

Australian Capital Territory

## Utilities (Water and Sewerage Network Boundary Code) Revocation 2018

Disallowable Instrument DI2018-56

made under the

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

### EXPLANATORY STATEMENT

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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 *Water and Sewerage Network Boundary Code* (DI2013–73) is an industry code under the *Utilities Act 2000*. The code defines boundaries between the networks of two, water or sewerage, utilities; and between a, water or sewerage, utility'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 water and sewerage 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 2014*, necessitating the revocation of the industry code.

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