

1992

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN
CAPITAL TERRITORY**

GAS BILL 1992

**SUPPLEMENTARY
EXPLANATORY MEMORANDUM**

Amendments to be moved on behalf of the Government

Circulated by Authority of the Chief Minister

Rosemary Follett MLA

GAS BILL 1992

Subclause 59(1) of the Gas Bill provides that the Controller may serve on an authorised distributor a notice in writing requiring the distributor to repair or modify a gas reticulation system so that it complies with the Act or the Manual and to reinstate any area of ground opened by an inspector in the course of the inspection which resulted in the notice being served. It is an offence under subclause 59(2) to fail to comply with such a notice.

Subclause 59(2) is amended to insert the words "without reasonable excuse" so that the offence is not a strict liability offence.

This amendment to the Bill arises from the consideration of the Gas Bill 1992 by the Standing Committee on Scrutiny of Bills and Subordinate Legislation. In its Report No. 7 of 1992 the Committee correctly noted that it is appropriate to include a "reasonable excuse" defence in subclause 59(2).