

Australian Capital Territory

Utilities (Electricity Network Boundary Code) Revocation 2017

Disallowable Instrument DI2017-277

made under the

Utilities Act 2000, section 59 (determined codes) and *Legislation Act 2001, section 46* (power to repeal instrument).

EXPLANATORY STATEMENT

Section 59 of the *Utilities Act 2000* gives the Independent Competition and Regulatory Commission the power to determine industry codes. The determination of an industry code is a disallowable instrument.

Section 46(1) of the *Legislation Act 2001* provides that a power to make a statutory instrument includes the power to repeal the instrument.

The *Electricity Network Boundary Code* (DI2013-71) defined boundaries between an electricity transmission network and an electricity distribution network; connected electricity distribution networks; and an electricity distributor's network and a customer's premises.

On 1 March, 2015 the *Utilities (Technical Regulation) Act 2014* came into effect. The creation of this legislation transferred code making and regulatory responsibility for the establishment of utility network boundaries from the Independent Competition and Regulatory Commission to the Technical Regulator.

Due to transitional arrangements, the electricity network boundary code has remained with the Independent Competition and Regulatory Commission. The Technical Regulator has enacted a new technical code under the *Utilities (Technical Regulation) Act*, necessitating the revocation of the industry code.

The electricity network boundary requirements will be regulated by the Technical Regulator under the *Utilities (Technical Regulation) Act 2014*.