

Queensland



**ELECTRICITY—NATIONAL  
SCHEME (QUEENSLAND)  
BILL 1997**



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(QUEENSLAND) BILL 1997**

**TABLE OF PROVISIONS**

Section		Page
<b>PART 1—PRELIMINARY</b>		
1	Short title .....	5
2	Commencement .....	5
3	Definitions .....	5
4	Crown to be bound .....	5
5	Extra-territorial operation .....	6
<b>PART 2—NATIONAL ELECTRICITY (QUEENSLAND) LAW AND NATIONAL ELECTRICITY (QUEENSLAND) REGULATIONS</b>		
6	Application in Queensland of National Electricity Law .....	6
7	Application in Queensland under National Electricity Law .....	6
8	Interpretation of expressions in National Electricity (Queensland) Law and National Electricity (Queensland) Regulations .....	7



**1997**

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**A BILL**

**FOR**

**An Act to make provision for the operation of a national electricity  
market, and for other purposes**

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**Preamble—**

Parliament's reasons for enacting this Act are—

1. A National Grid Management Council was formed following decisions of Special Premiers' Conferences in October 1990 and July 1991.
2. The National Grid Management Council has developed plans for a coordinated electricity market spanning the eastern States, South Australia and the Australian Capital Territory.
3. The Council of Australian Governments agreed in February 1994 to recommendations for regulatory arrangements for the national electricity market consistent with reforms of competition policy.
4. The regulatory arrangements include regulation of certain elements of the operation of the market by a code of conduct that is subject to authorisation under the *Trade Practices Act 1974* of the Commonwealth.
5. The States of Queensland, New South Wales, Victoria and South Australia and the Australian Capital Territory have agreed to the enactment of legislation in the several jurisdictions for the implementation of the regulatory arrangements.

**The Parliament of Queensland enacts—**

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## **PART 1—PRELIMINARY**

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### **Short title**

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**1.** This Act may be cited as the *Electricity—National Scheme (Queensland) Act 1997*.

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### **Commencement**

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**2.** This Act commences on a day to be fixed by proclamation.

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### **Definitions**

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**3.(1)** In this Act—

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“*National Electricity (Queensland) Law*” means the provisions applying because of section 6.

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“*National Electricity (Queensland) Regulations*” means the provisions applying because of section 7.

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“*National Electricity (South Australia) Act 1996*” means the *National Electricity (South Australia) Act 1996* of South Australia.

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**(2)** Words and expressions used in this Act and also in the *National Electricity (Queensland) Law* have the same meanings in this Act as they have in that Law.

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**(3)** Subsection (2) does not apply to the extent that the context or subject matter otherwise indicates or requires.

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### **Crown to be bound**

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**4.** This Act, the *National Electricity (Queensland) Law* and the *National Electricity (Queensland) Regulations* bind the Crown, not only in right of Queensland but also, so far as the legislative power of Parliament permits, the Crown in all its other capacities.

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**Extra-territorial operation**

5. It is the intention of Parliament that the operation of this Act, the *National Electricity (Queensland) Law* and the *National Electricity (Queensland) Regulations* should, so far as possible, include operation in relation to the following—

- (a) land situated outside Queensland, whether in or outside Australia;
- (b) things situated outside Queensland, whether in or outside Australia;
- (c) acts, transactions and matters done, entered into or occurring outside Queensland, whether in or outside Australia;
- (d) things, acts, transactions and matters (wherever situated, done, entered into or occurring) that would, apart from this Act, be governed or otherwise affected by the law of the Commonwealth, another State, a Territory or a foreign country.

**PART 2—NATIONAL ELECTRICITY  
(QUEENSLAND) LAW AND NATIONAL  
ELECTRICITY (QUEENSLAND) REGULATIONS**

**Application in Queensland of National Electricity Law**

6. The *National Electricity Law* set out in the schedule to the *National Electricity (South Australia) Act 1996*, as in force for the time being—

- (a) applies as a law of Queensland; and
- (b) as so applying, may be referred to as the *National Electricity (Queensland) Law*.

**Application in Queensland under National Electricity Law**

7. The regulations in force for the time being under the *National Electricity (South Australia) Act 1996*, part 4—

(a) apply as regulations in force for the purposes of the <i>National Electricity (Queensland) Law</i> ; and	1 2
(b) as so applying, may be referred to as the <i>National Electricity (Queensland) Regulations</i> .	3 4
<b>Interpretation of expressions in National Electricity (Queensland) Law and National Electricity (Queensland) Regulations</b>	5 6
<b>8.(1)</b> In the <i>National Electricity (Queensland) Law</i> and the <i>National Electricity (Queensland) Regulations</i> —	7 8
<b>“Legislature of this jurisdiction”</b> means the Parliament of Queensland.	9
<b>“Supreme Court”</b> means the Supreme Court of Queensland.	10
<b>“the jurisdiction”</b> or <b>“this jurisdiction”</b> means the State of Queensland.	11
<b>“the National Electricity Law”</b> or <b>“this Law”</b> means the <i>National Electricity (Queensland) Law</i> .	12 13
<b>(2)</b> The <i>Acts Interpretation Act 1915</i> , and other Acts, of South Australia do not apply to—	14 15
(a) the <i>National Electricity Law</i> set out in the schedule to the <i>National Electricity (South Australia) Act 1996</i> in its application as a law of Queensland; or	16 17 18
(b) the regulations in force for the time being under part 4 of the <i>National Electricity (South Australia) Act 1996</i> in their application as regulations in force for the purposes of the <i>National Electricity Law</i> .	19 20 21 22