



Australian Capital Territory Gazette

SPECIAL GAZETTE

No. S40, Friday 29 June, 2001

NOTIFICATION OF THE MAKING OF AN INSTRUMENT

NOTICE is hereby given that the undermentioned Instrument of the Australian Capital Territory has been made. Copies of the Instrument may be purchased from the Legislation and Sales Counter, ACT Government Shopfront, Ground Floor, FAI House, Corner of London Circuit and Akuna Street, Canberra City ACT 2601.

Act under which Instrument made	Description of Instrument	Number and year of Instrument
<i>Adoption Act 1993</i>	Determination of Fees.	No. 162 of 2001
<i>Vocational Education and Training Act 1995</i>	Determination of Fees.	No. 166 of 2001
<i>Education Services for Overseas Students (Registration and Regulation of Providers) Act 1994</i>	Determination of Fees.	No. 167 of 2001
<i>Gaming Machine Act 1987</i>	Issue of guidelines for community contributions – Section 60B(3)	No. 168 of 2001
<i>Legislative Assembly (Members' Staff) Act 1989</i>	Arrangements under subsection 10(2) for the employment of staff by Members.	No. 169 of 2001
<i>Legislative Assembly (Members' Staff) Act 1989</i>	Arrangements under subsection 5(2) for the employment of staff by the Speaker.	No. 170 of 2001

ACT Government Homepage: <http://www.act.gov.au>

NOTIFICATION OF THE MAKING OF A REGULATION

NOTICE is hereby given that the undermentioned Regulation of the Australian Capital Territory has been made. Copies of the Regulation may be purchased from the Legislation and Sales Counter, ACT Government Shopfront, Ground Floor, FAI House, Corner of London Circuit and Akuna Street, Canberra City ACT 2601.

Act under which Regulation made	Description of Regulation	Number and year of Regulation
<i>Road Transport (General) Act 1999</i>	Road Transport (Offences) Regulations 2001.	No. 20 of 2001

AUSTRALIAN CAPITAL TERRITORY

WASTE MINIMISATION ACT 2001

COMMENCEMENT NOTICE

Pursuant to section 2 of the Waste Minimisation Act 2001 I fix 28 June 2001 as the date the Act commences.

Dated this 27 day of June 2001

Brendan Smyth
Minister for Urban Services

**AUSTRALIAN CAPITAL TERRITORY
INDEPENDENT COMPETITION AND REGULATORY
COMMISSION ACT 1997**

NOTICE OF APPOINTMENT

Under schedule 1 of the *Independent Competition and Regulatory Commission Act 1997*, I appoint Ms Robin Creyke and Mr Peter McGhie as assistant commissioners (part-time standing commissioners) to the Independent Competition and Regulatory Commission for a period of 5 years from date of gazettal.

Dated this 26 day of June 2001

Gary Humphries MLA
Treasurer

AUSTRALIAN CAPITAL TERRITORY
INDEPENDENT COMPETITION AND REGULATORY COMMISSION ACT 1997
APPOINTMENT
EXPLANATORY STATEMENT

The *Independent Competition and Regulatory Commission Act 1997* established an independent commission to regulate the pricing, access and other matters in relation to industries involving the supply of water, electricity and sewerage services, and other industries, and to investigate competitive neutrality complaints and government-regulated activities.

Section 6(1) of the Act establishes that the Commission is constituted by 3 or more commissioners.

Schedule 1 enables the Minister to appoint standing commissioners to the commission. The Minister has appointed Ms Robin Creyke and Mr Peter McGhie as assistant commissioners of the Independent Competition and Regulatory Commission.

These appointments have been approved by Cabinet and the Standing Committee for Finance and Public Administration has been consulted in accordance with Section 4 of the *Statutory Appointments Act 1994*. The appointments are disallowable by the ACT Legislative Assembly.

AUSTRALIAN CAPITAL TERRITORY

UTILITIES ACT 2000

GRANT OF LICENCES

I, PAUL FRANCIS BAXTER, under Section 37 of the *Utilities Act 2000*, grant the following licences:

Electricity distribution and connection services

- ActewAGL Distribution

Electricity supply services

- ActewAGL Retail
- CitiPower Ltd
- Country Energy
- Energex Retail Pty Ltd
- EnergyAustralia
- Ergon Energy Pty Ltd
- Ferrier Hodgson Electricity Pty Ltd
- Integral Energy Australia
- Origin Energy Electricity Ltd
- Pulse Energy Pty Ltd
- TXU Electricity Limited
- Yallourn Energy Ltd

Gas transmission services

- East Australian Pipeline Limited

Gas distribution and connection services

- ActewAGL Distribution

Gas supply services

- ActewAGL Retail
- Energex Retail Pty Ltd

Water supply services

- ACTEW Corporation

Sewerage services

- ACTEW Corporation

Copies of the licences may be obtained, on payment of the determined fee, by contacting the Independent Competition and Regulatory Commission on (02) 6205 0779. Licences may also be inspected, free of charge, at the Commission's office on level 7, FAI House, 197 London Circuit, Civic. Licences will also be published on the Commission's web-site, www.icrc.act.gov.au.

Dated this 28 day of June 2001

Signed

Paul Francis Baxter

Senior Commissioner

Independent Competition and Regulatory Commission

AUSTRALIAN CAPITAL TERRITORY***UTILITIES ACT 2000*****GRANT OF LICENCES****EXPLANATORY STATEMENT**

New licensing arrangements for providers of electricity, gas, water and sewerage utility services commenced on 1 January 2001 with the passing of the *Utilities Act 2000* (the "Act") in late 2000. The Act requires persons providing electricity, gas, water and sewerage services in the ACT to hold an appropriate operating licence. The Independent Competition and Regulatory Commission (the "Commission") is responsible for issuing licences under the Act.

Section 37 of the Act requires the Commission to be satisfied before granting a licence that a person has the capacity to comply with the licence conditions and to operate a viable business as a licensee. Applicants must also satisfy any other requirements relevant to the Commission's objects under the Act. The objects of particular relevance are:

- encouragement of the provision of safe, reliable, efficient and high quality utility services at reasonable prices;
- promotion of ecologically sustainable development in the provision of utility services; and
- protection of consumers' interests.

The Commission has assessed the applicants listed in the determination as meeting the necessary technical, prudential and other assessment criteria to provide the utility services for which they have sought licences. Licences have been granted accordingly.

AUSTRALIAN CAPITAL TERRITORY

UTILITIES ACT 2000

APPROVAL OF TERMS OF STANDARD CUSTOMER CONTRACTS

I, PAUL FRANCIS BAXTER, under Section 89 of the *Utilities Act 2000*, approve the terms of the following standard customer contracts:

- *standard customer contract for connection and supply of water and sewerage services submitted by ACTEW Corporation;*
- *standard customer contract for connection and supply of gas services submitted by ActewAGL Retail; and*
- *standard customer contract for electricity supply services submitted by ActewAGL Retail.*

The terms of the standard customer will apply from 1 July 2001.

The standard customer contracts for connection and supply of water and sewerage services will be available from ACTEW Corporation. The standard customer contracts for connection and supply of gas services and for supply of electricity services will be available from ActewAGL. Copies of all the standard customer contracts may be obtained by contacting ActewAGL's enquiries line, 13 14 93.

Dated this 28 day of June 2001

Signed

Paul Francis Baxter

Senior Commissioner

Independent Competition and Regulatory Commission

AUSTRALIAN CAPITAL TERRITORY***UTILITIES ACT 2000*****APPROVAL OF TERMS OF STANDARD CUSTOMER CONTRACTS****EXPLANATORY STATEMENT**

The *Utilities Act 2000* (the “Act”) requires utilities to provide electricity, gas and water services to franchise customers and sewerage services to all customers, on standard terms. The standard terms are those prescribed in the utility’s standard customer contract.

The Act requires standard customer contracts to be approved by the Independent Competition and Regulatory Commission (the “Commission”). Section 89 of the Act further requires the Commission to be satisfied that the terms of the standard customer contract are consistent with the utility’s licence conditions and the requirements imposed by or under the Act, that the charges payable under the contract are consistent with the Commission’s price directions, and that the terms are fair and reasonable.

The Commission has considered the draft standard customer contracts listed in the determination and is satisfied that the terms of those contracts meet the necessary requirements. The terms of the standard customer contracts have been approved accordingly.

AUSTRALIAN CAPITAL TERRITORY

UTILITIES ACT 2000

APPROVAL OF INDUSTRY CODE

I, PAUL FRANCIS BAXTER, under Section 58 of the *Utilities Act 2000*, approve the Electricity Networks Capital Contribution Code.

Dated this 25 day of June 2001

Signed

Paul Francis Baxter

Senior Commissioner

Independent Competition and Regulatory Commission

AUSTRALIAN CAPITAL TERRITORY

UTILITIES ACT 2000

APPROVAL OF INDUSTRY CODE

EXPLANATORY STATEMENT

Under section 101 of the *Utilities Act 2000* (the “Act”) a utility may impose capital contribution charges on customers to extend the utility’s network to undeveloped land or to vary the capacity of connections to its network. The charge must be in accordance with the relevant industry code of practice.

Industry codes must be approved by the Independent Competition and Regulatory Commission (the “Commission”) under section 58 of the Act. In making its decision the Commission must be satisfied that the code is consistent with other industry and technical codes and that it is appropriate. The Commission must also undertake certain consultations.

ActewAGL Distribution has submitted a draft Electricity Networks Capital Contributions Code to the Commission in accordance with section 57 of the Act. The code outlines the principles and procedures by which an electricity distributor may impose capital contribution charges on customers to develop or augment its electricity network.

The Commission has considered the draft industry code and is satisfied that the code is appropriate. The code has been approved accordingly.

