

Australian Capital Territory

Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2024

Disallowable instrument DI2024–274

made under the

Utilities (Technical Regulation) Act 2014, section 14 (Technical codes—approval)

EXPLANATORY STATEMENT

This explanatory statement relates to the *Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2024* as presented to the Legislative Assembly. It has been prepared to assist the reader of the disallowable instrument. It does not form part of the instrument and has not been endorsed by the Assembly. This explanatory statement must be read in conjunction with the instrument.

Background

This disallowable instrument is made under the *Utilities (Technical Regulation) Act 2014* (the Act). The Act provides a technical regulatory framework for regulated utilities in the Australian Capital Territory (ACT). Section 14 of the Act authorises the Minister to approve a technical code as recommended by the Technical Regulator.

This disallowable instrument is the *Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2024* (the instrument). The purpose of the instrument is to approve the Light Rail Regulated Utility (Electrical) Network Boundary Code and revoke the *Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2021* (DI2021-211).

Overview

Under the *Utilities (Technical Regulation) (Light Rail – Regulated Utility Service) Regulation 2016*, the supply of electricity from a light rail network is a light rail regulated service.

The instrument is a technical code under part 3 of the Act. The instrument applies to a light rail regulated utility that is an operator of a light rail regulated utility network within the ACT.

The purpose of the instrument is to define electrical network boundaries in accordance with section 53 of the Act, between:

- (1) A light rail regulated utility network and an electricity distribution network; and
- (2) A light rail regulated utility network of one person and a light rail regulated utility network of another person, where those light rail regulated utility networks are, or are to be, connected.

The instrument replaces the *Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2021* to modernise language and provide clarity of the definitions and boundary arrangements for all existing and future light rail electrical networks and electricity distribution networks within the ACT.

Consultation

In accordance with section 13 of the Act, the Technical Regulator consulted the Independent Competition and Regulatory Commission, Transport Canberra and City Services, Major Projects Canberra, Canberra Metro Operations, Evoenergy, Icon Water, Telstra and Jemena.

Regulatory Impact Statement

A Regulatory Impact Statement for the instrument is not required in accordance with section 34(1) of the *Legislation Act 2001*, as the amendments between the 2021 version and this version is not likely to impose appreciable costs on the community, or part of the community. Further, a Regulatory Impact Statement is unnecessary in accordance with section 36(1)(b) of the *Legislation Act 2001* as this instrument does not adversely affect a person's rights or impose liabilities on a person.

Human Rights and Scrutiny of Committee Terms of Reference

The instrument does not engage or limit any person's human rights.

The instrument is consistent with the Legislative Assembly's Scrutiny of Bills Committee Terms of Reference. In particular, the instrument:

- is made under a ministerial power found in the Act;
- is in accordance with the general objects of the Act under which the instrument is made;
- does not unduly trespass on rights previously established by law; and
- does not make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions.