Queensland

Energy (Infrastructure Facilitation) Amendment Regulation 2026

Subordinate Legislation 2026 No. 20

made under the

Energy (Infrastructure Facilitation) Act 2024

Contents

1 Short title

This regulation may be cited as the *Energy (Infrastructure Facilitation) Amendment Regulation 2026*.

2 Commencement

This regulation commences on 12 March 2026.

3 Regulation amended

This regulation amends the *Energy (Infrastructure Facilitation) Regulation 2024*.

4 Amendment of s 5 (Categories of costs for payments from fund—Act, s 90)

(1) Section 5(1)(d)—

omit.

(2) Section 5(1)(e)—

renumber as section 5(1)(d).

(3) Section 5(3)(a)(ii), 'under section 122 of the Act'—

omit.

(4) Section 5(4)—

insert—

> ***publicly owned energy business*** means a GOC or government company carrying out activities relating to—
>
> (a) the electricity industry under the *Electricity Act 1994*, section 21; or
>
> (b) the national electricity market under the National Electricity (Queensland) Law, section 2(1).

5 Amendment of s 6 (Matter to be considered for making payments from fund—Act, s 90)

Section 6, ‘section 90(3)(e)’—

omit, insert—

section 90(3)(d)

6 Amendment of s 8 (Declared documents—Act, s 18, definition *assessment documents*)

(1) Section 8(2)(a), ‘dated August 2020’—

omit, insert—

dated November 2024

(2) Section 8(2)(b), from ‘called’ to ‘dated October 2023’—

omit, insert—

called ‘Cost benefit analysis guidelines’, dated November 2024

(3) Section 8(2)(c), ‘dated October 2023’—

omit, insert—

dated November 2024

7 Replacement of s 9 (Eligible priority transmission investments—Act, s 20)

Section 9—

omit, insert—

9 Eligible priority transmission investments—Act, s 20

(1) The project described in former section 9(e) continues, from the commencement of this section, to be prescribed as an eligible priority transmission investment for section 20(1) of the Act.

(2) In this section—

former section 9(e) means section 9(e) as in force immediately before the commencement of this section.

8 Amendment of s 12 (Definitions for part)

(1) Section 12, definition *anticipated completion date*, 'section 27(2)(b)—

omit, insert—

section 26(5)(d)

(2) Section 12, definition *anticipated start date*, 'section 27(2)(a)'—

omit, insert—

section 26(5)(c)

9 Amendment of s 15 (Requirement to give primary PTI allowance direction)

Section 15(1), 'section 27'—

omit, insert—

section 26(4)

10 Amendment of s 36 (Obligations of AER for other regulatory control periods)

(1) Section 36(1), '(a ***primary period***)' to 'section 35(1)'—

omit, insert—

(the ***relevant period***), other than a regulatory control period in relation to which section 35 applies

(2) Section 36(2), 'regulatory control period (the ***secondary period***) immediately following the primary period'—

omit, insert—

relevant period

(3) Section 36(2)(a), ‘the secondary period’—

omit, insert—

a regulatory year in the relevant period

(4) Section 36(2)(b), ‘primary period’—

omit, insert—

regulatory control period (the ***preceding period***) immediately preceding the relevant period, less any amount of capital expenditure for which an adjustment of Powerlink’s regulatory asset base has already been made under this section or section 35

(5) Section 36—

insert—

(2A) If, when the adjustment under subsection (2) is made, the total actual capital expenditure incurred for the preceding period is not known, the AER must adjust the value of Powerlink’s regulatory asset base at the beginning of the first year of the regulatory control period immediately following the relevant period to include the lesser of following amounts—

(a) the total of the directed forecast capital expenditure mentioned in section 34(2)(a) or part of that expenditure for the priority transmission investment stated in the application to be included in Powerlink’s regulatory asset base as at the end of the relevant period;

(b) the total actual capital expenditure for the priority transmission investment as at the end of the relevant period.

(6) Section 36(3), after ‘subsection (2)’—

insert—

or (3)

(7) Section 36(2A) and (3)—

renumber as section 36(3) and (4).

11 Amendment of s 38 (Material change PTI direction)

Section 38(1)(b)(i), ‘optimal infrastructure pathway’—

omit, insert—

strategic infrastructure path

12 Amendment of s 40 (Transmission and distribution assets for public ownership strategy—Act, s 13)

(1) Section 40, heading, ‘strategy’—

omit, insert—

targets

(2) Section 40(1), ‘section 13(3)’—

omit, insert—

section 13(4)

13 Amendment of sch 1 (Application of National Electricity Rules—priority transmission investments)

Schedule 1, sections 3(b)(i), 4(1) and 5, ‘section 27(1)’—

omit, insert—

section 26(4)

ENDNOTES

1 Made by the Governor in Council on 12 March 2026.

2 Notified on the Queensland legislation website on 12 March 2026.

3 The administering agency is Queensland Treasury.