Australian Capital Territory

Utilities (Technical Regulation) (Gas Metering Code) Approval 2026

Disallowable instrument DI2026–175

made under the

Utilities (Technical Regulation) Act 2014, s 14 (Technical codes—approval)

EXPLANATORY STATEMENT

Introduction

This explanatory statement relates to the *Utilities (Technical Regulation) (Gas Metering Code) Approval 2026* (the ***instrument***) as made by the Minister and presented to the ACT Legislative Assembly (the ***Assembly***). It has been prepared to assist the reader of the instrument. It does not form part of the instrument and has not been endorsed by the Assembly. This explanatory statement must be read in conjunction with the instrument.

Background

This instrument is made under the *Utilities (Technical Regulation) Act 2014* (the ***Act***). The Act provides a technical regulatory framework for regulated utilities in the Australian Capital Territory (ACT). Section 14 of the Act authorises the Minister to approve a technical code as recommended by the Technical Regulator.

Overview

The instrument is a technical code under part 3 of the Act. The instrument applies to:

(1) a utility licensed to distribute gas through a gas distribution network within the ACT; and

(2) a utility licensed to distribute gas through a transmission network within the ACT.

The purpose of the instrument is to set out the requirements for ensuring that gas delivered to customers through a gas distribution network is measured accurately.

The instrument revokes the *Utilities (Technical Regulation) (Gas Metering Code) Approval 2021* (DI2021–220) (the ***Gas Metering Code 2021***).

This instrument authorises a utility to leave an inaccurate customer meter in situation where gas has been temporarily disconnected, to avoid unnecessary replacement costs in circumstances where the gas connection is likely to be abolished at a later time due to electrification and the meter is unlikely to be reused. However, if the premises are reconnected to gas, the meter must be replaced at the time of reconnection. All other provisions of the code in schedule 1 of the instrument (the ***Gas Metering Code 2026***) are unchanged from those contained in the **Gas Metering Code 2021** (as per DI2021-220).

This instrument is in accordance with the general objects of the Act under which it is made, specifically to ensure the efficient delivery of regulated utility services (s 6 (a), Act).

Consultation

In accordance with section 13 of the Act, the Technical Regulator consulted the Independent Competition and Regulatory Commission and Evoenergy.

Climate Impact

This instrument has no material impact on climate change adaptation, greenhouse gas emissions production or abatement in the ACT.

Human Rights Impacts

During the development of this instrument due regard was given to its engagement with rights under the *Human Rights Act 2004* (the ***HR Act***). This instrument does not engage an individual's human rights under the HR Act.

Regulatory Impact Statement (RIS)

Section 34 of the *Legislation Act 2001* (the ***Legislation Act***) provides that if a proposed subordinate law or disallowable instrument (the ***proposed law***) is likely to impose appreciable costs on the community, or a part of the community, then, before the proposed law is made, the Minister administering the authorising law must arrange for a RIS to be prepared for the proposed law.

A RIS is not required as this instrument does not impose appreciable costs on the community or part of the community (see s 34 (1), Legislation Act). The instrument is the approval of the Gas Metering Code 2026, which includes minor updates to the Gas Metering Code 2021. As such, the changes are not likely to impose appreciable costs on the community or a part of the community.

A RIS is also not required, as this instrument does not adversely affect a person's rights or impose liabilities on a person (see s 36 (1) (b), Legislation Act).

Clause Notes

Clause 1 names the instrument the *Utilities (Technical Regulation) (Gas Metering Code) Approval 2026*.

Clause 2 provides that the instrument commences on the day after its notification day.

Clause 3 contains the approval of schedule 1 of the instrument.

Clause 4 provides public access to the instrument. Section 15 of the Act requires the technical regulator to make a copy of a technical code and its instrument available for public inspection during ordinary office hours. A person may inspect, or make a copy of, all or part of a technical code.

Schedule 1 of the instrument refers to the standards published by Standards Australia as in force from time to time. The standards are technical standards widely used by the gas industry and licensed gas utilities are expected to have technical knowledge of the standards. The standards referenced in schedule 1 are available for purchase from www.standards.org.au. Public access to the standards is limited due to copyright issues. Standards Australia has set up an online Reader Room that provides limited no-fee access to the entire catalogue of Australian Standards for non-commercial use. The Reader Room provides access for free to a maximum of three standards every 12 months for 24 hours at a time. The Reader Room is available at https://readerroom.standards.org.au.

Section 14(3) of the Act disapplies s47(6) of the Legislation Act in relation to an Australian Standards or Australia/New Zealand Standards.

Clause 5 revokes the *Utilities (Technical Regulation) (Gas Metering Code) Approval 2021* (DI2021–220).

Schedule 1 contains the Gas Metering Code 2026 and provides the requirements for gas utilities to ensure that gas delivered to customers through a gas distribution network are measured with accuracy.