



Australian Capital Territory

# **Electricity (National Scheme) Act 1997**

**A1997-79**

**Republication No 2**

**Effective: 11 January 2006 – 30 June 2012**

Republication date: 11 January 2006

Last amendment made by A2005-62

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Electricity (National Scheme) Act 1997* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 11 January 2006. It also includes any amendment, repeal or expiry affecting the republished law to 11 January 2006.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Electricity (National Scheme) Act 1997

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R2  
11/01/06

Electricity (National Scheme) Act 1997  
Effective: 11/01/06-30/06/12

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Australian Capital Territory

# Electricity (National Scheme) Act 1997

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An Act to make provision for the operation of a national electricity market, and for related purposes

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## Part 1 Preliminary

### 1 Name of Act

This Act is the *Electricity (National Scheme) Act 1997*.

### 2 Dictionary

The dictionary at the end of this Act is part of this Act.

*Note 1* The dictionary at the end of this Act defines certain terms used in this Act.

*Note 2* A definition in the dictionary applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

### 3 Notes

A note included in this Act is explanatory and is not part of this Act.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

### 3A Terms used in National Electricity (ACT) Law

A term used in the National Electricity (ACT) Law has the same meaning in this Act.

### 4 Extraterritorial operation

It is the intention of the Legislative Assembly that the operation of this Act, the National Electricity (ACT) Law and the National Electricity (ACT) Regulations should, so far as possible, include operation in relation to the following:

- (a) land situated outside the ACT, whether in or outside Australia;
- (b) things situated outside the ACT, whether in or outside Australia;

- (c) acts, transactions and matters done, entered into or happening outside the ACT, whether in or outside Australia;
- (d) things, acts, transactions and matters (wherever situated, done, entered into or happening) that would, apart from this Act, be governed or otherwise affected by the law of the Commonwealth, a State, another Territory or a foreign country.

## Part 2 National Electricity (ACT) Law and National Electricity (ACT) Regulations

### 5 Application in ACT of National Electricity Law

The National Electricity Law set out in the *National Electricity (South Australia) Act 1996* (SA), schedule, as in force for the time being—

- (a) applies as if it were an Act passed by the Legislative Assembly; and
- (b) as so applying may be referred to as the National Electricity (ACT) Law.

### 6 Application of regulations under National Electricity Law

The regulations in force for the time being under the *National Electricity (South Australia) Act 1996* (SA), part 4, as in force for the time being—

- (a) apply as regulations in force for the National Electricity (ACT) Law; and
- (b) as so applying may be referred to as the National Electricity (ACT) Regulations.

### 7 Interpretation of certain expressions

- (1) In the National Electricity (ACT) Law and the National Electricity (ACT) Regulations:

*Legislature of this jurisdiction* means the Legislative Assembly.

*the jurisdiction* or *this jurisdiction* means the Territory.

*the National Electricity Law* or *this Law* means the National Electricity (ACT) Law.

- (2) The *Acts Interpretation Act 1915* (SA), and other Acts of South Australia, do not apply to—
- (a) the National Electricity (ACT) Law; and
  - (b) the regulations in force for the time being under the *National Electricity (South Australia) Act 1996* (SA), part 4 in their application as regulations in force for the purposes of the National Electricity (ACT) Law.

## Dictionary

(see s 2)

*Note 1* The Legislation Act contains definitions and other provisions relevant to this Act.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- Act
- Commonwealth
- Legislative Assembly
- Minister (see s 162)
- provision (see s 16)
- Supreme Court
- the Territory
- under.

***National Electricity (ACT) Law*** means the provisions applying because of section 5.

***National Electricity (ACT) Regulations*** means the provisions applying because of section 6.

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

#### **Electricity (National Scheme) Act 1997 No 79**

notified 25 November 1997 (Gaz 1997 No S360)

s 1, s 2 commenced 25 November 1997 (s 2 (1))

remainder commenced 13 December 1998 (s 2 (2) and Gaz 1998 No S209)

as amended by

#### **Legislation (Consequential Amendments) Act 2001 No 44 pt 124**

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 124 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

#### **Statute Law Amendment Act 2005 (No 2) A2005-62 sch 3 pt 3.8**

notified LR 21 December 2005

s 1, s 2 commenced 21 December 2005 (LA s 75 (1))

sch 3 pt 3.8 commenced 11 January 2006 (s 2 (1))

### 4 Amendment history

#### **Name of Act**

s 1 sub A2005-62 amdt 3.114

#### **Dictionary**

s 2 om 2001 No 44 amdt 1.1453  
ins A2005-62 amdt 3.114

#### **Notes**

s 3 sub A2005-62 amdt 3.114

#### **Terms used in National Electricity (ACT) Law**

s 3A ins A2005-62 amdt 3.114

#### **Interpretation of certain expressions**

s 7 am A2005-62 amdt 3.115

#### **Dictionary**

dict ins A2005-62 amdt 3.116  
def **National Electricity (ACT) Law** ins A2005-62 amdt 3.116  
def **National Electricity (ACT) Regulations** ins A2005-62  
amdt 3.116

## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 19 Apr 2002	19 Apr 2002– 10 Jan 2006	A2001-44	amendments by A2001-44

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