

**INDEPENDENT COMPETITION AND REGULATORY
COMMISSION AMENDMENT
BILL 2003**

EXPLANATORY STATEMENT

Circulated with the authority of
Mr Ted Quinlan MLA
Treasurer

Outline of the Independent Competition and Regulatory Commission Amendment Bill 2003

The Bill provides that the Minister may declare certain fees and charges affecting the cost of providing a utility or regulated service may be passed on in full to consumers of the service. The declaration is a disallowable instrument.

Explanation of the Independent Competition and Regulatory Commission Amendment Bill 2003

New section 4C will allow the Treasurer to declare that certain fees and charges determined for a utility service or regulated service by a disallowable instrument can be passed on in full to consumers of the service.

New section 17(4A) provides that on an industry reference, the Independent Competition and Regulatory Commission (ICRC) is not to question the amount of a statutory fee declared under new section 4C or the basis on which the fee is worked out.

New section 19J(2) provides that on a regulatory reference, the ICRC is not to question the amount of a statutory fee declared under new section 4C or the basis on which the fee is worked out.

New section 20(2A) provides that when a price direction is made the ICRC must allow a statutory fee declared under new section 4C to be passed on in full to consumers of the utility service.

New section 24C(3A) provides that in deciding whether to consent to a variation, the ICRC must allow a statutory fee declared under new section 4C to be passed on in full to consumers of the utility service.

New section 24H(2) provides that in deciding to vary a price direction, the ICRC must allow a statutory fee declared under new section 4C to be passed on in full to consumers of the utility service.