*** means a document published by a nominated distributor as a model standing offer to provide a basic connection service (see rule 119C) or a standard connection service (see rule 119E).

- (3) Rule 119A, definition *standard connection service*—

*omit, insert—*

***standard connection service*** means a connection service (other than a basic connection service) for a particular class of connection applicant and for which a model standing offer has been published by the nominated distributor.

### **2      Particular provisions not to apply**

The following provisions do not apply—

- (a) rule 119C(1) and (3);  
(b) rule 119D;

- (c) rule 119E(1) and (4);
- (d) rule 119F;
- (e) rule 119L(3);
- (f) rule 119N.

### **3 Rule 119G**

Rule 119G—

*omit, insert—*

#### **119G Amendment of model standing offer**

- (1) A distributor may amend a model standing offer to provide a basic connection service or standard connection service.
- (2) The amendment of a model standing offer takes effect on—
  - (a) the day stated in the amendment as the day the amended model standing offer is to take effect; or
  - (b) if the amendment does not state a day that the amended model standing offer is to take effect—the day the amendment is published on the distributor's website.
- (3) Unless stated otherwise in the amendment, the amended model standing offer does not affect the validity or effect of—
  - (a) a connection offer made before the amendment takes effect; or
  - (b) a connection contract formed on the basis of the connection offer.

### **4 Rule 119H**

Rule 119H, 'approved'—

*omit*

**5 Rule 119U**

Rule 119U(2)—

*omit, insert—*

- (2) If a connection applicant applies for an expedited connection but the distributor does not agree that any of the distributor's model standing offers are appropriate, the distributor must notify the connection applicant and draw the applicant's attention to the provisions of these Rules dealing with negotiated connection.

**6 Rule 119Z**

Rule 119Z(1)(b)(ii), ' , as approved by the AER,'—

*omit.*



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## Schedule 2      **Modification of application of National Gas Rules, part 12A to particular distributors**

### section 6

#### 1      **Rule 119A**

- (1) Rule 119A, definition *basic connection service*, paragraph (b)—

*omit, insert—*

- (b) a model standing offer has been published by the distributor.

- (2) Rule 119A, definition *model standing offer*—

*omit, insert—*

***model standing offer*** means a document published by a distributor as a model standing offer to provide a basic connection service (see rule 119C) or a standard connection service (see rule 119E).

- (3) Rule 119A, definition *standard connection service*—

*omit, insert—*

***standard connection service*** means a connection service (other than a basic connection service) for a particular class of connection applicant and for which a model standing offer has been published by the nominated distributor.

#### 2      **Particular provisions not to apply**

The following provisions do not apply—

- (a) rule 119C(1) and (3);  
(b) rule 119D;

- (c) rule 119E(1) and (4);
- (d) rule 119F;
- (e) rule 119N;
- (f) rule 119O.

### **3 Rule 119G**

Rule 119G—

*omit, insert—*

#### **119G Amendment etc of model standing offer**

- (1) A distributor may amend a model standing offer to provide a basic connection service or standard connection service.
- (2) The amendment of the model standing offer does not affect the validity of a connection offer made before the amendment takes effect.

### **4 Rule 119H**

Rule 119H, ‘approved’—

*omit*

### **5 Rule 119M**

Rule 119M—

*omit, insert—*

#### **119M Connection charges**

- (1) Connection charges imposed by a distributor for a particular connection service must be consistent with the distributor’s applicable access arrangement and any applicable reference service agreement.
- (2) In this section—

***reference service agreement*** means a contract between a customer and a distributor, under the

applicable access arrangement, whether described as—

- (a) a reference service agreement; or
- (b) a standard user agreement; or
- (c) a service agreement; or
- (d) a gas transportation agreement.

## 6 Rule 119Z

(1) Rule 119Z(1)(a)—

*omit, insert—*

- (a) in relation to connection charges—the distributor's current access arrangement and any applicable reference service agreement; and

(2) Rule 119Z(1)(b)(ii)—

*omit, insert—*

- (ii) the relevant model standing offer to provide a basic or standard connection service.

(3) Rule 119Z—

*insert—*

(3) In this section—

***reference service agreement*** means a contract between a customer and a distributor, under the applicable access arrangement, whether described as—

- (a) a reference service agreement; or
- (b) a standard user agreement; or
- (c) a service agreement; or
- (d) a gas transportation agreement.

#### ENDNOTES

- 1 Made by the Governor in Council on 18 December 2014.
- 2 Notified on the Queensland legislation website on 19 December 2014.
- 3 The administering agency is the Department of Energy and Water Supply.

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Authorised by the Parliamentary Counsel