



*National Gas (Queensland) Act 2008*

# National Gas (Queensland) Regulation 2014

Current as at 19 December 2014

**Warning—Some provisions of this legislation are not in operation. These provisions are italicised. For details, see the List of legislation.**

## Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at [www.legislation.qld.gov.au/Leg\\_Info/information.htm](http://www.legislation.qld.gov.au/Leg_Info/information.htm).
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



## Queensland

# National Gas (Queensland) Regulation 2014

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# National Gas (Queensland) Regulation 2014

[reprinted as in force on 19 December 2014]

## 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*.

[s 4]

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## **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—

- (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>.*

## **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.*

## **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

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### 2 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 version
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 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further

details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Current as at 19 December 2014	Amendments included none	Notes
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## 4 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### *Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note.

### **National Gas (Queensland) Regulation 2014 SL No. 340**

made by the Governor in Council on 18 December 2014

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 19 December 2014

ss 1–2 commenced on date of notification

remaining provisions commence 1 July 2015 (see s 2)

exp 1 September 2025 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.