

Australian Capital Territory

Utilities (Electricity Restriction Scheme) Approval 2004 (No 1)

Disallowable instrument DI2004—270

made under the

***Utilities Act 2000*, s 234 (Regulation making power);
Utilities (Electricity Restrictions) Regulation 2004,
section 6 (Approved electricity restriction scheme)**

EXPLANATORY STATEMENT

The *Utilities (Electricity Restrictions) Regulation 2004* (the regulation), made under the *Utilities Act 2000*, section 234, provides in section 6 (Approved electricity restriction scheme) for the Minister to approve an electricity restriction scheme in the ACT.

This is the first approval by the Minister for any electricity restriction scheme under the regulation.

This approved electricity restriction scheme (the scheme) supports the Regulation which provides for restrictions on the use of electricity in times of shortage.

The scheme provides for five (5) different stages of restrictions on the use of electricity. The stage declared by the Minister depends on one or more of a number of variables. The variables include the electrical network operational requirement and conditions, the transmission and/or distribution capacity available for the supply of electricity services in the ACT, and any reduction in the ACT total electricity load to be achieved, for example, as required by the utility or requested by the National Electricity Market Management Company or as a result of inter-jurisdictional negotiation maximum electricity load.

The five stages of electricity restrictions, together with the restriction measures which may be imposed under each stage, the maximum period during which the measures may be imposed, and the target group of consumers (residential and commercial/industrial) are detailed in the Appendix to the scheme.

The scheme also provides for a range of automatic exemptions from restrictions for certain specified classes of consumers to the extent required to directly support their health and safety.

As some air conditioning and heating systems require a qualified person to adjust the thermostat, an owner/operator of such a system is temporarily exempt from the

restrictions until the necessary adjustment is made, as long as the adjustment has been arranged for the earliest possible occasion.

The utility may approve other exemptions on application, if the consumer can demonstrate that compliance with the restrictions would cause them serious detriment.

No exemptions will apply in the event of rationing or load shedding that involves electricity being cut off from a group of consumers.

The scheme makes clear that it does not preclude the declaration by the Chief Minister of a state of emergency under the *Emergencies Act 2004*.