



UTILITIES ACT 2000

DECLARATION UNDER SUBSECTION 18(4)

INSTRUMENT NO. 94 of 2001

Pursuant to subsection 18(4) of the *Utilities Act 2000* (“the Act”), I declare the classes of persons as specified in the Schedule to this Declaration to be non-franchise customers for the purposes of the Act.

Pursuant to subsection 18(2) of the Act, the dates of effect are specified in the Schedule.

Gary John Joseph Humphries
Treasurer

21st April 2001

SCHEDULE

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Citation

- 1 This Declaration may be cited as the Utilities (Declaration of Non-Franchise Natural Gas Customers) Declaration 2000.

Interpretation and Definitions

- 2 In this Declaration:
- (a) references to clauses or sub-clauses are references to clauses or sub-clauses in this Declaration;
 - (b) the following expression has the following meaning:
 - (i) **“local gas supplier”**, in relation to the supply of natural gas to premises, means a utility licensed for the supply of natural gas to the premises.

Declaration of Non-Franchise Customers

- 3 Any person who owns or occupies premises at which natural gas is consumed is declared to be a non-franchise customer in respect of the consumption of natural gas at these premises.
- 4 This Declaration takes effect on the day nominated by that person in any notice given to the local gas supplier in accordance with clause 5.

Notices to gas supplier

- 5 The notices referred to in clause 4 shall:
- (a) be in writing, signed by the person giving the notice (or under seal or by a duly authorised officer of that person, where the person is a corporation);
 - (b) be delivered to the local gas supplier by hand, courier, ordinary post, facsimile or electronic mail;
 - (c) state that the person giving the notice will become a non-franchise customer in respect of the premises itemised in the notice, on the day nominated in the notice.

- 6 Each notice referred to in this Declaration will be taken to have been given
- (a) on the third business day after posting, if sent by ordinary post;
 - (b) on the day of delivery, if delivered by hand or by courier; or
on the day of transmission, if sent by facsimile or electronic mail.