

1995

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

ELECTRICITY AND WATER (CORPORATISATION) (CONSEQUENTIAL PROVISIONS) ACT 1995

ELECTRICITY AND WATER (MODIFICATION) REGULATIONS

EXPLANATORY MEMORANDUM

Circulated by authority of
Gary Humphries MLA
Minister for the Environment, Land and Planning.

Outline

The Electricity and Water (Corporatisation) (Consequential Provisions) Act 1995 ("the Act") and the Electricity and Water (Corporatisation) (Consequential Amendments) Act 1995 effect the corporatisation of the former Australian Capital Territory Electricity and Water Authority.

Section 11 of the Act specifies that the Executive may make regulations modifying an enactment in relation to any matter relating to the former Authority. The Act specifies that the power to modify an enactment expires on 1 July 1996.

An element of the corporatisation of ACTEW will be the transfer of the electrical and hydraulics regulatory functions from ACTEW to the Department of Urban Services ("the Department") from 1 July 1995. Included in the regulatory functions being transferred are 6 of the 12 electrical inspector positions. The inspectorial positions are responsible, among other things, for testing and passing work described in section 33 of the Electricity Act 1971.

Section 33 in its current form is restrictive in two ways. First, it requires authorisation by the "Authority" (which will continue to be ACTEW). Second, it requires that work must be tested and passed by "an officer of the Authority". As from 1 July, 6 of the 12 inspectors currently authorised to pass and test work will work for the Department and the other 6 for ACTEW.

Negotiations have been proceeding with the ACT electrical industry to enable partial deregulation of the inspectorial requirements. Accordingly, section 33 is being thoroughly reviewed and will be subject to comprehensive amendment before this Regulation ceases to have effect on 1 July 1996.

Revenue/Cost Implications

The Regulations have no revenue or cost implications.

Clause Notes

Clause 1

Clause 1 specifies the title of the Regulations.

Clause 2

Clause 2 specifies that the Regulations shall commence or be deemed to have commenced on 1 July 1995.

Clause 3

Clause 3 will modify section 33 of the Electricity Act 1971 by omitting the requirement for authorisation by the Australian Capital Electricity and Water Authority and will provide that work specified in section 33 must be tested and accepted by a person authorised by the Chief Executive.