

Utilities (Emergency Planning Code) Determination 2010

Disallowable instrument DI2010—170

made under the

Utilities Act 2000, s 59 (Determined codes), s 63 (Public access) and s 65 (Application of industry code provisions)

EXPLANATORY STATEMENT

Part 5 of the *Utilities Act 2000* (the Act) provides for the making and variation of technical codes as part of the requirements that licensed utilities must observe. Provisions for making technical codes apply provisions of Part 4 of the Act, for industry codes with relevant variations. Section 65 of the Act provides for the determination of technical codes.

Under section 62 of the Act, a technical code is a disallowable instrument.

On 21 December 2000, the Minister for Urban Services determined first technical codes including an Emergency Planning Code (the Code) in Instrument No 369 of 2000. Notification of the making of this determination was published in Gazette No S69 of 21 December 2000. In March 2003, the Code was varied by disallowable instrument 2003-32. Under section 46 of the *Legislation Act 2001*, a power given under an Act to make a statutory instrument includes power to amend or repeal the instrument.

ACTPLA and affected utilities reviewed the Emergency Planning Code and identified improvements. The Emergency Planning Code will now apply to Gas services as well as Electricity and Water. The new code provides uniform obligation for utilities across sectors.

Copies of the Emergency Planning Code 2010 will be made available for public inspection at the offices of the Independent Competition and Regulatory Commission. Under section 63 of the Act, the Independent Competition and Regulatory Commission's office is a place where copies of industry codes made under Part 4 must be available for public inspection.