

Utilities (Gas Restriction Scheme) Approval 2005 (No 1)

Disallowable instrument DI2005—73

made under the

***Utilities Act 2000*, s 234 (Regulation making power);
Utilities (Gas Restrictions) Regulation 2005,
section 6 (Approved gas restriction scheme)**

EXPLANATORY STATEMENT

The *Utilities (Gas Restrictions) Regulation 2005* (the regulation), made under the *Utilities Act 2000*, section 234, provides in section 6 (approved gas restriction scheme) for the Minister to approve a gas restriction scheme in the ACT.

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

This approved Gas Restriction Scheme (the Scheme) supports the Regulation which provides for restrictions on the use of gas in times of shortage, or situations likely to give rise to shortages.

The Scheme comprises a range of restriction measures, which the utility may impose by public notice, when a declaration of gas restriction is in force. The restriction measures that may be imposed include the maximum period or periods each day during which each measure applies.

The restriction measures which may be imposed, 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 at risk consumers to the extent required to directly support their health and safety.

As some 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 gas 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*.