

# Construction Occupations (Licensing) Interval Metering Transitional Code of Practice 2017

## Disallowable Instrument DI2017-287

made under the

**Construction Occupations (Licensing) Act 2004, section 126A (Codes of Practice)**

## EXPLANATORY STATEMENT

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Section 126A of the *Construction Occupations (Licensing) Act 2004* (the *Act*) permits the Minister to approve a code of practice for a construction occupation, a class of construction occupation or a construction service.

It is an offence under section 87 of the Act for a licensee to contravene a code of practice that is applicable to the licensee. The maximum penalty for a contravention is 50 penalty units.

An approved code of practice is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.

The instrument commences on the day after its notification day.

### Background

The Australian Energy Market Commission (AEMC) Power of Choice review recommendations were agreed by the COAG Energy Council in 2012. From 1 December 2017, metering services will be contestable provided through electricity retailers, creating competition for metering services. From that date all new and replacement electricity meters will be interval meters (types 1-4 meters), capable of wireless communication and measuring electricity use in small intervals, unless installed under the nationally agreed transition.

A distribution network service providers (DNSPs) can continue to provide the installation of type 5 and 6 meters if the request for the metering service is made before 1 December 2017 and the meter is installed by 31 March 2018.

Customers will not be required to replace their older meters, which will continue to be maintained until they reach the end of their service life. Support for existing meter installations will continue to be provided by distribution network service providers (DNSPs) until a new metering coordinator is appointed. This work will also become contestable electrical work.

### Technical standards for metering work

While the current electrical wiring rules (AS/NZS 3000) apply to metering work, specific standards for metering installations were traditionally located in the relevant DNSP service and installation rules. These include requirements for location of meters to allow access for maintenance and replacement, which are important to continue under the new reforms.

This code is intended to operate during the transition period where two type of metering services are offered. It is not intended to apply to the installation of type 5 and 6 meters under arrangements that were in place immediately before the transition period began.

The code covers the accessibility and location of new metering installations for maintenance, replacement amenity of occupants and operation of nearby equipment. These issues are not covered by AS/NZS 3000. All other matters will be addressed in a new code to operate when the separation of metering responsibility from the DNSP is fully completed.

For further information about licensing requirements for interval metering work see section 31C of the *Construction Occupations (Licensing) Regulation 2004*.

### **Regulatory Impact Statement (RIS)**

A RIS is not required for this declaration. Sections 36 (1) (g) and (h) of the Legislation Act provides that a RIS need not be prepared for a matter arising under a territory law that is part of a uniform scheme of legislation or complementary with legislation of the Commonwealth, a State or New Zealand, or a matter involving the adoption of an Australian or international protocol, standard, code, or intergovernmental agreement or instrument, if an assessment of the benefits and costs has already been made and the assessment was made for, or is relevant to, the ACT.

The endorsement to which these qualifications relate to implementing changes to the [National Electricity Rules](#) to increase the contestability of metering work commencing on 1 December 2017. The National Electricity Rules are made under the National Electricity Law. The ACT adopts the National Electricity Law under the National Energy Retail Law (ACT) Act 2012 (A2012-31). Regulatory impact analysis for the reforms was undertaken for the COAG Energy Council and applied to the ACT. The regulatory impact analysis can be found at <http://www.aemc.gov.au/getattachment/ed88c96e-da1f-42c7-9f2a-51a411e83574/Final-determination.aspx>. Participation in this national reform is announced government policy.

The provisions in this code continue existing provisions for the location and accessibility of meters and do not impose a new or appreciable cost on any sector of the society. Installations that do not comply with the standards may pose appreciable costs on other people, such as building owners, other practitioners and metering service providers who cannot reasonably access a metering installation for maintenance or replacement of the meter.

**Human Rights**

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. There are no human rights impacts related to this instrument.