

No. S47, Tuesday 29 August, 2000

AUSTRALIAN CAPITAL TERRITORY

ACTEW/AGL PARTNERSHIP FACILITATION ACT 2000

**DECLARATION FOR AGL GAS COMPANY (ACT) LIMITED
PURSUANT TO SECTION 10**

I, Gary Humphries, Treasurer of the Australian Capital Territory, under sub-section 10(1) of the *ACTEW/AGL Partnership Facilitation Act 2000 (the Act)*, **DECLARE:**

1. On the day this Declaration takes effect, all of the network facilities forming part of the AGL Gas Infrastructure as defined in the Schedule to this Declaration that are affixed to non-AGL land are severed from and remain severed from non-AGL land and vest in AGL Gas Company (ACT) Limited (ACN 008 552 663).
2. Subject to paragraph 3, paragraph 1 takes effect on the day that the Minister receives the Completion Notice duly executed by all the parties to it.
3. If paragraph 1 does not take effect on or before the Cut Off Date, this Declaration will be of no effect.
4. Expressions used in this Declaration (including in the Schedule and the Annexure) and not otherwise defined in the Schedule have the same meaning as in the Act.

Date: 29th August 2000

Gary Humphries MLA
Treasurer

SCHEDULE

ACT Area means the geographical area comprising:

- (a) the Australian Capital Territory; and
- (b) the shires of Queanbeyan and Yarrowlumla in New South Wales.

AGL means The Australian Gas Light Company (ARBN 052 167 405).

AGL Gas Infrastructure means gas distribution network facilities comprising the infrastructure of the AGL gas network (including any tanks, reservoirs, machinery, equipment or meters directly attached to the gas network) owned and used or held for use by the AGL Group in carrying on the Gas Distribution Business in the ACT Area on the day this Declaration takes effect.

Completion Agreement means the ACTEW / AGL completion agreement dated on or around the date of this Declaration between:

- (a) ACTEW Corporation Limited (ACN 069 381 960);
- (b) The Australian Gas Light Company (ARBN 052 167 405);
- (c) Ecowise Services Limited (ACN 073 025 224);
- (d) ACTEW Energy Limited (ACN 074 371 207);
- (e) AGL Gas Company (ACT) Limited (ACN 008 552 663); and
- (f) AGL ACT Retail Investments Pty Limited (ACN 093 631 586).

Completion Notice means the notice in the form set out in the Annexure.

Cut Off Date means the day six months after the date of the Completion Agreement.

Gas Distribution Business means the business of distributing gas in the ACT Area through a gas network carried on by AGL and its Related Entities by means of, among other things, the AGL Gas Infrastructure.

Related Entity of an entity means another entity which is related to the first within the meaning of section 9 of the Corporations Law or is in any economic entity (as defined in any approved accounting standard) which contains the first.

**Annexure
Completion Notice**

To: The Treasurer of the Australian Capital Territory

**NOTICE PURSUANT TO CLAUSE 11.4(b) OF THE COMPLETION AGREEMENT
BETWEEN ACTEW CORPORATION LIMITED (ACN 069 381 960) AND THE
AUSTRALIAN GAS LIGHT COMPANY (ARBN 052 167 405) AND OTHERS
("COMPLETION AGREEMENT")**

This is the notice for the purpose of clause 11.4(b) of the Completion Agreement.

Dated:

ACTEW Corporation Limited

The Australian Gas Light Company