

South Australia



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ELIZABETHAE II REGINAE  
A.D. 2002

**ELECTRICITY (MISCELLANEOUS) AMENDMENT ACT 2002**

No. 19 of 2002

[Assented to 12 September 2002]

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An Act to amend the Electricity Act 1996.

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## SCHEDULE

### *Further Amendments to the Electricity Act 1996*

The Parliament of South Australia enacts as follows:

**Short title**

1. (1) This Act may be cited as the *Electricity (Miscellaneous) Amendment Act 2002*.
- (2) The *Electricity Act 1996* is referred to in this Act as "the principal Act".

**Commencement**

2. This Act will come into operation on a day to be fixed by proclamation.

**Amendment of s.4—Interpretation**

3. Section 4 of the principal Act is amended—

- (a) by inserting before the definition of "authorised officer" in subsection (1) the following definition:

**"annual electricity consumption level"** means a level of consumption of electricity determined in accordance with the regulations (and the regulations may, for that purpose, make provision for the estimation or agreement of the level in specified circumstances);;

- (b) by inserting after the definition of "bush fire" in subsection (1) the following definition:

**"Commission"** means the Essential Services Commission established under the *Essential Services Commission Act 2002*;;

- (c) by striking out from subsection (1) the definition of "contestable customer";

- (d) by striking out from subsection (1) the definition of "cross-ownership rules";

- (e) by striking out from subsection (1) the definition of "Industry Regulator";

- (f) by striking out from subsection (1) the definition of "non-contestable customer";

- (g) by inserting after the definition of "retailing" in subsection (1) the following definition:

**"small customer"** means a customer with an annual electricity consumption level less than the number of MW.h per year specified by regulation for that purpose, or any customer classified by regulation as a small customer;.

**Amendment of s. 6G—Establishment of board**

4. Section 6G of the principal Act is amended by striking out from subsection (5) "Treasurer" and substituting "Minister".

**Insertion of ss. 6N and 6O**

5. The following sections are inserted after section 6M of the principal Act:

**Planning Council's power to require information**

**6N.** (1) The Planning Council may, by written notice, require a person to give the Planning Council, within a time stated in the notice (which must be reasonable), information in the person's possession that the Planning Council reasonably requires for the performance of the Planning Council's functions under this or any other Act or the National Electricity Code.

(2) A person required to give information under this section must provide the information within the time stated in the notice.

Maximum penalty: \$20 000.

(3) A person cannot be compelled to give information under this section if the information might tend to incriminate the person of an offence.

**Obligation to preserve confidentiality**

**6O.** (1) The Planning Council must preserve the confidentiality of information gained in the course of the performance of the Planning Council's functions under this Act that—

(a) could affect the competitive position of an electricity entity or other person; or

(b) is commercially sensitive for some other reason.

(2) Subsection (1) does not apply to the disclosure of information between persons engaged in the administration of this Act, including persons engaged to provide legal or other professional advice to the Planning Council.

(3) Information classified by the Planning Council as confidential is not liable to disclosure under the *Freedom of Information Act 1991*.

**Amendment of s. 15—Requirement for licence**

6. Section 15 of the principal Act is amended by striking out the penalty provision at the foot of subsection (1) and substituting the following penalty provision:

Maximum penalty: \$1 000 000.

**Amendment of s. 17—Consideration of application**

7. Section 17 of the principal Act is amended by striking out paragraph (ab) of subsection (2).

**Amendment of s. 21—Licence conditions**

8. Section 21 of the principal Act is amended—

(a) by striking out from subsection (1) ", on the issue of a licence, make the licence" and substituting "make a licence";

(b) by striking out paragraph (d) of subsection (1);

(c) by striking out from subsection (2) ", on the issue of a licence, make the licence" and substituting "make a licence";

- (d) by striking out from subsection (3) ", on the issue of a licence, make the licence" and substituting "make a licence".

**Amendment of s. 22—Licences authorising generation of electricity**

**9. Section 22 of the principal Act is amended—**

- (a) by striking out from subsection (1) ", on the issue of a licence authorising the generation of electricity, make the licence" and substituting "make a licence authorising the generation of electricity";
- (b) by inserting in subsection (1)(c)(i) ", reliability, maintenance" after "safety".

**Amendment of s. 23—Licences authorising operation of transmission or distribution network**

**10. Section 23 of the principal Act is amended—**

- (a) by striking out from subsection (1) ", on the issue of a licence authorising the operation of a transmission or distribution network, make the licence" and substituting "make a licence authorising the operation of a transmission or distribution network";
- (b) by inserting in subsection (1)(c)(i) ", reliability, maintenance" after "safety";
- (c) by striking out paragraph (k) of subsection (1) and substituting the following paragraph:
- (k) requiring the electricity entity to participate in an ombudsman scheme—
- (i) that applies to the electricity supply industry and to other regulated industries (within the meaning of the *Essential Services Commission Act 2002*) prescribed by regulation; and
- (ii) the terms and conditions of which are approved by the Commission; and;
- (d) by striking out from subsection (1)(n)(iv) "non-contestable customers" and substituting "small customers";
- (e) by inserting after subsection (5) the following subsections:

(5a) If an electricity entity fails, within a period of 90 days from a date specified by the Commission by written notice to the entity, to enter into an agreement with another electricity entity specified by the Commission as required by a condition of the entity's licence imposed under subsection (1)(n)(viii), the entities will, if the Commission so determines and notifies the entities in writing, be taken to have entered into such an agreement containing terms specified in the notice.

(5b) The Commission may, by written notice to the electricity entities bound by—

- (a) an agreement entered into as required by conditions of their licences imposed under subsection (1)(n)(viii) and section 24(2)(h); or
- (b) an agreement imposed under subsection (5a),

vary or substitute terms of the agreement.

**Amendment of s. 24—Licences authorising retailing****11. Section 24 of the principal Act is amended—**

- (a) by striking out subsection (1);
- (b) by striking out from subsection (2) ", on the issue of a licence authorising the retailing of electricity, make the licence" and substituting "make a licence authorising the retailing of electricity";
- (c) by striking out from subsection (2)(b) "non-contestable customers" and substituting "customers of a prescribed class";
- (d) by striking out paragraphs (d), (e), (f) and (g) of subsection (2) and substituting the following paragraphs:
  - (d) requiring the electricity entity to comply with code provisions as in force from time to time (which the Commission must make under the *Essential Services Commission Act 2002* on or before the prescribed date) relating to the provision of pricing information to enable small customers to compare competing offers in the retailing of electricity; and
  - (e) requiring the electricity entity to comply with code provisions as in force from time to time (which the Commission must make under the *Essential Services Commission Act 2002*) relating to standard contractual terms and conditions to apply to the sale of electricity to small customers; and;
- (e) by striking out paragraph (l) of subsection (2) and substituting the following paragraph:
  - (l) if the electricity entity sells electricity to customers with an annual electricity consumption level of less than 750MW.h per year, requiring the electricity entity to participate in an ombudsman scheme—
    - (i) that applies to the electricity supply industry and to other regulated industries (within the meaning of the *Essential Services Commission Act 2002*) prescribed by regulation; and
    - (ii) the terms and conditions of which are approved by the Commission; and;
- (f) by striking out subsection (3).

**Amendment of s. 24A—Licences authorising system control**

**12. Section 24A of the principal Act is amended by striking out from subsection (1) ", on the issue of a licence authorising system control over a power system, make the licence" and substituting "make a licence authorising system control over a power system".**

**Amendment of s. 25—Offence to contravene licence conditions****13. Section 25 of the principal Act is amended—**

- (a) by striking out the penalty provision at the foot of subsection (1) and substituting the following penalty provision:

Maximum penalty: \$1 000 000.;

(b) by striking out subsection (2) and substituting the following subsection:

(2) An offence against subsection (1) may be prosecuted as an indictable offence or a summary offence at the discretion of the prosecutor but, if prosecuted as a summary offence, the maximum penalty that may be imposed for the offence is a fine not exceeding \$20 000.

**Amendment of s. 30—Register of licences**

14. Section 30 of the principal Act is amended by striking out from subsection (1) "issued to" and substituting "currently held by".

**Amendment of s. 35A—Price regulation by determination of Commission**

15. Section 35A of the principal Act is amended—

(a) by inserting in subsection (1) "under the *Essential Services Commission Act 2002*" after "make a determination";

(b) by striking out from subsection (1)(a) "non-contestable customers or customers of a prescribed class" and substituting "small customers";

(c) by striking out subsection (4) and substituting the following subsection:

(4) Despite the provisions of the *Essential Services Commission Act 2002*, the operation of a determination of a kind referred to in subsection (1)(a) is not to be stayed pending the determination of an application for review or an appeal under Part 6 of that Act.

**Amendment of s. 36—Standard terms and conditions for sale and supply**

16. Section 36 of the principal Act is amended by striking out from subsection (1) "non-contestable customers" and substituting "small customers".

**Insertion of Division 3AA of Part 3**

17. The following Division is inserted after section 36 of the principal Act:

**DIVISION 3AA—SPECIAL PROVISIONS RELATING TO SMALL CUSTOMERS**

**Provision for standing contract with small customers**

36AA. (1) This section applies to an electricity entity holding a licence authorising the retailing of electricity that is declared by the Governor under this section to be an electricity entity to which this section applies.

(2) It is a condition of the electricity entity's licence that the entity must, at the request of a small customer, agree to sell electricity to the customer at the entity's standing contract price and subject to the entity's standing contract terms and conditions.

(3) A customer to whom the electricity entity was selling electricity immediately before the commencement of this section is, on that commencement, if—

(a) the customer is then a small customer; and

- (b) has not contracted with another electricity entity for the purchase of electricity from that commencement,

to be taken to have requested that the entity sell electricity to the customer on the basis referred to in subsection (2).

(4) The entity is not required to sell electricity to a customer in compliance with the condition imposed under subsection (2) if the entity is entitled in accordance with the entity's standing contract terms and conditions to refuse to sell electricity to the customer.

(5) The Governor may, by proclamation—

(a) declare that this section applies to a specified electricity entity; and

(b) vary or revoke such a declaration.

(6) In this section—

**"standing contract price"**, in relation to an electricity entity, means whichever of the following is the price last fixed:

(a) the price fixed for the sale of electricity to non-contestable customers by the electricity pricing order under section 35B immediately before 1 January 2003;

(b) a price fixed by the entity as the entity's standing contract price by notice published in the *Gazette* and in a newspaper circulating generally in the State, where—

(i) the price was fixed by the notice with effect from the end of the period of 3 months from the date of publication of the notice; and

(ii) the notice contained a statement of the entity's justification for the price; and

(iii) the Commission did not, within the period of 3 months, fix the entity's standing contract price as referred to in paragraph (c);

(c) a price fixed by the Commission as the entity's standing contract price by a determination of a kind referred to in section 35A(1)(a);

**"standing contract terms and conditions"** means terms and conditions that have been published by the electricity entity under section 36 as the entity's standing contract terms and conditions.

(7) This section expires on 1 July 2005.

#### **Provision for default contract with small customers**

**36AB.** (1) This section applies to an electricity entity holding a licence authorising the retailing of electricity that sells electricity to one or more small customers in South Australia.



(2) It is a condition of the electricity entity's licence that the entity must, if the entity becomes bound, in accordance with the regulations, to sell electricity to a small customer under a default contract arrangement for a period specified in the regulations—

- (a) give the customer a written notice in accordance with the regulations; and
- (b) sell electricity to the customer at the entity's default contract price and subject to the entity's default contract terms and conditions for that period.

(3) In this section—

"**default contract price**", in relation to an electricity entity, means whichever of the following is the price last fixed:

- (a) the price fixed for the sale of electricity to non-contestable customers by the electricity pricing order under section 35B immediately before 1 January 2003;
- (b) a price fixed by the entity as the entity's default contract price by notice published in the *Gazette* and in a newspaper circulating generally in the State, where—
  - (i) the price was fixed by the notice with effect from the end of the prescribed period from the date of publication of the notice; and
  - (ii) the notice contained a statement of the entity's justification for the price; and
  - (iii) the Commission did not, within the prescribed period, fix the entity's default contract price as referred to in paragraph (c);
- (c) a price fixed by the Commission as the entity's default contract price by a determination of a kind referred to in section 35A(1)(a);

"**default contract terms and conditions**" means terms and conditions that have been published by the electricity entity under section 36 as the entity's default contract terms and conditions.

#### **Insertion of Divisions A1 and A2 of Part 7**

18. The following Divisions are inserted before the heading to Division 1 of Part 7 of the principal Act:

### **DIVISION A1—WARNING NOTICES AND ASSURANCES**

#### **Warning notices and assurances**

63A. (1) If it appears to the Commission that a person has been guilty of a contravention of Part 3, the Commission may issue a warning notice to the person, warning the person that it will be prosecuted for the contravention unless—

- (a) if the contravention is capable of being rectified, the person takes action specified in the notice to rectify the contravention within the period specified in the notice; and
- (b) the person gives the Commission an assurance, in the terms specified in the notice, and within the period specified in the notice, that the person will avoid a future such contravention.

(2) If it appears to the Technical Regulator that a person has been guilty of a contravention of Part 6, the Technical Regulator may issue a warning notice to the person, warning the person that it will be prosecuted for the contravention unless—

- (a) if the contravention is capable of being rectified, the person takes action specified in the notice to rectify the contravention within the period specified in the notice; and
- (b) the person gives the Technical Regulator an assurance, in the terms specified in the notice, and within the period specified in the notice, that the person will avoid a future such contravention.

(3) A warning notice issued under this section, and an assurance given under this section, must be in writing.

(4) The action that may be specified in a warning notice to rectify a contravention may include action to remedy adverse consequences of the contravention, for example (without limitation)—

- (a) the refunding of an amount wrongly paid to the person as a result of the contravention; or
- (b) the payment of compensation to a person who has suffered loss, damage or injury as a result of the contravention; or
- (c) the disclosure of information; or
- (d) the publication of advertisements relating to the contravention or relating to action to rectify or remedy the contravention.

(5) The Commission or the Technical Regulator may, by written notice to a person, vary a warning notice issued to the person.

(6) If the Commission or the Technical Regulator issues a warning notice to a person, the Commission or the Technical Regulator must not proceed against the person in respect of the contravention to which the notice relates, unless the person—

- (a) fails to take action specified in the notice to rectify the contravention within the period specified in the notice; or
- (b) fails to give the Commission or the Technical Regulator, as the case requires, an assurance in the terms specified in the notice within the period specified in the notice; or
- (c) contravenes an assurance given by the person in response to the notice.

**Register of warning notices and assurances**

**63B.** (1) The Commission must keep a register of warning notices issued by the Commission under this Division, and a register of assurances given to the Commission under this Division.

(2) The Technical Regulator must keep a register of warning notices issued by the Technical Regulator under this Division, and a register of assurances given to the Technical Regulator under this Division.

(3) A person may, without payment of a fee, inspect a register kept under this section.

**DIVISION A2—INJUNCTIONS****Injunctions**

**63C.** (1) If the District Court is satisfied, on the application of the Minister, the Commission, the Technical Regulator or any other person, that a person has engaged or proposes to engage in conduct that constitutes or would constitute a contravention of this Act, the Court may grant an injunction in such terms as the Court determines to be appropriate.

(2) If the District Court is satisfied, on the application of the Minister, the Commission, or the Technical Regulator, that a person has engaged in conduct constituting a contravention of this Act, the Court may grant an injunction requiring that person to take specified action to remedy any adverse consequence of that conduct.

(3) The action that may be required by an injunction to remedy adverse consequences of conduct constituting a contravention may include (without limitation)—

- (a) the refunding of an amount wrongly paid as a result of the contravention; or
- (b) the payment of compensation to a person who has suffered loss, damage or injury as a result of the contravention; or
- (c) the disclosure of information; or
- (d) the publication of advertisements relating to the contravention or relating to action to rectify or remedy the contravention.

(4) An injunction may be granted by the District Court under this section—

- (a) in proceedings in which the Court convicts a person of an offence to which the application relates; or
- (b) in proceedings brought before the Court for the purpose of obtaining the injunction.

(5) The power of the District Court to grant an injunction restraining a person from engaging in conduct may be exercised—

- (a) whether or not it appears to the Court that the person intends to engage again, or to continue to engage, in conduct of that kind; and

- (b) whether or not the person has previously engaged in conduct of that kind; and
- (c) whether or not there is an imminent danger of substantial damage to any other person if the person engages in conduct of that kind.

(6) The power of the District Court to grant an injunction requiring a person do an act or thing may be exercised—

- (a) whether or not it appears to the Court that the person intends to refuse or fail again, or to continue to refuse or fail, to do that act or thing; and
- (b) whether or not the person has previously refused or failed to do that act or thing; and
- (c) whether or not there is an imminent danger of substantial damage to any other person if the person refuses or fails to do that act or thing.

(7) An interim injunction may be granted under this section pending final determination of the application.

(8) A final injunction may, by consent of the parties, be granted under this section without proof that proper grounds for the injunction exist.

(9) Where the Minister, the Commission or the Technical Regulator applies for an injunction under this section, no undertaking as to damages will be required.

(10) The Minister may give an undertaking as to damages or costs on behalf of some other applicant and, in that event, no further undertaking will be required.

(11) An injunction under this section may be rescinded or varied at any time.

**Amendment of s. 64—Appointment of authorised officers**

19. Section 64 of the principal Act is amended by striking out from subsection (4)(a) "or Schedule 1".

**Amendment of s. 75—Review of decisions by Commission or Technical Regulator**

20. Section 75 of the principal Act is amended—

- (a) by striking out paragraph (c) of subsection (1);
- (b) by striking out subparagraph (ii) of subsection (2)(e).

**Amendment of s. 80—Power of exemption**

21. Section 80 of the principal Act is amended by striking out from subsection (1) "or Schedule 1" (twice occurring).

**Amendment of s. 91—Statutory declarations**

22. Section 91 of the principal Act is amended by inserting ", Electricity Supply Industry Planning Council" before "or Technical Regulator" wherever occurring.

**Insertion of s. 94A**

23. The following section is inserted after section 94 of the principal Act:

**Order for payment of profit from contravention**

94A. The court convicting a person of an offence against this Act may order the convicted person to pay to the Crown an amount not exceeding the court's estimation of the amount of any monetary, financial or economic benefits acquired by the person, or accrued or accruing to the person, as a result of the commission of the offence.

**Amendment of s. 96—Evidence**

24. Section 96 of the principal Act is amended—

(a) by striking out paragraph (b) of subsection (2) and substituting the following paragraph:

(b) as to the giving, issuing, receipt or contents of an order, direction, delegation, exemption, approval, authorisation, notice or assurance by the Commission,;

(b) by striking out from subsection (3) "contestable customer or non-contestable customer" and substituting "small customer";

(c) by striking out paragraph (b) of subsection (3a) and substituting the following paragraph:

(b) as to the giving, issuing, receipt or contents of a direction, requirement, delegation, exemption, approval, authorisation, notice or assurance by the Technical Regulator,.

**Amendment of s. 98—Regulations**

25. Section 98 of the principal Act is amended by striking out subsection (2b).

## SCHEDULE

*Further Amendments to the Electricity Act 1996*

Provision Amended	How Amended
Heading to Division 1 of Part 2	Strike out "INDUSTRY REGULATOR" and substitute "ESSENTIAL SERVICES COMMISSION".
Section 6A	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 6A	Strike out " <i>Independent Industry Regulator Act 1999</i> " (wherever occurring) and substitute, in each case, " <i>Essential Services Commission Act 2002</i> ".
Section 6A(1)	Strike out "Industry Regulator's" and substitute "Commission's".
Section 6E	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 11(1a)	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 14A	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 14A(a)	Strike out "Industry Regulator's" and substitute "Commission's".
Section 14C	Strike out "Industry Regulator" and substitute "Commission".
Section 14D	Strike out " <i>Independent Industry Regulator Act 1999</i> " and substitute " <i>Essential Services Commission Act 2002</i> ".
Section 16	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 17	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 17(2)	Strike out " <i>Independent Industry Regulator Act 1999</i> " and substitute " <i>Essential Services Commission Act 2002</i> ".
Section 17(4)	Strike out "Industry Regulator's" and substitute "Commission's".
Section 17A(2)	Strike out " <i>Independent Industry Regulator Act 1999</i> " and substitute " <i>Essential Services Commission Act 2002</i> ".
Section 20	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 20(7)(b)	Strike out " <i>Independent Industry Regulator Act 1999</i> " and substitute " <i>Essential Services Commission Act 2002</i> ".
Section 21	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 21(1)(a)	Strike out " <i>Independent Industry Regulator Act 1999</i> " and substitute " <i>Essential Services Commission Act 2002</i> ".
Section 22	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 22(1)(e)(iii)	Strike out " <i>Independent Industry Regulator Act 1999</i> " and substitute " <i>Essential Services Commission Act 2002</i> ".

Section 23(1)	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 23(1)	Strike out " <i>Independent Industry Regulator Act 1999</i> " (wherever occurring) and substitute, in each case, " <i>Essential Services Commission Act 2002</i> ".
Section 24(1)	Strike out " <i>Independent Industry Regulator Act 1999</i> " and substitute " <i>Essential Services Commission Act 2002</i> ".
Section 24(2)	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 24(2)	Strike out " <i>Independent Industry Regulator Act 1999</i> " (wherever occurring) and substitute, in each case, " <i>Essential Services Commission Act 2002</i> ".
Section 24(3)	Strike out "Industry Regulator" and substitute "Commission".
Section 24A(1)	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 24B	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 25(2)	Strike out "Industry Regulator" and substitute "Commission".
Section 27(1)	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 28	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 28(1)	Strike out "Industry Regulator's" and substitute "Commission's".
Section 28A	Strike out "Industry Regulator" and substitute "Commission".
Section 28B	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 28B(1)	Strike out "Industry Regulator's" and substitute "Commission's".
Section 29	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 30(1)	Strike out "Industry Regulator" and substitute "Commission".
Section 35A	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 35A(2)	Strike out " <i>Independent Industry Regulator Act 1999</i> " and substitute " <i>Essential Services Commission Act 2002</i> ".
Section 35B	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 35B	Strike out " <i>Independent Industry Regulator Act 1999</i> " (wherever occurring) and substitute, in each case, " <i>Essential Services Commission Act 2002</i> ".
Section 35B(13)	Strike out "Industry Regulator's" and substitute "Commission's".
Section 37	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Heading to Division 5 Part 3	Strike out "INDUSTRY REGULATOR'S" and substitute "COMMISSION'S".

Section 38(1)(b)	Strike out "Industry Regulator's" and substitute "Commission's".
Section 38(2)	Strike out "Industry Regulator" and substitute "Commission".
Section 38(3)	Strike out "Industry Regulator" and substitute "Commission".
Section 39(1)	Strike out "Industry Regulator" and substitute "Commission".
Section 64(3)	Strike out "Industry Regulator" and substitute "Commission".
Section 64(4)(a)	Strike out "Industry Regulator" and substitute "Commission".
Section 69(2)(b)(ii)	Strike out "Industry Regulator" and substitute "Commission".
Section 69(4)	Strike out "Regulator on whose application the order was made" and substitute "Commission or Technical Regulator".
Section 74	Repeal this section.
Section 75(1)	Strike out "the relevant Regulator".
Section 75(1)(a)	Insert "the Commission" before "by an applicant".
Section 75(1)(a)	Strike out "Industry Regulator" and substitute "Commission".
Section 75(1)(b)	Insert "the Commission" before "by an electricity entity".
Section 75(1)(b)	Strike out "Industry Regulator" and substitute "Commission".
Section 75(1)(c)	Insert "the Commission" before "by a person".
Section 75(1)(c)	Strike out "Industry Regulator" and substitute "Commission".
Section 75(1)(d)	Insert "the Technical Regulator" before "by a person".
Section 75(1)(e)	Insert "the Technical Regulator" before "by a person".
Section 75(2)(d)	Strike out "relevant" and substitute "Commission or the Technical".
Section 75(2)(e)	Strike out "relevant" and substitute "Commission or the Technical".
Section 75(3)	Strike out "relevant Regulator" and substitute "Commission or the Technical Regulator, as the case requires,".
Section 75(4)	Strike out "with the relevant Regulator".
Section 75(5)	Strike out "relevant Regulator" and substitute "Commission or the Technical Regulator, as the case requires,".
Section 75(6)	Strike out "relevant Regulator" and substitute "Commission or the Technical Regulator, as the case requires,".
Section 75(7)	Strike out "relevant Regulator" and substitute "Commission or the Technical Regulator".
Section 75(7)	Strike out "relevant Regulator's".
Section 76(1)	Strike out "relevant" and substitute "Commission or the Technical".
Section 76(3)	Strike out "relevant" and substitute "Commission or the Technical".
Section 80	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 80A(1)	Strike out "Industry Regulator" and substitute "Commission".



Section 80A(1)	Strike out "him or her" and substitute "the Commission or the Technical Regulator (as the case may be)".
Section 91	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 96	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".
Section 98(3)(b)	Strike out "Industry Regulator" and substitute "Commission".
Schedule 1 Clause 4	Strike out "Industry Regulator" (wherever occurring) and substitute, in each case, "Commission".

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