



Australian Capital Territory

Utilities (Shortage of Essential Services) Amendment Act 2005

A2005-31

An Act to amend the *Utilities Act 2000*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

2004 088B

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

1 Name of Act

This Act is the *Utilities (Shortage of Essential Services) Amendment Act 2005*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This Act amends the *Utilities Act 2000*.

4 New part 9A

insert

Part 9A Shortage of essential services

149A Definitions for pt 9A

essential service means electricity, gas or water.

essential service restriction means a restriction or other regulation prescribed by regulation in relation to the use of an essential service.

149B Restriction of utility service

A regulation may make provision in relation to a shortage, or possible shortage, in the amount of an essential service needed for the community, including provision regulating the use of an essential service by consumers.

149C Powers in relation to premises

- (1) This section applies if an authorised person believes, on reasonable grounds, that an essential service is being used, or has just been used, at premises in contravention of an essential service restriction.
- (2) For this Act, the authorised person may, at any reasonable time—
 - (a) enter and inspect the premises and anything at the premises; and
 - (b) take action prescribed by regulation in relation to a contravention of the essential service restriction.
- (3) However, subsection (2) (a) does not authorise entry into a part of premises that is being used only for residential purposes.
- (4) To remove any doubt, an authorised person may enter premises under subsection (2) (a) without payment of an entry fee or other charge.

149D Production of identity card

An authorised person must not remain on premises entered under this part if, when asked by the occupier, the authorised person does not produce the authorised person's identity card for inspection by the occupier.

5 Dictionary, definitions of *essential service* and *essential service restriction*

insert

essential service—see section 149A.

essential service restriction—see section 149A.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 5 May 2005.

2 Notification

Notified under the Legislation Act on 29 June 2005.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Utilities (Shortage of Essential Services) Amendment Bill 2005, which was passed by the Legislative Assembly on 23 June 2005.

Clerk of the Legislative Assembly

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