

Australian Capital Territory

Utilities (Emergency Planning Code) Determination 2003

Disallowable instrument DI2003— 32

made under the

Utilities Act 2000, s 61 (Variation) and s 65 (Application of industry code provisions)

On 21 December 2000 the Minister for Urban Services determined a Emergency Planning Code (“the Code”) under section 236 of the *Utilities Act 2000* (“the Act”) and gave notice of the determination in Gazette No. S69 of 21 December 2000.

Under sections 61 and 65 of the Act I:

- 1 give notice that I approve the variations to the Code that appear in the Schedule to this instrument; and
- 2 state that copies of the code as varied will be made available for public inspection at the office of the Independent Competition and Regulatory Commission.

Simon Corbell
Minister for Planning
12 March 2003

This is the Schedule to Utilities (Emergency Planning Code) Determination signed by the Minister for Planning on 12 March 2003.

1 Requirement to Adopt and Maintain Procedures

Insert the following clause after Clause 3:

‘3A. REQUIREMENT TO ADOPT AND MAINTAIN PROCEDURES

3A.1 Utility to Adopt Procedures

A **Utility** must, within 6 months of the grant of its **Utility Services Licence** adopt and implement procedures for

- (1) identification of potential **Emergency Events**,
- (2) prompt detection of **Emergency Events**; and
- (3) management of **Emergency Events**, including actions that a **Utility** will take in response to an **Emergency Event** to:
 - (a) notify **Customers**, groups of **Customers** and other members of the public most likely to be affected by the occurrence of an **Emergency Event** of that **Event**. The procedures must require the Utility to inform the affected persons of:
 - (i) the actions that the Utility will take to respond to the Event;
 - (ii) information on the estimated duration of the Event;
 - (iii) the nature of any restrictions;
 - (iv) procedures for making applications for exemptions from restrictions;
 - (v) any appropriate action or precaution those persons should take in the circumstances.
 - (a) minimise the impact, or likely impact, of the event on persons and property; and
 - (b) maintain or resume the provision of the relevant **Utility Service**.

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3A.2 Utility to Maintain Procedures

The **Utility** must keep the procedures up-to-date and audit them annually.'

1 Emergency Plans to Identify Relevant Procedures

After clause 5.1(2)(a) insert:

'(b) identify the Utility's procedures referred to in clause 3A(1).'

Delete clauses 5.1(3) and 5.4.

Delete clause 5.8(2)(b) and substitute:

'(b) Be consistent with the procedures referred to in subclause 3A.1(3)'

2 Emergency Plans to Identify Personnel by Their Position

In clause 5.5(1) delete the words "an employee" and substitute the words "the position of the employee".

In clause 5.5(2) before the words "the key employee" insert the words "the position of".

3 Contact List

Insert the following clause after clause 5:

"5A. CONTACT LIST

The **Utility** must provide a list of the names and contact details for each employee and officer in a position having responsibility under subclause 5.5. The **Utility** must:

- (1) update this list at intervals not exceeding six months; and
- (2) provide a copy of the list or updated list to the **Chief Executive** and to each organisation, agency or individual having responsibilities under the plan."

1 Emergency Event Training

Delete clause 5.6 and insert the following clause after clause 5:

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“5B. EMERGENCY EVENT TRAINING

A **Utility** must ensure that its employees and officers understand and have had training on their duties and authorisations during an **Emergency Event**.”

In clause 8 delete the words “and be familiar with its contents” and substitute with the words “and have received sufficient training to become familiar with the contents of the **Emergency Plan** and the associated procedures.”

2 Distribution, Testing and Revision of Emergency Plans

In clause 5.9:

delete the words “writing, simply expressed, properly disseminated and regularly tested and revised.”

and substitute the words “writing, which is simply expressed.”

and insert the following clause after clause 5:

“5C. DISTRIBUTION, TESTING AND REVISION OF EMERGENCY PLANS

A **Utility** must properly disseminate, test and revise its Emergency Plan. The testing must be conducted at least annually.”

3 Records

In the heading of clause 7 delete the words “INSPECTION OF” and

After clause 7(2) insert, without indentation, the paragraph:

“The records must be made available for inspection as requested by the **Chief Executive**.”

4 Minor Editorial Changes

Renumber clause 5.1(3) to 5.1(2)(a)

Renumber clause 5.1(4) to 5.1(2)(b)

In clause 5.8(2) delete the word “detail” and:

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In clause 5.8(2)(a) delete the words “The **Customers**, groups of **Customers** and/or other members” and substitute with the words “Detail the Customers, groups of Customers and other members”.

In clause 5.8(2)(c) before the words “a strategy” insert the word “Detail” and correct the spelling of “liasing” to read “liaising”.

In clause 5.8(3) before the words “information referred to” insert the word “the”.

In the heading of clause 6.1 correct the spelling of ”Notifcation” to read “Notification”.

5 Numbering

Renumber the clauses.